

ORDINANCE NUMBER 2759 (CCS)

(City Council Series)

AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA MONICA AMENDING SANTA MONICA MUNICIPAL CODE SECTION 3.22.090 TO EXTEND THE TERM OF THE SECOND SHARED MOBILITY PILOT PROGRAM

WHEREAS, since dockless shared scooters were first deployed in Santa Monica in 2017, the City has worked to shape dockless shared mobility in ways that maximize its benefit to the community for both users and non-users alike; and

WHEREAS, in 2018, the City implemented a Shared Mobility Device Pilot Program and associated fees to develop a new area of policy, regulation, operation, and enforcement for shared mobility devices in the City, with four initial operators; and

WHEREAS, in 2021, the City implemented a Second Shared Mobility Pilot Program with four operators providing four distinct device types (Class 1 and 2 e-bikes, two-wheeled electric scooters, and sit-down e-scooters); and

WHEREAS, the initial end date for the Second Pilot Program was March 30, 2023, however, staff sought, and Council approved an extension to September 30, 2023 to allow staff to move forward with a procurement for contracted service with up to two Shared Mobility operators; and

WHEREAS, based on Council's direction, staff initiated a formal procurement for contracted shared mobility services, in adherence to procurement protocol, that prioritized City goals of effective and affordable mobility, safety and order, environmental sustainability, community partnership, system maintenance, and organizational stability; and

WHEREAS, staff then assembled a selection committee of diverse internal stakeholders representing multiple City departments and one external subject matter expert to evaluate these proposals and return with the two highest-scoring bidders for subsequent contract negotiations; and

WHEREAS, with the top-scoring bidders having been identified through the formal procurement process, staff is currently in the process of negotiating contract terms that best serve City goals and the mobility needs of the community; and will bring those terms to Council with its award recommendation to Council; and

WHEREAS, an emergency ordinance is now needed to extend the term of the Second Pilot Program until staff negotiates contract terms with the top two bidders, and so that the City is not left without shared mobility services prior to Council award.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Santa Monica Municipal Code Section 3.22.090 is hereby amended as follows:

3.22.090 Pilot program term.

Permits issued pursuant to this Chapter shall take effect on July 1, 2021, and, unless otherwise extended or terminated earlier by the City, shall be of no further force or effect beyond thirty (30) calendar days after execution of the contract(s) under Chapter 3.23 for shared mobility services. ~~September 30, 2023, unless otherwise extended or terminated earlier by the City.~~

SECTION 2. Any provision of the Santa Monica Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such

inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. Pursuant to Sections 615 and 619 of the City Charter, for reasons stated in the above recitals, the City Council declares this ordinance to be necessary as an emergency measure for preserving the public peace, health, and safety, with the result that this ordinance shall be introduced and adopted at the same meeting, shall become effective immediately upon its adoption.

APPROVED AS TO FORM:

DocuSigned by:
DOUGLAS SLOAN
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Doug Sloan, City Attorney

Approved and adopted this 26th day of September, 2023.

DocuSigned by:
Gleam Davis
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Gleam Davis, Mayor

State of California)
County of Los Angeles) ss.
City of Santa Monica)

I, Nikima Newsome, Assistant City Clerk of the City of Santa Monica, do hereby certify that the foregoing Ordinance No. 2759 (CCS) had its introduction and adoption at the Santa Monica City Council meeting held on September 26, 2023, by the following vote:

AYES: Councilmembers Torosis, Parra, Zwick
 Mayor Pro Tem Negrete, Mayor Davis

NOES: de la Torre, Brock

ABSENT: None

ATTEST:

DocuSigned by:
Nikima Newsome
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Nikima Newsome, Assistant City Clerk

10/4/2023

Date

A summary of Ordinance No. 2759 (CCS) was duly published pursuant to California Government Code Section 40806.