



DOWNTOWN ACTION ORGANIZATION (DAO)

Board Meeting

November 17, 2021

9am

Virtual Meeting

Zoom Meeting ID: 806 654 7370

Passcode: Downtown

Phone: 669-900-9128, Meeting ID: 806 654 7370, Passcode: 93058399

A G E N D A

- 1.0 CALL TO ORDER** Natalie Balfour
- 2.0 PUBLIC COMMENTS ON NON-AGENDA ITEMS (limited to two minutes each)**
Comments from the public will be allowed on all agenda items at the time each item is called.
- 3.0 CONFLICTS OF INTEREST OR ABSTENTIONS** Natalie Balfour
- 4.0 CONSENT ITEMS** Natalie Balfour
4.1 October 20 Meeting Minutes
- 5.0 FINANCIAL REPORT** Joe Dietzen
Board will review and approve DAO financial statements ending October 31
- 6.0 REVIEW OF CITY OF SANTA ROSA SHARED SCOOTER SYSTEM PILOT PROGRAM PERMIT CONDITIONS (ATTACHMENT)** Nancy Adams, City
Board will review the City policy draft and Executive Committee recommendations as well as have the opportunity to ask questions and provide feedback to City staff. Attachments include draft conditions from City with highlighted recommended edits from the Executive Committee, matrix comparison to other Northern California cities with scooter programs and a summary of the permit conditions.
- 7.0 EXECUTIVE DIRECTOR REPORT** Cadance Hinkle Allinson
Update provided on StreetPlus, Downtown Subcommittee, Courthouse Square activities and beautification efforts
- 8.0 ACTION REGARDING COUNCIL DECISION ON PARKING FACILITY CONVERSION TO SURPLUS PROPERTY (ATTACHMENT)** Hugh Futrell
Board will review and move on Executive Committee's recommendation (attachment) around council's potential action for declaring three Downtown parking facilities surplus and available for housing development.
- 9.0 2022 BOARD MEMBER NOMINATIONS** Natalie Balfour
Board Chair will discuss Nominating Committee and process for nominating new board members.
- 10.0 ADJOURNMENT** Natalie Balfour

Downtown Action Organization (DAO) does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings and programs are available by contacting reception at (707) 545-1414 one week prior to the meeting. Meeting information can also be accessed via the internet at <https://www.downtownsantarosa.org/districtnews>.

DOWNTOWN ACTION ORGANIZATION (DAO)
Board Meeting
October 20, 2021, 9am
Zoom Meeting ID: 806 654 7370, Password: Downtown
Phone: 669-900-9128, Passcode: 93058399

Present: Leeanna Ausiello-Kane, Natalie Balfour, Zach Berkowitz, Pauline Block, Raissa de la Rosa, Joe Dietzen, Hugh Futrell, Caitlin Kurasek, Tom Robertson, Bernie Schwartz, Steven Stankovich, Peter Stanley, Doug Van Dyke

Absent: Sonu Chandi, Charles Evans

Santa Rosa Metro Chamber Staff: Cadance Hinkle Allinson, Peter Rumble

MINUTES

1.0 CALL TO ORDER

Chair Natalie Balfour called the meeting to order at 9:03am.

2.0 PUBLIC COMMENTS ON NON-AGENDA ITEMS (limited to two minutes each)

There were no public comments at this time.

3.0 CONFLICTS OF INTEREST OR ABSTENTIONS

There were no conflicts of interest or abstentions.

4.0 CONSENT ITEMS

4.1 Motion to approve consent item, September 15, 2021 Board Meeting Minutes was unanimously passed.

5.0 FINANCIAL REPORT APPROVAL

Joe Dietzen shared that through September the budget is tracking well. Assessment income is on track with budget and have raised over \$50,000 for special programming. Expenses are currently less than budgeted due to StreetPlus staffing issues and annual priorities spending. The contingency fund has also not been utilized yet.

Motion to approve the financial report as presented was unanimously passed.

6.0 EXECUTIVE DIRECTOR REPORT

Cadance shared that the Downtown Subcommittee meeting in October was canceled.

She has no additional information on parklets beyond that the item is expected to go to council in November.

There was a meeting with Mayor Rogers to discuss the continued garage incentives and improved garage parking passes to incentivize office leasing. Cadance will stay in touch with the mayor and council on this item and will connect with the new parking director once they've been hired.

StreetPlus has remained a challenge as they have not been able to hire any new employees and have been looking since June. Cadance has requested they provide her with an alternate schedule and rates, but they have not provided that information.

The tree planting project will be moving forward shortly. The diseased and dead trees (approximately 30) will be removed and replaced with either crape myrtles or ginkgoes. This was delayed from the spring so that it could happen when the weather would be more appropriate.

Cadance is working on additional holiday décor as well as lighting. The banners designed last year will be hung again and wreaths have been offered to business owners.

The Block Party went well other than the inclement weather which definitely reduced the crowds. Fall Fun Fest is a new event that is coming Downtown next week and will hopefully bring a few hundred families to the area. The Ice Rink is moving forward and scheduled to open next month.

She shared that three new retailers have opened or are in the process of opening and that the restaurant Warike has also finally opened.

7.0 IMPACTS OF HOTEL AZURA / MICKEY ZANE PLACE

The committee discussed the negative impacts of Mickey Zane Place on the surrounding neighborhood and the potential concern that the negative impacts could expand further into Downtown. Peter Rumble shared that the facility is currently being managed by an out-of-town company while it serves as housing for homeless individuals at higher risk of COVID-19. Afterward it will transition to transitional housing. The county is the ultimate responsible party.

Discussion ensued about the best path forward and the need for the DAO to be in front of this issue while ensuring that Downtown, and the pathways to it, are welcoming. There would be value in including the surrounding neighborhoods and other impacted organizations in any discussions.

It was agreed that Cadance should connect with city staff and Councilmember Schwedhelm to see where the City stands on this issue and how the DAO can best support their approach with the county to address it.

8.0 DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED POTENTIAL PARKING LOT / GARAGE CONVERSIONS

Hugh shared that the Executive Committee received inquiries about the request that went to the housing authority to weigh in whether three Downtown parking lots should be determined to be surplus and thus available for development. The lots in discussion are two on fifth street behind the 500 and 700 blocks of 4th Street and the garage on 3rd Street.

A discussion ensued about how the DAO might weigh in on the issue and speak against developing these sites without taking a negative position on future housing or development in Downtown. The concern lies in the potential negative impact to retailers, and the property owners who rent to them, who rely upon this parking to operate.

Raissa shared this will be coming to a study session at the end of November and there would be opportunity for the DAO to weigh in once more information had been gathered.

Hugh suggested that the Executive Committee continue to gather information through discussions with councilmembers, city staff and potentially impacted business and property owners. At the next board meeting, the board can take a formal position based upon the further information gathering of the Executive Committee.

9.0 ADJOURNMENT

Chair Natalie Balfour adjourned the meeting at 9:53am.

Downtown Action Organization Incorporated

Balance Sheet

As of October 31, 2021

	Oct 31, 21
ASSETS	
Current Assets	
Checking/Savings	
1000000 · DAO OPERATING FUNDS	
1000100 · Earmarked Project Cash-Poppy	135,226.65
1001000 · District Funds Savings-Poppy	232,552.22
1010000 · DAO Operating-Poppy	12,882.14
Total 1000000 · DAO OPERATING FUNDS	380,661.01
Total Checking/Savings	380,661.01
Other Current Assets	
1100000 · District Revenue Receivables	343,475.20
Total Other Current Assets	343,475.20
Total Current Assets	724,136.21
TOTAL ASSETS	724,136.21
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 · Accounts Payable	32,217.12
Total Accounts Payable	32,217.12
Other Current Liabilities	
2300000 · Deferred Revenue - District Rev	88,837.50
Total Other Current Liabilities	88,837.50
Total Current Liabilities	121,054.62
Total Liabilities	121,054.62
Equity	
32000 · Unrestricted Net Assets	519,759.63
Net Income	83,321.96
Total Equity	603,081.59
TOTAL LIABILITIES & EQUITY	724,136.21

2021 DAO Budget and Cash Flow Projection															
Income	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Total	YE Projection	\$ From Budget
Starting cash at 1/1/21	\$42,799														
District Assessments	\$347,663	\$0	\$0	\$0	\$181,968	\$0	\$0	\$7,582	\$0	\$0	\$0	\$0	\$537,213	\$537,213	\$0
Events/Programming	\$0	\$0	\$0	\$0	\$12,500	\$0	\$30,000	\$1,500	\$5,757	\$0	\$0	\$0	\$49,757		
Interest Income	\$0	\$0	\$456	\$0	\$0	\$443	\$0	\$0	\$400	\$0	\$0	\$0	\$1,298	\$1,298	\$0
Sub Total	\$390,462	\$0	\$456	\$0	\$194,468	\$443	\$30,000	\$9,082	\$6,157	\$0	\$0	\$0	\$588,268	\$588,268	\$0
Cash at Beginning of Month	\$390,462	\$351,780	\$315,197	\$274,368	\$430,057	\$389,189	\$375,411	\$330,780	\$298,359	\$253,614	\$211,800	\$138,156			
Expense															
StreetPlus Contract	\$26,166	\$23,023	\$27,800	\$26,189	\$24,209	\$24,889	\$21,917	\$19,801	\$19,243	\$17,534	\$27,083	\$27,083	\$325,000	\$284,937	\$40,063
Santa Rosa Metro	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$12,500	\$150,000	\$150,000	\$0
Insurance/Taxes	\$0	\$0	\$31	\$74	\$0	\$0	\$0	\$0	\$0	\$0	\$5,000	\$5,000	\$10,000	\$10,105	-\$105
Annual Priorities	\$0	\$0	\$0	\$0	\$195	\$2,400	\$0	\$0	\$3,820	\$4,885	\$20,600	\$13,100	\$45,000	\$45,000	\$0
Project Maintenance	\$0	\$1,500	\$450	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,100	\$1,950	\$5,000	\$5,000	\$0
Website/Marketing	\$0	\$0	\$0	\$0	\$48	\$0	\$0	\$107	\$279	\$98	\$485	\$484	\$1,500	\$1,500	\$0
Events/Programming	\$0	\$0	\$0	\$0	\$4,343	\$3,973	\$19,140	\$5,657	\$8,740	\$4,083	\$3,761	\$0	\$49,757	\$49,698	\$59
Misc. Direct Expense	\$16	\$16	\$48	\$16	\$16	\$16	\$157	\$512	\$163	\$126	\$1,115	\$200	\$2,400	\$2,400	\$0
Contingency (6% - \$31,776)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,588	\$2,000	\$0	\$32,000	\$4,588	\$27,412
Sub Total	\$38,682	\$37,039	\$40,829	\$38,779	\$41,311	\$43,778	\$53,713	\$38,577	\$44,745	\$41,813	\$73,645	\$60,317	\$620,657	\$553,229	\$67,428
Account Balance	\$351,780	\$314,741	\$274,368	\$235,589	\$388,746	\$345,411	\$321,698	\$292,203	\$253,614	\$211,800	\$138,156	\$77,839			

Downtown Action Organization Incorporated

Profit & Loss Budget Performance

Accrual Basis

October 2021

	Oct 21	Budget	\$ Over Budget	% of Budget	Jan - Oct 21	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4100000 - District Assessments	44,418.75	44,418.75	0.00	100.0%	444,187.50	444,187.50	0.00	100.0%	533,025.00
4100002 - Interest Income	0.00	0.00	0.00	0.0%	1,298.30	750.00	548.30	173.1%	1,000.00
4200000 - DAO Activities									
4200001 - Earmarked Project Funding	0.00	0.00	0.00	0.0%	5,250.00	0.00	5,250.00	100.0%	0.00
4200002 - Events/Programming	0.00				49,757.00				
Total 4200000 - DAO Activities	0.00	0.00	0.00	0.0%	55,007.00	0.00	55,007.00	100.0%	0.00
Total Income	44,418.75	44,418.75	0.00	100.0%	500,492.80	444,937.50	55,555.30	112.5%	534,025.00
Expense									
5100000 - PRIMARY DISTRICT SERVICES									
5100001 - Street Plus Contract	17,533.69	27,083.33	-9,549.64	64.7%	230,961.35	270,833.34	-39,871.99	85.3%	325,000.00
Total 5100000 - PRIMARY DISTRICT SERVICES	17,533.69	27,083.33	-9,549.64	64.7%	230,961.35	270,833.34	-39,871.99	85.3%	325,000.00
5200000 - DISTRICT IMPROVEMENTS									
5200001 - Annual Priorities	4,884.59	3,750.00	1,134.59	130.3%	11,299.59	37,500.00	-26,200.41	30.1%	45,000.00
5200002 - Project Maintenance	0.00	416.67	-416.67	0.0%	1,950.00	4,166.66	-2,216.66	46.8%	5,000.00
5200003 - Website/Social Media	97.50	125.00	-27.50	78.0%	531.30	1,250.00	-718.70	42.5%	1,500.00
5200004 - Fountain Expenses	0.00	0.00	0.00	0.0%	190.00	0.00	190.00	100.0%	0.00
Total 5200000 - DISTRICT IMPROVEMENTS	4,982.09	4,291.67	690.42	116.1%	13,970.89	42,916.66	-28,945.77	32.6%	51,500.00
5300000 - MARKETING									
5300001 - Events/Programming	4,083.06				43,435.16				
Total 5300000 - MARKETING	4,083.06				43,435.16				
5400000 - DISTRICT MANAGEMENT									
5400001 - SR Metro Chamber Contract	12,500.00	12,500.00	0.00	100.0%	125,000.00	125,000.00	0.00	100.0%	150,000.00
5400003 - Insurance/Taxes	0.00	2,500.00	-2,500.00	0.0%	104.86	2,500.00	-2,395.14	4.2%	10,000.00
5400004 - Misc Direct Expenses	126.10	200.00	-73.90	63.1%	1,110.21	2,000.00	-889.79	55.5%	2,400.00
Total 5400000 - DISTRICT MANAGEMENT	12,626.10	15,200.00	-2,573.90	83.1%	126,215.07	129,500.00	-3,284.93	97.5%	162,400.00
5500000 - CONTINGENCY									
5500001 - Contingency - Misc Expense	2,588.37	2,666.67	-78.30	97.1%	2,588.37	26,666.66	-24,078.29	9.7%	32,000.00
Total 5500000 - CONTINGENCY	2,588.37	2,666.67	-78.30	97.1%	2,588.37	26,666.66	-24,078.29	9.7%	32,000.00
Total Expense	41,813.31	49,241.67	-7,428.36	84.9%	417,170.84	469,916.66	-52,745.82	88.8%	570,900.00
Net Ordinary Income	2,605.44	-4,822.92	7,428.36	-54.0%	83,321.96	-24,979.16	108,301.12	-333.6%	-36,875.00
Net Income	2,605.44	-4,822.92	7,428.36	-54.0%	83,321.96	-24,979.16	108,301.12	-333.6%	-36,875.00

City of Santa Rosa Shared Scooter System Pilot Program Permit Conditions

I. Statement of Purpose

The purpose of these conditions is to govern the operation of shared electric scooter ("Shared Scooter") systems ("Shared Scooter Systems") in the City of Santa Rosa ("City") during a pilot program. The City recognizes the potential for Shared Scooter Systems to improve car-free transportation options and help meet goals related to health, equity, climate change, traffic congestion, and land use. However, a key to the pilot program's success is to ensure that Shared Scooters do not negatively impact safety and accessibility for other users of the public right-of-way as well as adversely affecting members of the public shopping at, visiting, maintaining, or working or living within any buildings adjacent to the public right of way, or enjoying public spaces within the City including but not limited to parks, greenways, squares or similar areas.

II. Scope and Applicability

These conditions apply to the deployment and termination of Shared Scooter Systems within the City. All permitted Shared Scooter Operators ("Operators") are required to complete the attached application and comply with permit conditions, both of which may be amended by the Assistant City Manager/Transportation and Public Works Director as needed.

Prior to issuing any permit authorizing Shared Scooter Operations within the downtown core of the City, the Assistant City Manager/Transportation and Public Works Director, or its delegatee, shall refer an application to the Downtown Action Organization for comment and possible recommendations.

III. Pilot Program Term; Duration of Permits Issued Under Pilot Program

The Term of the Pilot Program begins on X and ends on Y. The City will issue Encroachment Permit(s), to include Appendix A (Special Shared Scooter Conditions), for approved Shared Scooter Systems. Operator(s) must immediately cease operations to the public and promptly remove their full fleet and any other signs or fixtures from the City upon permit expiration. The City may extend the pilot program or make the program permanent pending further evaluation.

IV. Authority

An encroachment permit is required to operate Shared Scooter Systems in the City. The City Engineer, or their designee, is authorized to issue encroachment permits. The Assistant City Manager/Transportation and Public Works Director may suspend and revoke permits to allow, limit, or suspend operation of Shared Scooter Systems within the City in accordance with Chapter 13 of the Santa Rosa City Code, these conditions, and other generally applicable permit conditions.

PERMIT APPLICATION CONDITIONS

The City anticipates selecting one Operator for the term of the pilot program. Selection will be based on the selection process and criteria outlined in Appendix A and B.

OPERATIONAL CONDITIONS

I. Parameters of the One-Year Pilot Program

The Assistant City Manager/Transportation and Public Works Director reserves the right to:

- a. Issue, suspend, and revoke permits.
- b. Determine the type and number of Shared Scooters to operate within the City of Santa Rosa. The Assistant City Manager/Transportation and Public Works Director can adjust the type and number of Shared Scooters to operate even after issuing the permit.
- c. Set a maximum on the number of Shared Scooters parked in specific areas of the city.
- d. Limit or deny the use and/or parking of Shared Scooters in specific areas of the city to maintain equal distribution and accessibility throughout the public right-of-way.
- e. Set the total number of Shared Scooters and total number of Operator(s) permitted under this pilot program.

II. General Operator(s) Responsibilities

- a. Operator(s) must pay a property repair and maintenance security deposit to the City in the amount of \$X to ensure adequate funds are available to reimburse the City for public property repair, maintenance, and other costs that may be incurred, including but not limited to any costs of repairing or maintaining public property damaged by the Operator(s), its Shared Scooters, or its customers, removing and storing Shared Scooters improperly parked or left unattended on public property, and addressing and abating any other violations. The deposit must be paid prior to permit issuance.
- b. Operator(s) must comply with all applicable federal, state, and local laws and regulations, including but not limited to, the Santa Rosa City Code, the California Vehicle Code (CVC), and local wage requirements.
- c. Operator(s) must not transfer or assign permits issued under this program to a substitute provider, a successor in interest, or a purchaser of the permit, without the advance written consent and approval of the City.
- d. Operator(s) agree not to engage in anti-competitive behavior with other Shared Scooter Operators, including falsifying data and sabotaging Shared Scooters. But the City is authorizing only a single operator, so why is this here.
- e. Operator(s) agree to provide sufficient operations and maintenance staff in Santa Rosa to address issues and remove improperly parked or unsafe/inoperable Shared Scooters.

III. Shared Scooter Specifications

- a. Operator(s) agree to provide proof to the City's reasonable satisfaction, that each of its proposed Shared Scooter models comply with all applicable federal, state, and local laws and regulations.
- b. Operator(s) must provide to the City one fully functioning device of every make and model that it intends to deploy. Operator(s) must not deploy new Shared Scooter

models without prior inspection and approval by the City unless changes in new models are only cosmetic and have no impact on safety or performance. Shared Scooters must be made available for compliance audits and enforcement actions upon request.

- c. Shared Scooters must not create excessive, unnecessary, and unreasonable noises in violation of [Santa Rosa City Code Chapter 17-16](#).
- d. Shared Scooters must have always-on front and back lights that are visible from a distance of at least 300 feet under normal atmospheric conditions at night, or greater if required by the California Vehicle Code. Front and rear lights must stay illuminated for at least 90 seconds after the scooter has stopped.
- e. Shared Scooters must have an integrated locking mechanism which cannot be removed using simple tools and securely holds the scooter upright when locked to a bike rack or street sign. A combination lock will not be considered an integrated locking mechanism.
- f. Shared Scooters must have a warning bell.
- g. Shared Scooters must have GPS capable of providing real-time location data.
- h. Shared Scooters must have tamper-resistant hardware.
- i. Operator(s) must not utilize Shared Scooters for the sale or display of third-party advertising.
- j. Shared Scooters must have a governor that restricts speed to 15 mph.
- k. Shared Scooters must have a minimum wheel size of 9" in diameter.
- l. Shared Scooters must have clearly visible signage including 1) a unique identification number (in both English and Braille) and 2) a phone number, website, and/or email address to report parking, safety, or maintenance issues.
- m. Shared Scooters must have clearly visible signage notifying the user that:
 - i. Helmets are required by all persons under the age of 18 when operating a scooter;
 - ii. Riding on sidewalks is prohibited at all times. "No Riding on Sidewalks" must be printed on every Shared Scooter in no less than 48-point font;
 - iii. Shared Scooter users must yield to pedestrians;
 - iv. Shared Scooter users must obey traffic laws; and
 - v. Shared Scooter users must have a valid Driver's License to operate;
 - vi. Shared Scooters may not be used in Courthouse Square, Comstock Mall, Jeju Way, Demeo Greenway, or in City parks or other open spaces;
 - vii. Shared Scooters may not block or impede entrances or exits from or to any building.
- n. Adaptive Shared Scooters must be self-balancing (or include at least three wheels).
- o. Adaptive Shared Scooters must have a seat.
- p. Adaptive Shared Scooters must have a basket or storage area large enough to hold a cane.

IV. Fleet Size, Deployment, and Service Areas

- a. Operator(s) must provide a minimum of 50 and maximum of 100 Shared Scooters at the start of the pilot.
- b. Operator(s) must roll out their full permitted Shared Scooter fleet within four weeks of permit issuance by the City.
- c. Operator(s) must submit a written request to the City for City approval prior to expanding fleet size beyond the initial permitted amount. The request must include a minimum of 30-day fleet utilization levels within the city (trips per scooter per day).

Data from the first 30 days of the pilot program may be included but may not be considered by the City to be supporting data for the adjustment request. The City reserves the right to approve or deny the request at its discretion.

- d. Operator(s) must closely monitor ridership and adjust Shared Scooter density and location accordingly to maximize the convenience of the greatest number of users.
- e. Operator(s) must submit a written request to the City for City approval prior to implementing new service areas or modifying existing service areas, including a map and/or shapefile of the proposed service area. The City reserves the right to approve or deny the request at its discretion.
- f. Operator(s) must obtain permission to operate scooters outside of the public right-of-way from the appropriate agency or property owner(s).

V. Operations & Maintenance

- a. Operator(s) must provide a single point-of-contact to City (phone number, email, website form, and mobile application form) customer service line, available 24 hours a day, seven days a week, for complaints regarding improperly parked, damaged, or vandalized scooters, or other issues related to their Shared Scooter System. Operator(s) must respond to and satisfactorily address requests to repark or remove Shared Scooters that are inoperable, damaged, vandalized, unsafe, irretrievable, or improperly parked within 2 hours during business hours (Monday-Friday, 9 AM-6 PM) or 12 hours during non-business hours and on weekends. Operator(s) must remotely lock Shared Scooters that are reported or believed to be inoperable until the scooters are removed, repaired, and placed back in public service.
 - i. In the event a Shared Scooter is not relocated, re-parked, or removed within the timeframes specified above, the City will relocate and/or remove the scooter and deduct all of the City's costs to do so from the Operator's deposit.
 - ii. Operator(s) not in good standing with payment and retrieval of impounded scooters will risk suspension or revocation of their permits.
- b. Operator(s) must issue a "ticket number" for each issue and provide a response to the complaining and/or requesting party when the issue is resolved.
- c. Operator(s) must make efforts to reduce landfill e-waste and follow federal, state and local law for disposal or recycling of all types of batteries and other toxic materials at an appropriate recycling facility.

VI. Parking

- a. Operator(s) must inform customers how to properly park scooters.
- b. Operator(s) must ensure their scooters are not parked in a way that impedes the regular flow of travel in the public right-of-way, or in any way impedes the clearance on sidewalks or other accessible routes needed for ADA compliance. Shared Scooters should **must** not be parked in a manner that impedes access to the following:
 - i. Disabled parking;
 - ii. Curb ramps;
 - iii. Fire hydrants;
 - iv. Loading zones;
 - v. Transit zones, including bus stops, shelters, and passenger waiting areas;
 - vi. Entryways; and

- vii. Driveways.
- c. Operator(s) must ensure their scooters are locked upright on flat/hard surfaces to bicycle racks, street signs, or other fixed objects located within the sidewalk furniture zone or other areas specifically designated for bicycle parking. Shared Scooters should not be locked to the following:
 - i. Street furniture that requires pedestrian access (for example: benches, parking pay stations, bus shelters, transit information signs, etc.);
 - ii. Hand railings;
 - iii. Bus stop signs;
 - iv. Disabled parking signs;
 - v. Trees;
 - vi. Fire hydrants; and
 - vii. Private property; and
 - viii. Commercial wayfinding signs.
- d. Operator(s) must ensure Shared Scooters locked to bike racks are positioned parallel to the rack unless the rack is a wave style rack, in which case scooters must be positioned perpendicularly. No more than one scooter must be locked to each bike rack.
- e. Upon request, Operator(s) must agree to institute geo-fencing and implement in-app technology to require or prohibit parking in designated areas.
- f. Operator(s) agrees to ensure no Shared Scooter is parked in one location for more than 72 hours.
- g. Operator(s) must have a means of communicating with the user when a Shared Scooter has been parked in a non-permitted area. The communication to the user must be sent electronically at the end of the ride.

VII. Engagement, Education, & Safety

- a. Operator(s) are responsible for educating their users regarding all applicable federal, state, and local laws governing safe operations and parking of scooters.
 - i. During the first seven days of an Operator's deployment, representatives from the company must be on-hand in the deployment area to answer questions and distribute information regarding safety and proper use of Shared Scooters. These activities must be coordinated with City staff. Operator(s) are encouraged to continue this practice throughout the duration of their permitted activities.
 - ii. Operator(s) must include on its website and mobile app a "Code of Conduct" that, at a minimum, encourages and promotes the safe and responsible conduct of scooter users.
- b. Operator(s) must use English and Spanish in all education and outreach materials, on its website, and on its mobile application.
- c. Operator(s) must verify that users comply with all relevant federal, state, and local laws regarding age requirements.
- d. Operator(s) must verify that users have valid credentials for use of a Shared Scooter, as required by [CVC 21235](#). This verification may include in-app Driver's License scanning and verification or similar technologies.
- e. Operator(s) must ensure that each user is only able to rent one scooter at a time.

VIII. Accessibility

- a. Operator(s) must provide adaptive scooters for persons with disabilities. The total percentage of adaptive scooters must be based on expected need, performance, and usage.
- b. Mobile applications and other customer interface technology must be fully accessible to persons with disabilities and accessible to screen readers and must comply with Section 508 of the United States Workforce Rehabilitation Act of 1973.

IX. Pricing and Affordability

- a. Operator(s) must make available ways to use and pay for the service that do not require a smart phone or credit card.
- b. Operator(s) must offer a discounted membership for those who participate in the State Nutritional Assistance Program (SNAP) or California Alternative Rates for Energy (CARE). The price for low-income membership will be set by the Operator in coordination with the City.
- c. Operator(s) must implement a marketing and targeted outreach plan at its own cost to increase awareness of low-income discount options.

X. Data Sharing and Reporting

- a. Operator(s) must provide the City with access to a real-time database of all requests (tickets) that include the following:
 - i. Unique ticket number;
 - ii. Time and date generated;
 - iii. Location;
 - iv. Contact information for the person who submitted the ticket;
 - v. Description of the incident or request; and
 - vi. Status (or time and date closed, if applicable).
- b. Operator(s) must provide real-time access to data showing the location of their Shared Scooters.
- c. Prior to deployment, Operator(s) must have an application program interface (API) or other automated mechanism that allows their services to be integrated into third-party mobility applications so that users can see data about and procure services through third-party Mobility-as-a-Service applications.
- d. Operator(s) must make anonymized real-time data in Mobility Data Standard (MDS) format available to the City, and/or a City-designated, third party transportation data analysis platform, for purposes of aggregating this data, evaluating scooter usage or enforcing the requirements in this permit. Precise origin and destination points will be obscured to a one-block (or equivalent) radius to protect user privacy. Scooter IDs must be unique scooter identifiers that are consistent over time. Operator(s) data may be publicly reported in an aggregated form(s). More information about MDS can be found online at: <https://github.com/openmobilityfoundation/mobility-data-specification>. The City is permitted to display real-time data provided via the API to the public.
- e. Operator(s) must provide quarterly reports that include the following:
 - i. User data:
 - 1. Total downloads, active users, and number of trips taken per user;
 - 2. User demographics (age and gender); and

3. Number of users receiving a low-income discount and number of trips taken at a discounted rate.
- ii. Fleet utilization:
 1. Utilization rates (trips per scooter per day);
 2. Total trips by day of week and time of day;
 3. Average trip distance;
 4. Origins and destinations; and
 5. Aggregated heatmaps showing routes taken by riders.
- iii. Incident reports:
 1. Incident summaries that include the ticket number, time/date the ticket was submitted, type of incident (vandalism, theft, mis-parked scooter, etc.), location, and how quickly the issue was resolved; and
 2. Number of crashes or collisions, including the date and time of the incident, location, traveling paths of the scooter and other parties, severity of the incident, and whether a police report was filed.
- iv. Sustainability metrics:
 1. Vehicle miles traveled (VMT) generated by redistributing, recharging, and other operational activities (include vehicle type and fuel efficiency);
 2. Average scooter and battery lifespan; and
 3. Number of batteries disposed.
- v. Mitigation measures:
 1. Summary of any pricing incentives, geofencing, or educational efforts to address proper parking, compliance with service areas, safe riding, etc. (include estimated number of users reached and dates of implementation).
- f. Operator(s) must agree to distribute an opt-in user survey, developed by the City or a designated third party, to all users annually and to provide input on survey questions.

XI. User Privacy Plan

- a. Operator(s) must keep all financial data from users in a secure manner consistent with applicable federal, state and local law, including in a manner that complies with the Payment Card Industry Data Security Standards (PCI DSS), and accessible to authorized personnel only.
- b. Operator(s) must provide a privacy policy that complies with the California Online Privacy Protection Act (CalOPPA) that safeguards customers' personal, financial and travel information and usage.
- c. Operator(s) must clearly communicate to the public and to the City what personal data will be accessed by the Operator and provide an explanation why such access is needed, and for how long.

XII. Liability and Insurance

Operator(s) and each of its contractors and agents are subject to the terms outlined under [Santa Rosa City Code 13-04.070](#) including, without limitation with respect to all installation, operation, maintenance and/or removal of Shared Scooter Systems.

XIII. Notices to Cure, Suspension, and Revocation of Permit

If a violation of the conditions or general provision of the issued encroachment permit occurs, the permit may be revoked or suspended consistent with Section 13-04.350 of the Santa Rosa City Code. The Assistant City Manager/Transportation and Public Works Director is authorized to issue a notice to cure any permit violations by email or any other written means to the Operator. The notice to cure must identify issue(s) that the Operator must address within a specified timeframe. If the Assistant City Manager/Transportation and Public Works Director determines that the violation presents an immediate and significant threat to safety, capacity, or integrity of the City's right-of-way or if a failure to cure documented violations within the specified time frame occurs, the Assistant City Manager/Transportation and Public Works Director may immediately suspend or revoke the permit. If a permit is suspended, the Assistant City Manager/Transportation and Public Works Director must designate the duration of suspension and/or any conditions for reinstatement. If a permit is revoked, the Operator must cease operations on the date of revocation and must remove its full fleet (and all other signs or fixtures) from the City within 14 days from the date of the notice of revocation.

Any request for reconsideration of revocation must be submitted in writing to the Assistant City Manager/Transportation and Public Works Director within 30 days from the date of the notice of revocation with all supporting materials.

Shared Scooter System Pilot Program Draft Permit Conditions Summary

Operational regulations – (regulated through CA Vehicle Code and Santa Rosa City Code) –

- Not allowed on sidewalks (CA Vehicle Code)
- Not allowed on public streets, sidewalks, or alleys in Downtown/Railroad Square (City Code - this section of the Code (3249 and 3516) will need to be amended prior to launch of the pilot program))

Engagement, Education, and Safety –

- Operator responsible for engaging and educating all users and non-users on all relevant laws and regulations using bilingual materials
- Operator required to be on site in deployment areas the first week of launching the pilot
- Operator must verify users have valid credentials

Pricing and Affordability -

- Operator provide ways to use and pay for rentals that do not require a smart phone or credit card
- Operator(s) must offer a discounted membership for those who have a household income 200% below the federal poverty level. Participation in CalFresh, State Nutritional Assistance Program (SNAP), California Alternative Rates for Energy (CARE), or Clipper START may be used for discount eligibility. The price for low-income membership will be set by the Operator in coordination with the City.

Data Sharing and Reporting -

- Operator provide quarterly reports – user data, fleet utilization, incident reports, sustainability metrics and progress updates on mis-parked devices
- Operator must agree to distribute a survey developed by the city

ATTACHMENT 1 - SCOOTER PARKING & FLEET REQUIREMENTS (NORTHERN CALIFORNIA CITIES)

City	Device Types	Parking Requirements & Enforcement					Fleet Requirements				
		Parking Requirements*	Photo Verification of Parking Required?	Response Time Requirement	Parking Citation Fee	Impound Fee	Minimum # Devices/ Operator	Maximum # Devices/ Operator	Maximum # Operators	Equitable Distribution Requirement	Adaptive Device Requirement
Santa Rosa (PROPOSED PILOT)	Scoters	Lock to bike rack or fixed object	No	Weekdays, 6 AM-6 PM: 2 hours; All other times: 12 hours	Needs to be adopted into City Fee Schedule before enforcing	Reimburse full City costs	50	100	1 during pilot	-	Yes; by reservation
Emeryville	Dockless bikes & scooters	Lock to bike rack or fixed object	No	3 hours	-	\$125 (confiscation & retrieval); \$250 (storage)	-	-	-	-	Yes; by reservation
Fremont (PILOT)	Dockless bikes & scooters	Floating	No	-	-	-	-	Not stated; 250 devices currently permitted	1 during pilot	-	No
Oakland	Dockless bikes & scooters	Lock to bike racks, street signs, or parking meters	Yes	3 hours	\$50	\$140/hour	50	1,000	Not stated; 3 currently permitted	50% of fleet deployed in MTC Communities of Concern	Yes; by reservation
Palo Alto (PILOT)	Dockless bikes & scooters	Designated spaces within specified high pedestrian traffic areas; floating everywhere else	No	Weekdays, 6 AM-6 PM: 2 hours; All other times: 10 hours	-	\$130	-	-	-	-	No
Sacramento	Dockless bikes & scooters	At bike racks or in designated drop zones	No	-	\$15	\$55/day	250	1,000 (starting at 250 and increasing in increments of 250 every three months in first year)	Not stated; 4 currently permitted	20% of fleet deployed in SACOG Disadvantaged Communities each morning	No
San Francisco	Scoters	Lock to bike racks	No	2 hours	\$100	-	-	2,000	Not stated; 3 currently permitted	Minimum thresholds established for certain neighborhoods	5% of fleet
San Jose	Scoters	Floating	No	2 hours	-	-	50	1,000	4	20% of operations in MTC Communities of Concern	No

*Each City requires bikes and scooters to be parked in a manner that does not impede accessibility.

8.0 ACTION REGARDING COUNCIL DECISION ON PARKING FACILITY CONVERSION TO SURPLUS PROPERTY

The EC recommends to the Board that the DAO express to the Council:

1. Our appreciation to the Council for its focus on economic development downtown
2. Our opposition to conversion of the parking lots at 5th & B and 5th & D to housing
3. Our opposition to declaring the 3rd Street Garage surplus and disposing of it for demolition and private redevelopment

The EC also recommends that the reasons for our opposition be stated as follows:

- a. the paralyzing effect on retail and office leasing in the vicinity of these parking assets, potentially over many years while the City considers possible transactions
- b. the removal of parking from these locations during the demolition and construction periods likely to last 24 months or longer
- c. the importance of developing downtown on a balanced basis --- very significant new housing production while protecting and expanding the retail and office employment base downtown

The DAO recognizes that redevelopment of certain parking assets and disposition of air space rights is in the public interest, but conversion of these three parking assets would be a serious error and would have a strong adverse effect on downtown economics.