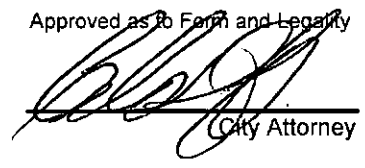


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City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 85459 C.M.S.

Introduced by Councilmember _____

1) ADOPT A RESOLUTION APPROVING A CAR SHARING POLICY; 2) ACCEPT AND APPROPRIATE THREE HUNDRED TWENTY THOUSAND FIVE HUNDRED AND TWENTY SIX DOLLARS (\$320,526.00) IN CYCLE 2 CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM FUNDS FROM THE METROPOLITAN TRANSPORTATION COMMISSION; 3) COMMIT MATCHING FUNDS OF 20.00% OF THE GRANT AMOUNT, OR SIXTY-FOUR THOUSAND ONE HUNDRED FIVE DOLLARS (\$64,105.00)

WHEREAS, the City of Oakland recognizes the practice of car sharing as a beneficial mode of transportation that reduces demand for private vehicles, decreases per capita greenhouse-gas emissions, and creates more affordable mobility options for all of Oakland's residents; and

WHEREAS, the Energy and Climate Action Plan (Resolution No. 84126 C.M.S) calls for a 36% reduction in greenhouse gas emissions and 20% reduction in vehicle-miles traveled from 2005 levels by 2020; and

WHEREAS, the City of Oakland, through its "Alternative Modes Policy" (Resolution No. 73036 C.M.S.) supports transportation alternatives to private, single-occupant vehicles; and

WHEREAS, the City of Oakland has allowed the practice of car sharing as a transportation choice since 2001; and

WHEREAS, the State of California, through Assembly Bill 2154 (California Vehicle Code Section 22507.1), has supported the practice of car sharing in both on- and off-street locations since 2006; and

WHEREAS, the practice of car sharing is defined as a membership-based service, available to all qualified drivers in a community, which allows members to make vehicle trips by operating a rented vehicle without a separate written requirement for each trip; and

WHEREAS, numerous California municipalities in California have adopted car sharing policies and legislation to facilitate car sharing in the public right of way and on public and private off-street property; and

WHEREAS, the adoption of a formal car sharing policy will allow the City of Oakland to standardize existing car sharing policies that currently limit the expansion of car sharing services within Oakland;

WHEREAS, the adoption of a formal car sharing policy will allow the City of Oakland to ensure that all residents, including the elderly, disabled, and disadvantaged, have access to this environmentally beneficial mode of transportation;

WHEREAS, the City of Oakland submitted an application to the Metropolitan Transportation Commission (MTC) in October 2014 to support car sharing implementation in Oakland; and

WHEREAS, the program is funded by Cycle 2 Congestion Management Air Quality Program funds and administered by MTC; and

WHEREAS, on December 17, 2014, MTC approved the programming of \$320,526 Cycle 2 Congestion Management Air Quality Program funds to support car sharing in Oakland; and

WHEREAS, each as a separate and independent basis, these actions are exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (existing facilities), and 15061(b) (3) (no significant effect on the environment); now, therefore be it

RESOLVED, that the City of Oakland adopts the Car Sharing Principles contained in *Exhibit A*, attached hereto and incorporated herein by reference; and be it

FURTHER RESOLVED, that the Public Works Director or designee will establish requirements to operate as a qualified car sharing organization in Oakland, set rules and responsibilities to participate in car sharing programs, distribute permits in an expedient and transparent manner, and assess fair and reasonable fees to car sharing organizations in exchange for said permits; and be it

FURTHER RESOLVED, that the Public Works Director or designee will negotiate and implement agreements with car sharing organizations on behalf of the City; and be it

FURTHER RESOLVED, that the Public Works Director or designee will recommend amendments to sections of the City's Municipal Code and the Master Fee Schedule as needed to grant car sharing vehicles the permits and parking privileges necessary for car sharing operations; and be it

FURTHER RESOLVED, that Public Works Director or designee will negotiate agreements regarding the boundaries of the service area, the frequency of changes to the boundaries of the service area as well as other service requirements with private car sharing organizations before granting the applicable permits; and be it

FURTHER RESOLVED, that the Public Works Director or designee will complete the rules and procedures for the point-to-point car sharing program in advance of launching any point-to-point car sharing service in Oakland and within six months of the adoption of this policy; and be it

FURTHER RESOLVED, that the Public Works Director or designee in the Public Works Department may administratively update the rules and requirements for participation in Oakland's car sharing programs consistent with the Car Sharing Policy without returning to City Council; and be it

FURTHER RESOLVED, that the Public Works Director or designee will direct a portion of the revenue from the Free-Floating Parking Zone and Master Residential Parking Permits to cover the administrative costs within the Department of Public Works and the Parking Division, as outlined in the staff report; and be it

FURTHER RESOLVED, that the City Council will accept and appropriate the \$320,526.00 Climate Initiatives grant of Cycle 2 Congestion Management Air Quality Program Funds for car sharing programs from the Metropolitan Transportation Commission; and be it

FURTHER RESOLVED, that the MTC funds shall be deposited and appropriated into MTC Program Fund 2163, Org 30275, Program IN17, Project to be determined; and be it

FURTHER RESOLVED, that the City Council will commit to a 20.00% local match of up to \$64,105.00 provided by a mix staff time and funding from Fund 2211 (Local Streets and Roads Grants Matching Fund); and be it

FURTHER RESOLVED, that the Public Works Director is authorized to execute agreements with the MTC, and amendments or modifications of the agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED, that should additional funds be received for the Oakland Car Share Implementation project, the Public Works Director or designee is hereby authorized to accept and appropriate the same for the purposes described above within the two-year project timeframe; and be it

FURTHER RESOLVED, that the Public Works Director or designee execute and submit all documents, payment request and related actions, as well as to appropriate any additional grant funds received for the completion of this project.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 17 2015

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, ~~WILLIAMS~~, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Gallo - 1

ATTEST

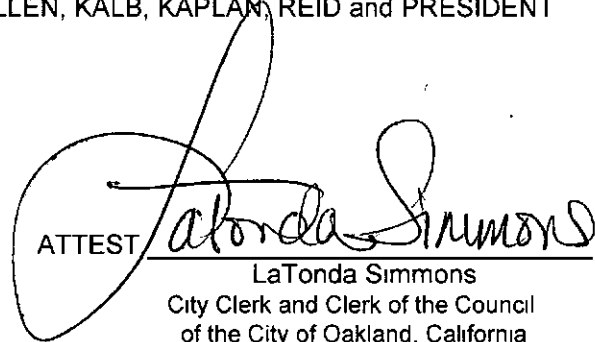

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Exhibit A

CAR SHARING PRINCIPLES

The following principles are to guide the City of Oakland in implementation of a Car Sharing Program. As needed, staff will recommend changes to the municipal code and Master Fee Schedule to permit the use of car sharing services in the public right of way, and establish a program for staff to monitor the use of car sharing within Oakland and make future recommendations about the role of car sharing in Oakland.

A. Objectives

Support Car Sharing on Public Property and the Public Right-of-Way

The City of Oakland should work with car sharing organizations to make the public right of way and municipally owned lots and garages available for car sharing services, as the City deems appropriate and in a manner that balances all modes of transportation, in accordance with adopted policy. The City will establish basic requirements to operate a car sharing service, and monitor feedback from Oakland residents about car sharing services.

Balance the Opportunities for Car Sharing with the Constraints of Local Parking Conditions

In planning and permitting car sharing services, the City of Oakland will consider current and projected parking and accessibility conditions in both residential and commercial districts.

Expand the Availability of Car Sharing Services to All Drivers

The City of Oakland wants to ensure that all residents, including the elderly, disabled, and disadvantaged, are served by this environmentally beneficial mode of transportation. The City expresses its intent to work with car sharing organizations so that all neighborhoods and communities have equitable access to car sharing services.

Clarify Existing Car Sharing Policies and Business Rules

An early adopter of car sharing, the City of Oakland intends to clarify existing policies and procedures that currently limit the expansion of car sharing services in the public right of way and in municipally owned lots and garages. The City will maintain an administrative process for granting car sharing-related permits and enforcing traffic regulations that is fair, transparent, and predictable to car sharing organizations. The City will enforce traffic regulations, and issue citations to individuals who compromise the privileges extended to permitted car sharing organizations in designated parking spaces.

Operate a Cost-Neutral Program

The financial impact of administering a car sharing program should be cost neutral to the City. The City should make space in the public right of way and municipal lots and garages available to car sharing organizations, but it should not subsidize the operations of car sharing organizations.

B. Implementation

Requirements for Participation

The Director of Public Works or designee is responsible for setting and publishing car sharing administrative rules that establish the requirements in Oakland. The Director of Public Works or designee will make the car sharing rules easily accessible, create permits and monitor resident feedback as well as utilization data from car sharing organizations for the duration of the City's car sharing programs. The Director of Public Works or designee will determine performance measures of car sharing services and publish the results on a regular basis.

Exhibit A

The Department of Finance and Management, in cooperation with the Department of Public Works will grant permits to car sharing organizations. The fees for said permits will be set in the Master Fee Schedule (13184 C.M.S.) by a complimentary ordinance.

Deemed Approved Status

Until rules and requirements have been established for dedicated car sharing spaces, the Director of Public Works or designee can designate existing dedicated spaces in the public right of way and in municipal lots as “deemed approved” until a dedicated space permit program exists or for one year from the passage of this policy with the possibility to extend that status for an additional year, whichever date comes first.

Point-to-Point Car Sharing Pilot Program

The Director of Public Works or designee will establish a pilot program to facilitate the use and evaluate the benefits and costs of point-to-point car sharing (i.e., “one way car sharing”). To operate point-to-point car sharing vehicles within the Oakland, car sharing organizations will need to obtain new Free-Floating Parking Zone and Master Residential Parking permits (detailed below) from the City. The City will grant up to 400 individual permits to operate car sharing organizations’ fleets within Oakland and other participating municipalities, however the car sharing organization’s permit fees will be based on the average annual number of car sharing vehicles that regularly park overnight within the City of Oakland.

The City of Oakland recognizes that car sharing services require different parking privileges than most privately owned vehicles. Thus, the Director of Public Works or designee will develop new types of parking permits that will allow point-to-point car sharing services to operate in Oakland in a fair and reasonable manner. Such permits will not entitle car sharing organizations to free metered or residential parking, and must include fees that cover lost meter revenue as determined by Director of Public Works or designee in cooperation with the Department of Finance and Management. These new types of permits will include:

- “Free-Floating Zone” Permit, which waives the parking duration limits, in metered and unmetered spaces with two-hour or longer time limits for car sharing vehicles belonging to a permitted car sharing organization within a predetermined geographic area. This annual permit entitles the car sharing organization to track and reimburse the City of Oakland for the parking meter fees of their car sharing vehicles annually or in a manner determined by the Public Works Director or designee.
- “Master Residential” Permit, which entitles the permitted car sharing vehicle to park in any and all residential permit parking zones. The fee associated with this annual permit will be based on the fee of a residential parking permit and set in the Master Fee Schedule.

With the exception of the privileges extended to car sharing vehicles and car sharing organizations bearing the aforementioned permits, all other traffic regulations apply to car sharing vehicles operating in Oakland.

To regulate the total number of point-to-point car sharing vehicles within the City of Oakland, the City will grant up to 400 Free-Floating Parking Zone Permits. The number of permits that correspond to the average annual number of car sharing vehicles that regularly park overnight within the City of Oakland will count towards the Free-Floating Parking Zone permit cap.

Exhibit A

To establish the zone of point-to-point car sharing operations, the car sharing organization applicant will determine the specific geographic boundaries of the zone of operations in consultation with the Director of Public Works or designee. The Public Works Director or designee will set rules for modifying the location of the Free-Floating Parking Zone during the term of the permit. The geographic boundaries may be extended by the Public Works Director but reduction in service area will require Council Action.

After the first year of the pilot program, the Director of Public Works or a designee will provide an update to City Council regarding findings from the program. After two years of the pilot program, staff will present Council with an evaluation of the use of point-to-point services and make a recommendation about whether to extend, modify, or terminate the program.

Dedicated Spaces for Car Sharing Organizations

The Director of Public Works or designee will develop an administrative program to permit and locate dedicated spaces in the public right of way and in municipal parking lots and garages. Public Works staff will determine the necessary permits, fees, and administrative rules to allow car sharing vehicles to reserve metered and unmetered spaces in the public right of way and in municipal lots and garages. Public Works staff will work with qualified car sharing organizations to determine the appropriate number of dedicated spaces to make available to car sharing vehicles as well as their ideal locations in the City.

Staff recommends that the development process of the dedicated space program take place in two phases: the initial administrative development phase and the second expansion phase. Between these two phases, an independent party should conduct a program evaluation to determine how to make the best use of public resources to support car sharing in Oakland.

After each phase, staff will return to council with a resolution to adopt or revise requirements to regulate the dedicated space program. The initial development phase, the program evaluation, and the expansion phase will take approximately 2 years.