



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2015 FEB 10 PM 4:50

# AGENDA REPORT

**TO:** JOHN A. FLORES  
INTERIM CITY ADMINISTRATOR

**FROM:** Brooke A. Levin

**SUBJECT:** Adopt A Car Sharing Policy, Ordinance,  
Master Fee Changes, and External  
Funding

**DATE:** February 5, 2015

City Administrator  
Approval

Date

2/5/15

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff Recommends That The City Council 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); 4) Adopt A Resolution Authorizing An Application For Funding To MTC; 5) Adopt An Ordinance That Amends Title 10.44 And Title 10.71 Of The Oakland Municipal Code To Establish New Parking Permits To Eligible Car Sharing Organizations; And 6) Amend Ordinance Number 13184 C.M.S. (The FY 2013-14 Master Fee Schedule, Or "MFS") To Establish Fees For The New Permits.

## EXECUTIVE SUMMARY

Car sharing is 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 agreement for each trip. Car sharing services continue to evolve as an alternative to individual automobile ownership. Such services originally began operating on an informal basis in Oakland in 2001. The proposed policy provides the regulatory framework to allow appropriate use of the public right of way and municipal lots and garages in Oakland by car sharing organizations.

Specific outcomes of this legislation, if adopted, would include:

1. Adoption of Oakland's first formal car sharing policy, establishing the basis for the City's approach to the provision of car sharing in the public right-of-way,
2. Extension of authority to the Public Works Director or designee to develop a "Deemed Approved" program for existing dedicated spaces on public streets and in municipal lots used by car sharing organizations until a permitting program has been developed;

Item: \_\_\_\_\_  
Public Works Committee  
February 24, 2015

3. Implementation of a 2-year pilot program to introduce and evaluate the point-to-point model of car sharing services in Oakland;
4. Establishment of new parking permits to grant car sharing organizations the privileges necessary to operate point-to-point car sharing services;
5. Establishment of changes to the Master Fee Schedule to set the fees for the point-to-point car sharing permits;
6. Development of a protocol for car sharing services using dedicated parking spaces in the public right of way or in municipal lots and garages within Oakland,
7. Acceptance and appropriation of \$320,526 from the Cycle 2 CMAQ program funds awarded to the City of Oakland by the Metropolitan Transportation Commission for car sharing policy implementation; and
8. Extension of authority extended to the City Administrator or designee to negotiate and implement agreements with car sharing organizations

By making these changes, the City will expand access to car sharing services throughout Oakland and increase the number of car sharing vehicles in Oakland. Unlike taxi and shared ride services, such as Uber and Lyft, car sharing organizations do not provide driving services. This policy does not address or apply to shared-ride services.

## **BACKGROUND/LEGISLATIVE HISTORY**

### *History of Car Sharing in Oakland*

In April 2001, City Council approved a resolution (76606 C M S) to allow City CarShare to provide car sharing services in the City of Oakland. Between 2001 and 2006, City CarShare acquired nine dedicated spaces in the public right of way and two spaces in municipal parking lots. While these spaces serve to increase car sharing in Oakland, there are no associated permits allowing for this use. This limits the City's ability to expand or adjust the location of spaces, and City CarShare has continued to use these dedicated spaces without an associated City fee or permit.

### *Models of Car Sharing*

There are three primary models for car sharing:

- "Dedicated Space" or "traditional" car sharing is the basic model of car sharing. This model consists of members making round trips from a dedicated location. Vehicles are available 24/7, and are owned by a private car sharing organization (City CarShare and Zipcar are two examples). Both City CarShare and Zipcar operate dedicated space models of car sharing in Oakland, but the majority of their dedicated parking spaces are on private properties, which do not require special permits.
- "Point-to-Point" or "one-way" car sharing allows a member to rent an available car sharing vehicle, and complete the trip anywhere in a designated zone. The member may

drive the vehicle out of the zone, but can only end a trip within the zone. The viability of this model relies on the car sharing organization's ability to park its vehicles on-street in both metered and residential areas free from parking duration limits. Vehicles are available 24/7 and are owned by a private car sharing organization. The leading provider of point-to-point car sharing in North America, car2go, does not currently operate in Oakland, but the company approached the City in 2014 to get the approvals and permits necessary to start a zone of operations in the East Bay.

- "Peer-to-Peer" car sharing is similar to dedicated space car sharing in that it requires members to make round trips. In the peer-to-peer model, members both own and rent vehicles, and the car sharing organization exists primarily to provide the reservation software and hardware, insurance, and marketing as well as resolve member disputes. At owners' discretion, vehicles are often not available 24/7 to all members, and are parked in proximity to owners' residences instead of strictly in dedicated spaces. Examples of such companies include Getaround and RelayRides. Both companies operate in Oakland, and their business model does not require a special permit.

#### *Current Demand for Car Sharing*

Multiple requests to the City suggest considerable community demand for car sharing services: car2go, Zipcar and City CarShare have expressed interest in locating and expanding within Oakland. These companies see potential for greater car sharing demand if they could operate within more Oakland neighborhoods.

#### *Benefits of Car Sharing*

Research demonstrates that car sharing creates a variety of environmental benefits, including lower private vehicle ownership rates, increased rates of walking and biking, and decreased greenhouse gas emissions. Recent studies show that use of car sharing results in:

- *Lower vehicle ownership:* Martin and Shaheen (2011) found that for every 1 car sharing vehicle in a neighborhood 9-13 private vehicles were either shed or avoided.<sup>1</sup>
- *Increased walking and bicycling:* Martin and Shaheen also found that household car sharing usage resulted in a small, but statistically significant, 3-6% net increase in hours walked or biked.<sup>2</sup>
- *Decreased greenhouse gas emissions:* Car sharing reduces annual net greenhouse gas emissions of car sharing households, and encourages a "shared-vehicle, low-mileage lifestyle."<sup>3</sup>

<sup>1</sup> Elliot Martin and Susan Shaheen "The Impact of Carsharing on Household Vehicle Ownership" *Access*, 38 Spring 2011 22-27

<sup>2</sup> Elliot Martin and Susan Shaheen "The Impact of Carsharing on Public Transit and Non-Motorized Travel: An Exploration of North American Carsharing Survey Data" *Energies*, Basel, Switzerland, Nov 2011

Given the research results, increased use of car sharing would further Oakland's transportation and environmental policy goals. In particular, the environmental benefits associated with car sharing advance the City's "Alternative Modes" policy (Resolution No. 73036 C.M.S.), which aims to reduce dependency on single occupant vehicle trips. Furthermore, the Oakland Energy and Climate Action Plan calls for a 36% reduction<sup>4</sup> of Oakland's greenhouse gas emissions (Resolution No. 84126 C.M.S.)

Finally, car sharing increases the access to automobiles for people who may not be able to afford a car. Research shows that car sharing reduces the financial costs of driving for individuals and businesses<sup>5</sup>

## **ANALYSIS**

This section describes the objectives of the Car Sharing Policy ("Policy"), requirements for participation, implementation steps, and description of the point-to-point service and the parking space program

### *Car Sharing Policy Objectives*

To guide how the City will regulate car sharing services, the Car Sharing Policy establishes the following objectives (see *Exhibit A* that is attached to the Resolution):

With the adoption of this policy, the City will:

1. Support car sharing on public property;
2. Balance the opportunities for car sharing with the constraints of local parking conditions;
3. Expand availability of car sharing services citywide;
4. Clarify existing car sharing policies and set business rules; and
5. Operate a program that is cost-neutral to the City.

To act on these objectives, the Policy also outlines four primary implementation steps, described in greater detail below.

### *1 Define Requirements for Participation in Oakland's Car Sharing Program*

The Public Works Director or designee will create the administrative rules to regulate the use of public property for car sharing services. Responsibilities related to managing car sharing include:

- Establishing qualifications for car sharing organizations that can park car sharing vehicles in the public right of way and in municipal lots and garages,

---

<sup>3</sup> Elliot Martin and Susan A. Shaheen "Greenhouse Gas Emission Impacts of Carsharing in North America" IEEE Transactions on Intelligent Transportation Systems, Vol. 12, No. 4, December 2011

<sup>4</sup> 2005 levels

<sup>5</sup> National Research Council *TCRP Report 108 Car-Sharing: Where and How It Succeeds* Washington, DC: The National Academies Press, 2005 [http://onlinepubs.tnlib.org/onlinepubs/tcrp/tcrp\\_rpt\\_108.pdf](http://onlinepubs.tnlib.org/onlinepubs/tcrp/tcrp_rpt_108.pdf)

- Establishing a methodology for setting appropriate fees to maintain a cost-neutral program
- Setting and publishing rules for car sharing services;
- Providing information to the public about the new shared mobility services;
- Responding to resident feedback; and
- Monitoring car sharing member utilization data.

As a first step to implement the Policy, the City Administrator or designee will determine the eligibility requirements for car sharing organizations to participate in the car sharing program

## *2 Establish Deemed Approved Status*

The City will also create the “Deemed Approved” status for car sharing vehicles already parking in the public right of way and on public property. During the first car sharing pilot in the early 2000s, 11 car sharing vehicles obtained parking spaces in the right of way and in municipal lots and garages without permits. Deemed Approved is a temporary designation that allows the Public Works Director or designee to approve existing parking spaces for car sharing vehicles until the dedicated space program has been initiated or for one year with one possible one-year extension, whichever date comes first.

## *3 Establish a Point-to-Point Pilot Program*

To provide residents with point-to-point car sharing services, staff recommends the creation of two new types of permits and associated fees:

- “Free-Floating Parking Zone” Permit: This permit 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 the predetermined service area.
- “Master Residential Parking” Permit: This permit entitles the permitted point-to-point car sharing vehicle to park in any and all residential parking zones. The concept for the Master Residential permit is based on providing an “all-access” residential parking pass for point-to-point car sharing vehicles.

Staff recommends that both the Free-Floating Parking Zone and Master Residential Parking permits be granted annually. However, the initial term of service for any point-to-point service should last for two years to gather sufficient data and calculate accurate permit fees and determine the actual impact on parking availability in key areas. 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.

For the duration of the pilot point-to-point program, the car sharing organization will be responsible for collecting and distributing regular utilization data reports (in a format preferred

by the City) and responding to any concerns from residents about the service. As appropriate, City staff will forward concerns about vehicles and parking to the point-to-point car sharing organization. The Police Department's Parking Enforcement Division will be responsible for enforcing the rules of the parking program.

Experience in other cities with point-to-point car sharing services suggests that parking impacts will be minimal, as the point-to-point business model relies on frequent vehicle turnover. For instance, a recent analysis in Seattle showed that car2go vehicles occupied paid parking spaces for an average of 68 minutes, and residential parking permit spaces for an average of 2.5 hours. Moreover, car2go vehicles occupied only 0.7% of all paid parking spaces.<sup>6</sup>

Figure 1 shows the preliminary geographic area within Oakland that could be covered by car2go point-to-point car sharing services.<sup>7</sup>

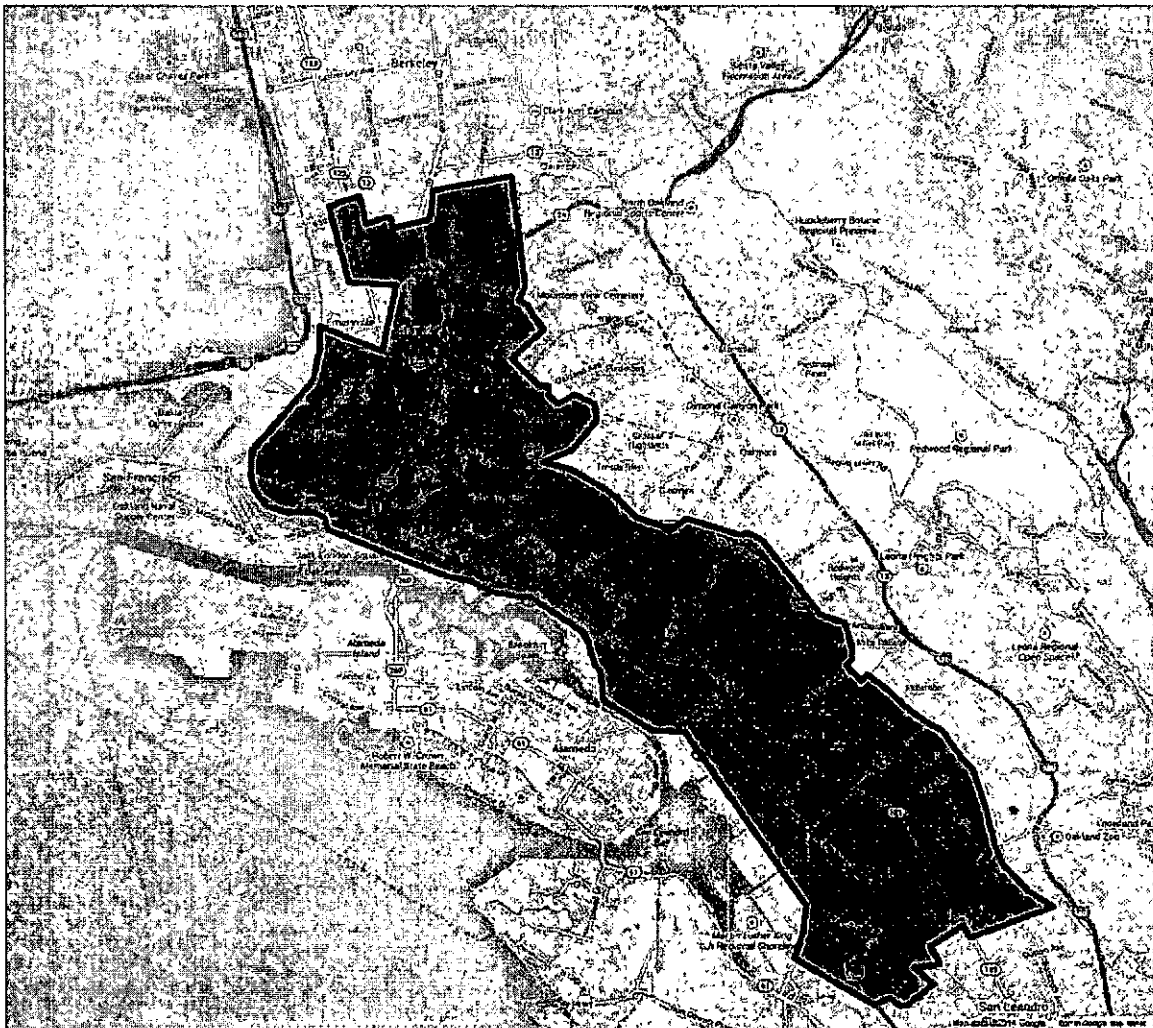


Figure 1. Oakland Boundaries of the point-to-point service area proposed by car2go

<sup>6</sup> <http://www.seattle.gov/council/Committees/Transportation/attachments/Transp%20Comm%20free%20float%20car%20memo.pdf>

<sup>7</sup> Car2go supplied the boundary map in its proposal to the City of Oakland

#### *4 Develop a Dedicated Space Program*

To expand car sharing services that use dedicated parking spaces (e.g., City CarShare, Zipcar); staff recommends that the City use part of the MTC grant award to hire a consultant with car sharing expertise to 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

Because best practices for dedicated spaces in the public right of way and in municipal lots and garages are evolving, an experienced consultant will guide Oakland to find the right method to allocate the parking spaces

Staff recommends that the development process of the dedicated space program take place in two phases: the initial pilot phase and a second expansion phase (should the pilot prove successful).

#### **PUBLIC OUTREACH/INTEREST**

As part of the project funded by the Climate Initiatives grant, TransForm, in partnership with the City, is proposed to lead a shared mobility outreach campaign to low-income groups in Oakland. The campaign will seek to introduce shared mobility technologies, such as car sharing and the forthcoming bike sharing system, to all of Oakland with a focus on East Oakland.

Oakland Public Works staff will also incorporate an outreach component into the agreements with qualified car sharing organizations. City consultants and staff, and representatives from car sharing organizations will work with neighborhood groups and business leaders to find appropriate parking spaces for car sharing throughout the city

#### **COORDINATION**

The proposed program has been coordinated internally with Parking Enforcement Division, the Finance and Management Department, and OPW to ensure that the program is feasible to implement. The City Attorney's office has reviewed this report.

#### **COST SUMMARY/IMPLICATIONS**

##### *Climate Initiatives Grant to Support Car Sharing in Oakland*

To implement the Policy, the Metropolitan Transportation Commission awarded \$320,526.00 from the Climate Initiatives Program to Oakland on December 17, 2014, in Cycle 2 CMAQ Program funds for car sharing. The City is the project sponsor for the grant in conjunction with two partners: TransForm and the University of California - Berkeley Transportation Sustainability Research Center (TSRC). This one-time grant will last for two years, with funds available in summer 2015, to support four parallel efforts

- 1 Develop a dedicated space program (led by the City with assistance from a consultant);

2. A shared mobility outreach program to low-income communities (led by the TransForm non-profit organization);
3. A year-long initial program evaluation for both the point-to-point pilot and the initial phase of the dedicated space program (led by the TSRC), and
4. The post-evaluation expansion phase of the dedicated space program (led by the City with assistance from a consultant).

### *Parking Revenue*

There is no anticipated fiscal impact to parking revenues as the car sharing companies will pay the projected cost) of lost parking meter revenue (See proposed changes to Ordinance Number 13184 C.M.S., the FY 2013-2014 Master Fee Schedule, *Exhibit A* of the Ordinance).

Based on the structure of the permits for car sharing and the status quo of the current dedicated spaces, staff anticipates a small overall increase in parking revenue that would come from three revenue streams: the Free-Floating Parking Zone Permit fees, the Master Residential Parking Permits fees, and fees for the future permits required for dedicated spaces

### *Revenue from Permits for Point-to-Point Car Sharing*

The Free Floating Parking Zone Permit would effectively replace meter revenue for point-to-point car sharing vehicles. The point-to-point fees (see *Attachment A* to this report: Permit Fee Calculations) were developed by Oakland Public Works and the Finance and Management Department. The fee for the first year's Free-Floating Parking Zone Permit is based on an estimate of foregone revenue where a car sharing vehicle is parked in a metered space. Point-to-point car sharing members will not pay for parking at the meter; parking fees will be covered by the annual permit fee paid for by the vendor. The recommended Free-Floating Parking Zone Permit fee for the first year is \$1,278.00 per vehicle, and the total fee income is estimated at \$159,688 00 (for 125 vehicles operating within Oakland city limits).

The Free Floating Parking Zone Permit fee will be updated in subsequent years based on the actual use of metered parking spaces by point-to-point car sharing services.

The fee for the Master Residential Parking Permit offers a premium parking pass to point-to-point car sharing vehicles. However, OPW staff anticipates that some members will shed their personal/private vehicles in response to the availability of point-to-point car sharing services. The fee proposed (\$105.00) represents three times the cost of a single residential parking permit<sup>8</sup> (\$35.00), reflecting that the permit provides greater value than a standard Residential Parking Permit. The intention of this fee is to recoup administrative costs associated with the program. As an example, with 125 vehicles in Oakland, a point-to-point car sharing organization's total annual cost for the Master Residential Permits would equal \$105.00 x 125 vehicles or \$13,125 00.

<sup>8</sup> See the Master Fee Schedule <http://www2.oaklandnet.com/oakca1/groups/cityadministrator/documents/report/oak043059.pdf>



The estimated combined fee of the two types of permits for 125 car2go vehicles in the first year of service is \$172,813.00. Currently only car2go has approached the City to establish a zone of operations. However, if another company did approach the City, the same fees would apply.

#### *Revenue from Dedicated Space Permits*

Like point-to-point car sharing vehicles, dedicated space permits will also likely require an annual renewal and fees. That revenue stream cannot be estimated until the terms of the dedicated space program are determined. Nevertheless, because current car sharing vehicles who park on-street and in municipal lots and garages currently do not compensate the City for the parking, the dedicated space program will likely result in a net increase in parking revenue.

#### *Costs*

The \$320,526.00 from the Cycle 2 CMAQ Program funds grant will cover the majority of costs associated with the launch of the car sharing program as described in this staff report and Policy. However, to accept and appropriate the grant from MTC, the City will need to cover the required 20.00% local match of \$64,105.00. Staff recommends that the City cover that cost with a mix of staff time and Measure B (Fund 2211) Grant Matching Funds.

In addition to the local match requirement, the adoption of the Policy will require new administrative start-up costs for the point-to-point Carsharing program that is not covered by the Climate Initiatives grant. Based on feedback from city employees who administer car sharing programs in Portland, Oregon, staff recommends setting aside an additional amount of funds for the start-up tasks estimated at \$80,000 for the first year, and \$25,000 for each subsequent year.

In addition to staff time, the City will be dedicating a small fraction of the parking supply for the use of car sharing. Car sharing will remove 100-300 metered and un-metered spaces from private vehicle use at any point during the program, which conservatively represents 0.1-0.2%<sup>9</sup> of Oakland's on-street parking supply. However, the expanded use of car sharing is expected to reduce neighborhood demand for parking because of the multiplier effect of a single car sharing vehicle on local vehicle ownership.<sup>10</sup>

#### *Fund Allocation*

Parking meter revenue generally accrues to the City's General Purpose Fund (Fund 1010). This policy proposes the Free-Floating Parking Zone Permit revenue, which is essentially a replacement for metered parking, similarly accrue to Fund 1010. Staff recommends that a portion of the revenue from the Master Residential Parking and Free-Floating Parking Zone Permit fees

<sup>9</sup> Staff estimates that there are a total of 120,000 on-street parking spaces within the proposed car2go service area. The most parking that will ever be consumed by car sharing is the total number of potential car sharing permits granted. Thus, if Oakland allows 200 free-floating zone permits, there is a chance that 200 vehicles will be parked in Oakland at any one time plus the 71 (60 new + 11 old) potential dedicated spaces for a maximum of 271 parking spaces removed from the private parking supply for car sharing at any one time. Car sharing services will use both metered and unmetered spaces.

<sup>10</sup> Elliot Martin and Susan Shaheen "The Impact of Carsharing on Household Vehicle Ownership" *Access*, 38 Spring 2011 22-27

be set aside to cover these administrative costs associated with the start-up of the point-to-point car sharing pilot program.

### **FISCAL/POLICY ALIGNMENT**

The initiative is designed to ensure that the fiscal impact on the City is cost neutral in aggregate and that parking and permit revenues meet budget targets. This will be monitored during implementation of the program, and staff will implement changes if necessary. The environmental benefits associated with car sharing advance the City's "Alternative Modes" policy (Resolution No. 73036 C.M.S.), which aims to reduce dependency on single occupant vehicle trips. Furthermore, the Oakland Energy and Climate Action Plan calls for a 36% reduction<sup>11</sup> of Oakland's greenhouse gas emissions (Resolution No. 84126 C.M.S.).

### **SUSTAINABLE OPPORTUNITIES**

**Economic** Car sharing will bring new transportation choices to Oakland residents who will have the opportunity to reduce costs associated with owning a private vehicle. Any car sharing organization established in Oakland will likely be subject to business license fees and provide new jobs in Oakland.

**Environmental:** Research has shown that car sharing services reduce the demand for private vehicles, decrease greenhouse-gas emissions, and increase walking and biking. Expanding car sharing services in Oakland will help Oakland meet our sustainability goals outlined in the Energy and Climate Action Plan.

**Social Equity** By adopting the Car Sharing Policy, the City will take steps to see that car sharing services expand to underrepresented neighborhoods and areas currently poorly served by car sharing. The City will also have an opportunity to set standards for access to car sharing services and to develop a car sharing marketing and outreach program to key areas.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

This Resolution and Ordinance is exempt from the environmental analysis requirements of CEQA under CEQA Guidelines section 15061(b)(3) (Common Sense Exemption) because the only potential physical effect on the environment that could foreseeably result from its implementation is a reduction in environmental impacts associated with vehicle traffic including, but not limited to, traffic congestion and greenhouse gas emissions. The Resolution and Ordinance, therefore, are actions that do not have the potential to cause significant effects on the environment.

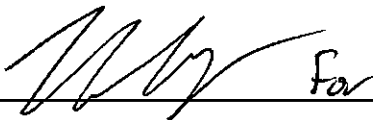
On a separate and independent basis, the project is also exempt under CEQA Guidelines section 15301(c), which exempts operation, repair, or minor alteration of existing facilities.

---

<sup>11</sup> 2005 levels

For questions regarding this report, please contact Jamie Parks, Senior Transportation Planner, at (510) 238-6613.

Respectfully submitted,



---

Brooke A. Levin  
Director, Oakland Public Works

Reviewed by:  
Michael J. Neary, P.E., Assistant Director  
OPW, Bureau of Engineering and Construction

Prepared by:  
Jamie Parks, Senior Transportation Planner  
Transportation Planning and Funding Division

Attachment  
Attachment A – Permit Fee Calculation

**Attachment A: Permit Fee Calculation**

**REVENUE ESTIMATES FROM CAR2GO PERMITS**

<b>Revenue From Residential Parking Permit Fees</b>		
Estimated average number of car2go vehicles in Oakland	125	(See Page 2 Section A for an explanation of the figure at left )
Master Residential Permit fee per vehicle	\$ 105	(Amount proposed in ordinance )
<b>Total Annual Residential Permit Fee</b>	<b>\$ 13,125</b>	

<b>Revenue From Free-Floating Zone Permit Fee</b>		
Maximum annual revenue per meter	\$ 6,000	(See Page 2 Section B for an explanation of the figure at left )
Estimated proportion of car2go vehicles parked at an Oakland meter	21.3%	(See Page 3 Section C for an explanation of the figure at left )
<i>Annual Free Floating Zone Fee Per Vehicle</i>	\$ 1,278	
<b>Total Annual Free-Floating Zone Permit Fee</b>	<b>\$ 159,688</b>	(Based on estimated 125 car2go vehicles in Oakland)

<b>Annual Revenue From car2go</b>		
Total Annual Residential Permit Fee	\$ 13,125	
Total Annual Free-Floating Zone Permit Fee	\$ 159,688	
<b>Annual Total Fee to car2go</b>	<b>\$ 172,813</b>	
<i>Annual Permit Fee per car2go Vehicle</i>	\$ 1,383	

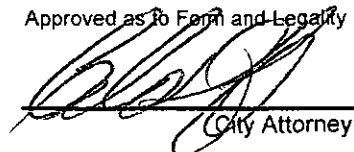
**Attachment A: Permit Fee Calculation**

<b>A. Number of car2go vehicles in Oakland</b>		
Estimated number of parking spaces in the East Bay car2go area	192,000	(Figure supplied by car2go )
Estimated number of parking spaces in the car2go area in Oakland	120,000	(Figure supplied by car2go )
Percent of all East Bay car2go parking spaces located in Oakland	63%	
Total number of car2go vehicles in the East Bay	200	(car2go proposes to bring 200 vehicles to the East Bay, including Oakland, Berkeley and Alameda)
Percent of all East Bay car2go parking spaces located in Oakland	63%	
<b>Estimated average number of car2go vehicles in Oakland</b>	<b>125</b>	

<b>B. Annual Meter Revenue</b>		
Number of metered hours per day	10	(Figure supplied by the Department of Finance )
Number of metered days per year	300	(Figure supplied by the Department of Finance )
Parking rate per hour	\$ 2	(Figure supplied by the Department of Finance )
<b>Maximum annual revenue per meter</b>	<b>\$ 6,000</b>	

<b>C. Number of car2go vehicles parked at an Oakland meter</b>		
Estimated number of parking spaces in the car2go area in Oakland	120,000	
Estimated number of metered parking spaces in Oakland car2go area	7,300	(Figure supplied by the Department of Finance )
Percent of metered parking spaces in Oakland	6%	
Estimated average number of car2go vehicles in Oakland	125	
Car2go's Meter Priority Factor	3.5	(Meter Priority Factor represents the greater probability that a car2go vehicle will park at a metered space. Car2go determined value in consultation with the Department of Finance )
Percent of metered parking spaces in Oakland	6%	
<b>Estimated proportion of car2go vehicles parked at an Oakland meter</b>	<b>21.3%</b>	

2015 FEB 10 PM 4:50



City Attorney

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ 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, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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.

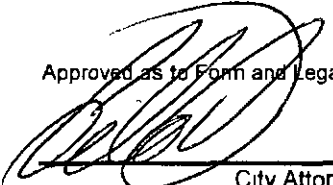
Staff recommends that the development process of the dedicated space program take place in two phases: the initial administrative development phase and the second expansion phase. Between these two phases, an independent party should conduct a program evaluation to determine how to make the best use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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2015 FEB 10 PM 4:50

# OAKLAND CITY COUNCIL

Approved as to Form and Legality

  
City Attorney

RESOLUTION NO. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

---

**ADOPT A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO MTC AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING THE ASSURANCE TO COMPLETE THE PROJECT**

**WHEREAS**, the City of Oakland (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$320,526 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding, Transportation Alternatives (TA)/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the OAKLAND CAR SHARING IMPLEMENTATION PROJECT (herein referred to as PROJECT) for the CYCLE 2 CONGESTION MANAGEMENT AIR QUALITY PROGRAM (herein referred to as PROGRAM); and

**WHEREAS**, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

**WHEREAS**, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

**WHEREAS**, pursuant to MAP-21, and any regulations promulgated there under, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

**WHEREAS**, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

**WHEREAS,** MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

**WHEREAS,** APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

**WHEREAS,** as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING, and
- that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and
- in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

**WHEREAS,** that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

**WHEREAS,** there is no legal impediment to APPLICANT making applications for the funds; and

**WHEREAS**, there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and

**WHEREAS**, APPLICANT authorizes its City Administrator or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

**WHEREAS**, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application; now, therefore be it

**RESOLVED**, that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under MAP-21 or continued funding; and be it

**FURTHER RESOLVED**, that APPLICANT will provide any required matching funds; and be it

**FURTHER RESOLVED**, that APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it

**FURTHER RESOLVED**, that APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it

**FURTHER RESOLVED**, that PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it

**FURTHER RESOLVED**, that APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and be it

**FURTHER RESOLVED**, that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it

**FURTHER RESOLVED**, that, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it

**FURTHER RESOLVED**, that, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it

**FURTHER RESOLVED**, that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it

**FURTHER RESOLVED**, that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects, and be it

**FURTHER RESOLVED**, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it

**FURTHER RESOLVED**, that there is no legal impediment to APPLICANT making applications for the funds; and be it

**FURTHER RESOLVED**, that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it

**FURTHER RESOLVED**, that APPLICANT authorizes its City Administrator or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it

**FURTHER RESOLVED**, that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it

**FURTHER RESOLVED**, that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY

NOES -

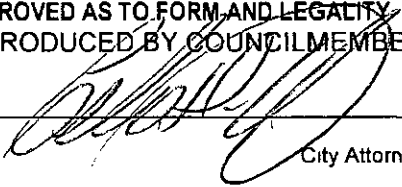
ABSENT -

ABSTENTION -

ATTEST \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2015 FEB 10 PM 4:50

APPROVED AS TO FORM AND LEGALITY  
INTRODUCED BY COUNCILMEMBER

  
\_\_\_\_\_  
City Attorney

# OAKLAND CITY COUNCIL

ORDINANCE No. \_\_\_\_\_ C.M.S.

---

**ADOPT AN ORDINANCE THAT AMENDS TITLE 10.44 AND TITLE 10.71 OF THE OAKLAND MUNICIPAL CODE TO ESTABLISH NEW PARKING PERMITS TO ELIGIBLE CAR SHARING ORGANIZATIONS; AND AMEND ORDINANCE NUMBER 13184 C.M.S. (THE FY 2013-14 MASTER FEE SCHEDULE, OR "MFS") TO ESTABLISH FEES FOR THE NEW PERMITS**

**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 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 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 City of Oakland, recognizes that car sharing vehicles have needs distinct from private vehicles that require special parking privileges to facilitate their widespread adoption;

**WHEREAS,** the City of Oakland recognizes that a new fee schedule must be incorporated into the Master Fee Schedule to address the costs of this new program (Chapter 10, Parking Management Section); and

**WHEREAS,** the proposed fees have been analyzed by staff, and the changes to the Master Fee Schedule now set the prices of the aforementioned permits in line with regional and industry standards and now; and

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



**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 10.44 is amended to read as follows:

**Chapter 10.44 - RESIDENTIAL PERMIT PARKING PROGRAM**

**10.44.030 Definitions.**

As used in this chapter:

"Address" means and includes any residential or business address. Each dwelling unit within an apartment building that is distinguished by an apartment number and each office within an office building that is distinguished by a suite number shall be considered an address.

"Block" for the purpose of Chapter 10.44 only, means any street segment intersected by two other streets; street segments over 800 feet in length, but less than 1,600 feet in length shall be considered two blocks; street segments over 1,600 feet in length shall be considered three blocks.

"Car sharing" is defined as a membership-based service, available to all qualified drivers in a community, which allows members to make vehicle trips with the use of a rented vehicle without a separate written requirement for each trip.

"Car sharing organization" is an organization that provides members with access to a minimum of 20 shared-use vehicles at geographically distributed locations with hourly, daily, and/or weekly rates (or fractions thereof) that include insurance. The Public Works Department will maintain a list of the criteria necessary to become a "qualified" car sharing organization as well a list of qualified car sharing organizations entitled to applied for car sharing-related permits.

"Car sharing vehicle" is a vehicle made accessible by a car sharing organization for use by its members. Each car sharing organization shall display its identifying emblem on any car sharing vehicle using on-street spaces.

"Business" means an enterprise or establishment used for the purpose of conducting business located in the designated residential permit parking area.

"Day care center" means and includes any state-licensed day care center with five or more employees.

"Designated residential parking area," sometimes referred to as "residential permit parking area," means any street upon which the Council imposes parking limitations pursuant to the authority granted by this chapter.

"Fourteen (14) day visitor parking permit" means a parking permit issued pursuant to this chapter or an ordinance or resolution enacted pursuant to authority granted herein, which when displayed upon a motor vehicle, as described herein, shall exempt the motor vehicle from parking time restrictions established pursuant to this chapter for a period of fourteen (14) days, beginning upon the date indicated upon the face of said permit.

"Master residential parking permit" refers to the permit that entitles car sharing vehicles with master residential parking permits to park in any residential permit parking area.

"Motor vehicle" means and includes automobile, truck, motorcycle or other motor driven form of transportation not in excess of nine thousand (9,000) pounds gross weight.

"Nonprofit public service organization" means and includes any nonprofit organization involved in public service with the exception of those nonprofit organizations who primarily provide medical care services including, but not limited to, hospitals and medical office buildings.

"Neighborhood-serving establishment" means all schools, day care centers, and nonprofit public service organizations.

"Nonresident vehicle" means a motor vehicle not eligible to be issued a residential parking permit, pursuant to the terms and conditions of this chapter, for the specific area in which it is parked.

"One-day visitor parking permit" means a parking permit issued pursuant to this chapter which when displayed upon a motor vehicle, as described herein, shall exempt the motor vehicle from parking time restrictions established pursuant to this chapter or an ordinance or resolution enacted pursuant to authority granted herein, for the date indicated upon the face of said permit.

"Parking permit" means a permit issued under this chapter which, when displayed upon a motor vehicle, as described herein, shall exempt said motor vehicle from parking time restrictions established pursuant to this chapter.

"Person" means and includes, but shall not be limited to, individuals, corporations, businesses, partnerships, hospitals and churches.

"Residence" means a legal residential address and shall exclude business addresses.

"Resident" means any person eighteen (18) years of age or older whose legal residential or business address is in the designated residential permit parking area.

"School" means and includes any state-licensed preschool, elementary, middle, junior high, or high school with five or more employees.

"Visitor" means an individual who calls upon a resident in the designated residential permit parking area with specific intent to spend time in or about that resident's residence for the purpose of social intercourse or to provide a service.

#### **[10.44.140] Master Residential Parking Permit**

A. Master residential parking permits shall be issued by the Office of Finance in accordance with requirements set forth in this chapter. Each such permit shall be designed to state or reflect thereon the license number of the motor vehicle for which it is issued. A master residential parking permit can only be granted to a qualified car sharing organization, which is a designation granted by the Public Works Department.

B. A master residential parking permit entitles the driver of a registered car sharing vehicle to park the car sharing vehicle in any residential parking permit zone as if the member had a residential parking permit for the specific zone as designated by chapter 10:44.050; even if the member is not a resident or employee within the approved zone.

C. The master residential parking permit shall not guarantee or reserve a parking space for the car sharing member.

D. This chapter shall not exempt the car sharing member or permit holding car sharing organization from other traffic controls and regulations.

E. This chapter shall not permit the permit parking holder to leave standing his or her vehicle for more than seventy-two (72) hours.

F. The Office of Finance shall issue master residential parking permits with a term of one year. A car sharing organization can apply for any quantity of master parking permits, but they can only be used on designated car sharing vehicles. Permits can only be granted once per year, but replacements can be issued at the discretion of the Office of Finance in consultation with the Public Works Department. The Office of Finance and the Public Works Department will review the quantity of master parking permits requested by the car sharing organization to balance the parking needs of the car sharing organization with the on-street parking needs of private residents and employees.

G. Renewal of master residential parking permits shall be subject to the same conditions imposed on new permits.

H. The Office of Finance is authorized to issue such rules and regulations, not inconsistent with this chapter, governing the issuance and display of residential parking permits.

I. Any car sharing organization to which a residential parking permit has been issued pursuant to this section shall be deemed a master parking permit holder.

J. The fee for the initial, renewal, or replacement master residential parking permit shall be assessed the corresponding fees set forth in the city master fee schedule. The annual total fee paid to the City for all master residential parking permits shall reflect the average annual number of car sharing vehicles that regularly park overnight within the City of Oakland. The average annual number of car sharing vehicles will be assessed by the Public Works Department in consultation with the Office of Finance and the car sharing organization.

**Section 2.** Chapter 10.71 is added as follows:

### **Chapter 10.71 - FREE-FLOATING ZONE PERMIT PROGRAM FOR CAR SHARING ORGANIZATIONS**

**10.71.010 Legislative purpose.** The purpose of this chapter is to facilitate car sharing within Oakland by establishing a permit that entitles the permitted car sharing vehicle to lawfully park car sharing vehicles in metered and unmetered spaces with duration limits of two hours or longer for up to 72 hours within a designated zone. The concept for the Free-Floating Zone permit is based on pre-paying meter fees for point-to-point car sharing vehicles.

**10.71.020 Legislative findings.** The City Council finds, as a result of evidence generated by professional studies and derived from other sources, that promoting the use of car sharing within Oakland has numerous benefits, including improved mobility for residents and overall reduction in greenhouse gas emissions.

#### **10.71.030 Definitions.**

All definitions as used in this chapter shall reference the definitions used in Chapter 10.44 030 with the following additions:

A. "Free-Floating Zone Parking Permit" is a permit that entitles members of a permitted car

sharing organization to lawfully park car sharing vehicles in metered and unmetered spaces with duration limits of two hours or longer for up to 72 hours within a designated zone.

B. "Free-Floating Zone Area" is the area agreed upon by the car sharing organization permit holder and the Public Works Department, which bounds the permitted parking area for permit holder's car sharing vehicles within Oakland.

#### **10.71.040 Free-Floating Zone Parking Permit**

A. This chapter hereby designates that members of the Free-Floating Zone permit-holding car share organization can lawfully park car sharing vehicles in metered and unmetered spaces with duration limits of two hours or longer for up to 72 hours within the designated Free-Floating Zone.

B. The Free-Floating Zone permit does not exempt vehicles from any applicable parking prohibitions, as described in Chapter 10.28.

C. Car Sharing Organization members may park at meters without paying the meter, because the meter will be prepaid by the Car Sharing Organization as part of the cost of the Free-Floating Zone permit fee.

D. The permit will cover all of the car sharing vehicles of the permit holder, but the permit holder will need to share all of the license plate numbers of the car sharing vehicles with the city, and keep the city apprised to changes in the vehicle fleet. Failure to do so could result in revocation of the permit.

#### **10.71.050 Free-Floating Zone Designated Parking Zone**

The Free-Floating Zone Parking Area boundaries will be established by the permit applicant in consultation with the Public Works Department. The map of the Free Floating Zone will be publicly available on the City of Oakland's website and it will be updated with changes made to the permit zone. The Parking Enforcement Division will be apprised of any changes to the Free-Floating Zone Map. The car sharing vehicles will also have the GPS coordinates of the zone programmed into the navigation to alert the members to where permitted parking is and is not allowed. The Car Sharing Organization must notify its members to changes in the Free-Floating Zone area with three days notice.

#### **10.71.060 Modification after initial designation of Free-Floating Zone permit parking area**

The permit-holder car sharing organization may request up to 4 changes to Free-Floating Zone boundary areas during the term of the permit. The Public Works Department will approve the changes to the zone area if warranted.

#### **10.71.070 Issuance of Free-Floating Zone parking permits.**

A. Free-Floating Zone parking permits shall be issued by the Finance and Management Agency in accordance with requirements set forth in this chapter. Each such permit shall be designed to state or reflect thereon the license numbers of the car sharing vehicles owned by the car sharing organization. No more than one Free-Floating Zone parking permit shall be issued to each car sharing organization for which application is made.

B. The Finance and Management Agency shall issue Free-Floating Zone parking permits with a term of one year.

C. Renewal of Free Floating Zone parking permits shall be subject to the same conditions imposed on new permits.

D. The Finance and Management Agency is authorized to issue such rules and regulations, not inconsistent with this chapter, governing issuance and display of proof that a car sharing vehicle is owned by a car sharing organization with a valid Free Floating Zone parking permit.

F. Any car sharing organization to which a Free-Floating Zone parking permit has been issued pursuant to this chapter shall be deemed to be a Free-Floating Zone parking permit holder.

F. This chapter shall not exempt the car sharing member or permit holding car sharing organization from other traffic controls and regulations.

**10.71.080 Free-Floating Zone Parking permit fees.**

A. Initial purchase, renewal, or replacement of a lost, stolen or damaged Free-Floating Zone parking permit shall be subject to a contractual agreement between the car sharing organization and the Public Works Director.

B. The fee for the initial purchase, renewal, or replacement of a lost, stolen or damaged Free-Floating Zone parking permit should reflect either the anticipated forgone parking meter revenue, for the initial permit purchase, or the previous year's forgone parking meter revenue.

**10.71.090 Revocation of Free-Floating Zone parking permit.**

The revocation provision set forth in Chapter 10.44.110 shall apply to the Free-Floating Zone parking permit program.

**10.71.100 Violation and Penalty.**

The violations and penalty provision set forth in Chapter 10.44.120 shall apply to the Free-Floating Zone parking permit program.

**10.71.110 Chapter interpretation.**

The Director of Public Works or designee shall have the discretion in the implementation and interpretation of this chapter.

**Section 3. Exhibit A:** Proposed Changes to Ordinance Number 13184 C.M.S. (The FY 2013-14 Master Fee Schedule, or "MFS").

**Section 4.** This ordinance shall be effective immediately upon its adoption by the City Council.

**Section 5.** If any section, subsection, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of the remaining portions which shall remain in full effect.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION \_\_\_\_\_

# Exhibit A

## Proposed Changes to Ordinance Number 13184 C.M.S.

### The FY 2013-14 Master Fee Schedule

Items that are underlined are insertions, items that appear in ~~strikeout~~ are deletions

#### Title 10.

### Parking Management Section

#### B OFF-STREET PARKING FACILITIES

##### 14 Lake Park Avenue Parking Lot

- b Special Event MAX 3 00 Space
- c Replacement for Monthly Parking Tag 80.00 Tag

15 Damage to Parking Facility Actual Cost

#### C ON-STREET PARKING METER

1 Registered Vanpools (11 or More Passengers), Maximum of 40 Spaces 20 00 Space / Month

#### D HENRY J KAISER CENTER PARKING LOT

1 Off-Street Parking Meter (Maximum Five hours) 2 00 Space / Hour

#### E RESIDENTIAL PERMIT PARKING FEE

Permit for Eligible Vehicles of Residents, Employees of Neighborhood-Serving Establishments, and Owners or Employees of Business with the Vehicle

1 Registered at the Business Address 35 00 Vehicle

##### a. Initial

1 Purchase Between January 1 and June 30 24 50 Vehicle

2 Purchase Between July 1 and December 31 35.00 Vehicle

##### b. Renewal (annual)

2 Permit for Eligible Vehicles of Owners or Employees of Businesses with the Vehicle Not Registered at the Business Address

##### a Initial

1 Purchase Between January 1 and June 30 42.50 Vehicle

2 Purchase Between July 1 and December 31 85 00 Vehicle

b Renewal (annual) 75 00 Vehicle

3 Replacement of Lost or Damaged Permit 10 00 Vehicle

#### 4 Visitor

a. One-day 1.00 Vehicle

# Exhibit A

## Proposed Changes to Ordinance Number 13184 C.M.S. The FY 2013-14 Master Fee Schedule

b 14-day 5 00 Vehicle

F MASTER RESIDENTIAL PERMIT PARKING FEE Permit for Eligible Vehicles of a Qualified Car Sharing Organization \$105 Vehicle

G FREE FLOATING PERMIT PARKING FEE Permit for Eligible Vehicles of a Qualified Car Sharing Organization \$1,278 Vehicle

F H SPECIAL COST OF COLLECTING PARKING VIOLATION PENALTIES 30% Ticket Value

### G I VEHICLE IMMOBILIZER "BOOT"

1 Daily Fee for Unreturned Paylock Book 25 00 Per Day  
2 Boot Replacement Fee 500.00 Per Boot  
3 Damaged Boot Fee 250.00 Per Boot

H J ADMINISTRATIVE FEE IN LIEU OF FINE FOR NON- DISPLAYED DISABLED PLACARD (DP) -The \$25 00 processing fee for cancellation of a citation for non-display of DP will be available only as a one-time courtesy to the registered owner of the cited vehicle with a valid DP 25 00 Per Violation

NOTE Per Oakland Municipal Code, Rate changes are effective January 1, of each year. The rates above reflect rates as of 1/1/10. Subsequent rate adjustments (January 1, 2011 and beyond) will be based on CPI



## NOTICE AND DIGEST

### **AN ORDINANCE AMENDING TITLE 10.44 AND TITLE 10.71 OF THE OAKLAND MUNICIPAL CODE TO ESTABLISH NEW PARKING "PERMITS" TO ELIGIBLE CAR SHARING ORGANIZATIONS, AND AMEND ORDINANCE NUMBER 13184 C.M.S. (THE FY 2013-14 MASTER FEE SCHEDULE, OR "MFS") TO ESTABLISH FEES FOR THE NEW PERMITS**

An Ordinance has been prepared that will establish new permits related to the use of on-street spaces for car sharing, and will define car sharing organizations to establish eligibility for the permits. The Ordinance allows for implementation of the City's car sharing policy. The adopted car sharing policy recognizes that car sharing provides numerous transportation benefits, and identifies specific means by which the City of Oakland will support the continued growth of car sharing services