

City of Coral Gables City Commission Meeting
Agenda Item F-2
March 26, 2019
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Pat Keon
Commissioner Michael Mena
Commissioner Frank Quesada

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
Assistant City Attorney, Stephanie Throckmorton
City Clerk, Billy Urquia
Assistant Public Works Director, Jessica Keller

Public Speaker(s)

Unidentified Speaker
Unidentified Speaker
Robert Ruano
Jose Felix Diaz

Agenda Item F-2 [0:00:00 p.m.]

An Ordinance of the City of Coral Gables, Florida, amending Chapter 74 -Traffic and Vehicles, Article IV- Bicycles, Skateboards, Scooters, Shared Mobility Devices, and Other Similar Devices of the City Of Coral Gables Code to include additional definitions, requirements for operation of shared mobility devices programs, and additional provisions regarding operation of shared mobility devices; providing for a severability clause, repealer provision, codification, and providing for an effective date.

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Agenda Item F-2 - Ordinance of the City of Coral Gables, Florida amending Chapter 74, Article IV of the City of Coral Gables Code to include additional definitions, requirements for operation of shared mobility devices programs, and additional provisions regarding operation of shared mobility devices

(Sponsored by Commissioner Quesada)

Mayor Valdes-Fauli: In your honor, why don't we take the scooters?

Commissioner Quesada: Alright.

Commissioner Mena: Are they here? Did they have a time certain?

Mayor Valdes-Fauli: That's F-2.

City Attorney Ramos: F-2 is an...

Commissioner Quesada: F-2.

City Attorney Ramos: Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 74 - Traffic and Vehicles, Article IV - Bicycles, Skateboards, Scooters, Shared Mobility Devices, and Other Similar Devices of the City of Coral Gables Code to include additional definitions, requirements for operation of shared mobility devices programs, and additional provisions regarding operation of shared mobility devices; providing for a repealer provision, severability clause, codification, and providing for an effective date. If -- Stephanie, if you could take us through the changes between first and second, and this is a public hearing item.

Assistant City Attorney Stephanie Throckmorton: Of course. Vice Mayor, in your honor, we wanted to get this done today before you leave. So, as you know, we heard this on first reading at the end of February. Since then, there have been a few changes I want to point out, two of which come from our current MOUs. So, we changed the time to comply with the relocation requests from two hours to three hours, which is what our current MOUs say. And we also added the requirement that any scooter staged in the same location without being operated for more than 48 hours shall be relocated by the operator automatically. That's the same that's in our current MOU.

Beyond that, we added a waiver subrogation in favor of the City to all our insurance requirements. We changed the language regarding the fee payment after our discussions with you from must to may, so that'll be the City Manager's discretion going forward after our procurement process of what, if any, device per day fee we charge. We've also added the word designated to two of the definitions in the definition section regarding where scooters are deployed or rebalanced. And we removed the term without the application of human power related to maximum speeds in the definition of the scooter -- motorized scooter in the definition section. Jessica's here if you have any additional questions. And I do think we have some public comment cards.

Commissioner Quesada: Okay, so I have just a -- just one quick point on this. Thank you for the revisions. Thank you for making it happen. The dollar per day per scooter, we discussed it last time. And I discussed it yesterday with staff in my pre-agenda meeting. But for the rest of the elected officials, the dollar per day, I think is too much. You know, we talked about it last time. I was sort of on the fence with it. I think we go to charge something. I don't know what the right number is. I think it's -- let's talk about it real quick and see if we can get a consensus on this. But if you do the math, according to the presentation that they gave us last time, they're averaging about roughly two and a half rides per day per scooter. Is that correct?

Assistant Public Works Director Keller: Yes.

Commissioner Quesada: Yeah. So, okay, so each ride -- to turn it on is about a dollar, and it's either ten or fifteen cents a minute after that. The average ride was 0.9, if I recall, from the last time.

Mayor Valdes-Fauli: It was very short...

Commissioner Quesada: Yeah.

Mayor Valdes-Fauli: Compared to other cities, yeah.

Commissioner Quesada: Yeah, so -- because, really, our downtown is relatively smaller than some of the bigger cities that have them. So, if you do the math, that means they're probably making per day per day five dollars, four dollars. And if we're charging a dollar per day per scooter, I mean, what -- should 25 percent of their gross revenue go to a municipal tax? I think it's a little much. I'm not saying -- we've got to charge something. I just don't know what the number is.

Mayor Valdes-Fauli: So, how do we determine what to charge if it's not per day?

Commissioner Quesada: So, something that I was told is some common...

Commissioner Mena: Per ride.

Commissioner Quesada: Per ride so that if it's a day that it's raining and there's -- no one's using the scooters, they're not losing because they have it out. That one makes sense to me. I don't know if it's five cents...

Mayor Valdes-Fauli: Do we have a representative of the scooters here? I mean, can you opine?

Commissioner Mena: Jessica, did you have some...

Commissioner Quesada: Do you have any thoughts on that?

Assistant Public Works Director Keller: Well, I do. But I'm...

Mayor Valdes-Fauli: Yes.

Assistant Public Works Director Keller: Happy to let them speak. I don't want to...

Mayor Valdes-Fauli: Yeah, what is your recommendation?

Assistant Public Works Director Keller: Make any assumptions about how much they're making and make a decision based on that. But the scooters take up right-of-way, whether they're parked or being used. And as the -- as the scooter technology or dockless of any mobility device changes, we need to be prepared for that. And one of the things that we see happening is that the devices - - Spin is actually developing a device where they will be locked to bike racks. There are other companies out there already. As we develop an RFP, we don't know who our vendor is going to be and what technology they may have in place already. And -- but there are already companies out there who are locking to public infrastructure, and so we need to be prepared for that. And that's why we are recommending what we're recommending, which is about \$50,000 per year.

Commissioner Mena: Doesn't that undermine the purpose of this whole thing, to have it locked or something?

Assistant Public Works Director Keller: I'm sorry?

Commissioner Mena: The entire discussion about these scooters from its inception has been dockless.

Assistant Public Works Director Keller: Yes.

Commissioner Mena: We've been down the docked path in other cities and the whole convenience factor is you can take it somewhere, leave it there, you know. So, I'm hearing you say we need infrastructure for -- we might...

Assistant Public Works Director Keller: That we may.

Commissioner Mena: Eventually need...

Assistant Public Works Director Keller: We may...

Commissioner Mena: Dock...

Assistant Public Works Director Keller: And we need to be prepared for that.

Commissioner Mena: I mean, that...

Commissioner Quesada: So, are you saying the one -- you think the one dollar is reasonable?

Assistant Public Works Director Keller: Yes, I do.

Commissioner Quesada: Okay. What do other cities do? Are you aware?

Assistant Public Works Director Keller: There are other cities -- and I don't have that list of cities with me. I apologize, but other cities...

Commissioner Quesada: No, no, off the top of your head.

Assistant Public Works Director Keller: This is consistent with what other cities are doing.

Commissioner Quesada: Okay.

Assistant Public Works Director Keller: In fact, we are...

Vice Mayor Lago: No matter the length of the ride, no matter the use, they're still going with the standard one dollar?

Assistant Public Works Director Keller: Yes. Because they are taking up space, whether they're being used or not in the public right-of-way.

Commissioner Mena: Are those cities with a hard cap on the volume of scooters like we're implementing, or are they substantially larger -- in other words, because if they're throwing 1,500 scooters out there, it's different than...

Assistant Public Works Director Keller: Well...

Commissioner Mena: If you only have 150 per company.

Assistant Public Works Director Keller: If they have 1,500 scooters out there, they're charging a dollar per day...

Commissioner Quesada: Yeah.

Assistant Public Works Director Keller: It's still the same whether we have...

Commissioner Mena: Yeah, but the economies of scale...

Assistant Public Works Director Keller: Seventy-five or....

Commissioner Mena: And your overall management of...

Assistant Public Works Director Keller: It's a similar scale, yes. And I'm happy to provide additional information for you. But we are -- we're happy with the dollar per day, like I said...

Mayor Valdes-Fauli: So, that's what you recommend?

Assistant Public Works Director Keller: Because whether it's being used or not, it's taking up space in the public right-of-way.

Commissioner Mena: Is there a way to -- because I feel like we're sort of, you know, trying to predict the future a little bit here and that's fine. I understand that's inherent in what we're doing. But can we just add language that gives us flexibility...

Assistant Public Works Director Keller: Commissioner...

Commissioner Mena: Going forward?

Commissioner Quesada: Well, that's the (INAUDIBLE)...

Assistant City Attorney Stephanie Throckmorton: It does say that as written, just so you know.

Commissioner Mena: Right.

Assistant City Attorney Stephanie Throckmorton: The way it's written is the City may require -- so it does not -- it's not shall. It may require the shared mobility device operators remit to the City a public right-of-way fee in the amount of a dollar per device per day to be paid monthly or annually. The public right-of-way fee may be periodically adjusted by the City Commission. So, it is...

Commissioner Mena: So, what if it said the same thing, but it said -- to his point -- or an amount per ride, you know, to be (INAUDIBLE)...

Mayor Valdes-Fauli: I think the amount per ride in a city like Coral Gables is not sufficient and not compensatory enough for us. I mean, the mile may be...

Commissioner Mena: I just don't know the answer to that.

Commissioner Mena: From Miracle Mile to Alhambra Circle or whatever and that's two blocks and it doesn't -- do you want to say something?

City Attorney Ramos: While they come up, I just want to note it's not a tax. It's a licensing fee to recoup some of our costs.

Mayor Valdes-Fauli: Yeah.

Commissioner Quesada: Thank you.

Mayor Valdes-Fauli: Go ahead.

Unidentified Speaker: (INAUDIBLE), representing Spin, offices at 2100 Coral Way. We just ask that, you know, there would be some flexibility, like Commissioner Mena was saying, that, you know, add it or ride and then as the process continues, it just gives you guys flexibility...

Commissioner Quesada: But what have you guys seen -- here's a question for both of you. What have you guys seen -- what have you done in other cities? Is it a dollar? Is it per ride? Is it per vehicle? Is it consistent with what Ms. Keller has seen?

Unidentified Speaker: It kind of varies. So, we have some places that have a like large application fee, so you have the upfront cost for getting staff time and then an annual fixed fee that you do for -- per scooter, like Fort Lauderdale has a \$10 per scooter. Dallas has \$21. Austin, 30.

Commissioner Mena: Annually?

Unidentified Speaker: Annually, yes. St. Louis, 10; Tulsa, 50.

Commissioner Mena: And that's the only fee?

Unidentified Speaker: Along with the application fee. So, like they have application fee, and then they have a like per...

Commissioner Mena: Fort Lauderdale.

Unidentified Speaker: Device. And in Fort Lauderdale, they have \$10 per scooter and they have \$80 per scooter bond. So, you have to get -- you pay the fee and you have to secure a bond, which is like a \$10,000...

Commissioner Quesada: So, the total price in that example is \$100 per scooter per year? Is that accurate or is there an additional fee on top of that?

Unidentified Speaker: There's a hundred -- in Fort Lauderdale, \$150 annual permit application fee and then \$10 per scooter fee itself.

Commissioner Quesada: So, it's about \$160.

Unidentified Speaker: The bond is separate.

Commissioner Quesada: It's about 40 cents. I'm not very good at math, but that's as close as I get.

Unidentified Speaker: There are some other cities that do charge a dollar per day. I think to one of the points that you mentioned, there is growth involved in some of that. I think to the point that Commissioner Mena was speaking to, the program here is 75 scooters. We spend a lot on operations because we have to make sure that these scooters are rebalanced, that we abide by the

two-hour fixing any issue. So, there's operational costs. With a fleet this size, it makes it a bit challenging, which is why we want the flexibility.

Mayor Valdes-Fauli: Alright. Thank you.

Commissioner Mena: The challenge is...

Commissioner Quesada: Yeah.

Commissioner Mena: You know, I don't -- I want to be sympathetic towards the issue you're describing, but I also...

Commissioner Quesada: I know.

Commissioner Mena: I want to get the best bang for our buck as well, you know.

Commissioner Quesada: Yeah, agreed.

Commissioner Mena: And so...

Mayor Valdes-Fauli: I think the dollar per day would be -- I would advocate a dollar per day.

Commissioner Mena: I just don't -- my concern is we -- I think we're just guessing right now.

Mayor Valdes-Fauli: In the City of Coral Gables.

Commissioner Mena: I just want to make sure that...

Vice Mayor Lago: But we need to make a decision today.

Commissioner Mena: Well...

Assistant City Attorney Stephanie Throckmorton: Commissioner.

Commissioner Mena: But we can just have language that gives the City Manager the flexibility...

Vice Mayor Lago: Flexibility.

Commissioner Mena: Over time to make adjustments.

Assistant City Attorney Stephanie Throckmorton: Commissioner, I can ask Jessica and the Assistant City Manager up here. We had just a brief discussion here. I mean, staff's recommendation is for device per day, not per trip. But there is some flexibility in the right-of-way fee to be recouped if you all are interested in a lower amount per device per day. I think there's some flexibility there, but that that's the mechanism that staff...

Commissioner Quesada: I don't want to...

Assistant City Attorney Stephanie Throckmorton: Would like to use.

Commissioner Quesada: Here's what I don't want. And it's funny, the City Attorney said something last time that sounds great. We've had every scooter company out there lobbying, you know, us non -- all of us nonstop. So, it makes me think, well, if we charge a dollar, we're going to get someone to do it, right? But then at the same time, are we too small because what the Bird representative said makes sense to me. It's small. They're not making the same profit they would with a big city, so are we discouraging a good company from coming in here? I don't know the answer to that.

Vice Mayor Lago: Yeah, but I think...

Commissioner Quesada: And I don't think anyone at this point...

Mayor Valdes-Fauli: As you say...

Commissioner Quesada: They wouldn't say that we're not coming in for the dollar.

Vice Mayor Lago: Vice Mayor, I think our city is small and I agree with you. But like the gentleman from Bird stated -- and I think there's also a prestige to be involved with the City of Coral Gables.

Mayor Valdes-Fauli: And also, a lot of users.

Vice Mayor Lago: And we have a lot of users in downtown.

Mayor Valdes-Fauli: In Miracle Mile and downtown.

Vice Mayor Lago: I see constant use.

Mayor Valdes-Fauli: Yeah.

Vice Mayor Lago: Even in my neighborhood, from the University of Miami.

Mayor Valdes-Fauli: I would advocate a dollar per day and then we'll...

Commissioner Mena: Up to a dollar per day.

Assistant City Attorney Stephanie Throckmorton: It says -- right now it says an amount. We can change it to an amount up to and it says it may be periodically adjusted by the City Commission.

Mayor Valdes-Fauli: I would say a dollar per day and then let's look at it in two months.

Assistant City Attorney Stephanie Throckmorton: We, obviously, will be bringing back a procurement at some point. We can look at whatever details get put into that RFP and it may be a device fee of lower or above a dollar, depending on your direction and what the committee...

Mayor Valdes-Fauli: Okay.

Commissioner Mena: I just don't know -- I don't know that we -- this is -- to me, this is kind of an administrative issue for the City Manager's Office to manage down the line. I don't think they need to come back to us every time they need to adjust the price for some reason.

Vice Mayor Lago: (INAUDIBLE).

Assistant City Attorney Stephanie Throckmorton: That's something you could also change right here...

Commissioner Mena: So...

Assistant City Attorney Stephanie Throckmorton: To be periodically adjusted by the City Manager.

Commissioner Mena: I mean, if he -- if the City Manager, for whatever reason, feels it merits coming back to us, he'll exercise his discretion in that regard. But I don't want it to come back to us every time they're trying to make a small adjustment to...

Mayor Valdes-Fauli: Right. I don't either.

Commissioner Mena: To the fee, so...

Mayor Valdes-Fauli: You know, the...

Commissioner Mena: Can we say...

Mayor Valdes-Fauli: Parkinson's law...

Commissioner Mena: Can we say up to...

Mayor Valdes-Fauli: The smaller the item...

Commissioner Mena: A dollar per day, or how do you guys want to handle -- or just have language that says...

Commissioner Quesada: Honest -- I still feel uncomfortable with the fact that it's a dollar and it could be a fee of 25 percent of what their gross profit could be. It doesn't make business sense, so...

Commissioner Mena: Well, (INAUDIBLE)...

Commissioner Quesada: I would say -- I'd say let's start at 50 cents, and then if we don't feel -- after six months, if it's not recouping it, then you guys can adjust it.

Unidentified Speaker: If I may, Vice Mayor, we really don't have an idea as to what the revenues are at this time, so to...

Commissioner Quesada: I'm just basing it off of our testing period, two and a half rides per vehicle per day, you know...

Commissioner Mena: There's a ramp up.

Commissioner Quesada: But we don't know how long...

Commissioner Mena: Average ride...

Commissioner Quesada: Point nine miles -- that's about \$1.40, \$1.50 a ride.

Unidentified Speaker: But sometimes people put the device on hold, which is also incurring additional revenue. And so there are other valuables that could be taken into account in terms of what revenue is generated.

Mayor Valdes-Fauli: Why don't we start with a dollar a day and then look at it in months and have the administration look at it in three months?

Commissioner Quesada: I'd rather start at 50 cents and then go up, but...

Mayor Valdes-Fauli: Come on, okay.

Vice Mayor Lago: I think...

Mayor Valdes-Fauli: Have you ever heard of...

Vice Mayor Lago: But here's the thing, you...

Mayor Valdes-Fauli: Have you ever heard of Parkinson's law, third law? The smaller the item, the more time it takes to discuss.

Commissioner Mena: That's the thing. You can't look at it as an isolation, like one city and their profitability in the one city because all these companies are going around to the City of Miami, the City of South Miami and every municipality in town and they want to have Coral Gables on their resume.

Vice Mayor Lago: That's what I told them.

Commissioner Mena: So, maybe they're breaking even.

Unidentified Speaker: And...

Commissioner Mena: It's not the most profitable city, but there's an advantage to having it on their resume. So, I mean...

Mayor Valdes-Fauli: Yes.

Commissioner Mena: So, we have to balance all that. My issue is I just don't know today what the appropriate number is. And so, I just want to build in the flexibility so that Peter can make adjustments.

City Attorney Ramos: So, I think the ordinance can simply state the City may charge.

Assistant City Attorney Stephanie Throckmorton: That's what...

City Attorney Ramos: Which is at the discretion of the City Manager and not give an amount.

Vice Mayor Lago: Up to one dollar a day.

Commissioner Mena: Yeah.

Commissioner Quesada: Yeah.

Assistant City Attorney Stephanie Throckmorton: May charge a right-of-way fee per device per day to be paid monthly or annually. And the public right-of-way fee may be periodically adjusted by the City Manager.

Vice Mayor Lago: Yes.

City Attorney Ramos: That's it.

Mayor Valdes-Fauli: Okay.

Commissioner Quesada: Up to.

Assistant City Attorney Stephanie Throckmorton: We won't say an amount.

Commissioner Quesada: Okay.

Assistant City Attorney Stephanie Throckmorton: The public right-of-way fee per device per day to be paid monthly or annually.

Commissioner Quesada: And I'd say this, in the RFP submissions, in the -- I think -- can we put in there for them to put in an argument or proof why -- let them explain it to us why it should be less. Can we do that? You know, and maybe if we can get sort of a -- not only different

municipalities that are similar to us around the country to see what they're charging, if anything at all.

Assistant Public Works Director Keller: No, I think that's fair. And the other thing I wanted to mention is -- and a spin on what Ed was saying was that there are times -- and if you are a scooter user -- I am a scooter user. There are times where you lock that scooter in place and it's sitting there, and you're being charged while you're having something to eat so you can -- you can have an 8, 9, \$10 scooter ride...

Commissioner Quesada: Oh, yeah, I know.

Assistant Public Works Director Keller: Even though you only traveled a half of a mile. And so I wanted to say...

Commissioner Quesada: Let's roll the dice and...

Assistant Public Works Director Keller: And so -- and the...

Mayor Valdes-Fauli: Okay, we have...

Assistant Public Works Director Keller: The other point is that we are -- we don't know what they're going to charge in the future either.

Commissioner Quesada: Got it, okay.

Mayor Valdes-Fauli: We have a member of the public that wishes to speak. Mr. Ruano. Good morning.

Robert Ruano: Good morning.

Vice Mayor Lago: Good morning.

Mr. Ruano: Morning, Mayor, Vice Mayor. Going to miss you.

Commissioner Quesada: Thank you.

Mr. Ruano: You've done a great job. Thank you for your time always to discuss issues. Just one brief thing about this I wanted to mention. First, something you didn't cap -- or maybe you did capture, but you didn't mention it. Last time you did a report on the scooters, as Vice Mayor Quesada said, 0.9 miles, people usually go 0.9 miles. People also did not take -- let me phrase this correctly. Nineteen percent of people said they would have taken their car instead of using the scooter, which was great. But 45 percent said they would have walked instead of using the scooter. I just put that out there for you to remember that and think about it for the future because hopefully those numbers will come down. Hopefully, those people would rather walk than take anything that's not going to give them any sort of physical activity. But anyway, my point here is just to mention a brief point about the scooter ordinance that you have. It mentions that when passing a person, there should be an audible sound. I was recommending and asked Commissioner Lago to add something that the -- that requires the provider to provide an operable horn or bell on that scooter. You know, a lot of them do. I think they all do now.

Unidentified Speaker: Yes.

Commissioner Mena: Okay.

Mr. Ruano: They do, but in the -- and the key also -- which I didn't mention to Commissioner Lago -- is operable. So, what if that scooter is -- it has a bell. It's not operable that day and they just stick it out there. I saw the situation the other day on Giralda where two young kids on scooters flying by at 15 miles per hour. You get hit by somebody on a scooter at 15 miles per hour -- and

they don't signal. They don't do anything. So, that -- and hopefully, that the providers will provide more education on how to properly use them because in addition to people passing very fast, I saw two people on one scooter, which is not safe and so maybe they should do some education on that.

Mayor Valdes-Fauli: Thank you, Mr. Ruano.

Mr. Ruano: Thank you.

Mayor Valdes-Fauli: Thank you very much for...

Vice Mayor Lago: Thank you.

Mayor Valdes-Fauli: Your valuable advice.

Mr. Ruano: Thank you, sir.

Mayor Valdes-Fauli: Thank you.

Commissioner Quesada: That's a good question. I've noticed recent -- I mean, you mentioned a good point with the bell, which I forgot about. I noticed some new scooters have come out, Spin, Bird, (INAUDIBLE). Do they have a bell? They do now, okay.

Unidentified Speaker: They do.

Commissioner Quesada: Got it. Alright.

Mayor Valdes-Fauli: Alright.

Commissioner Quesada: And we have that in the ordinance that...

Mayor Valdes-Fauli: Do you want to make a motion?

Unidentified Speaker: Yes.

Mayor Valdes-Fauli: Please.

Commissioner Mena: No, no.

Vice Mayor Lago: That's a good point.

Assistant City Attorney Stephanie Throckmorton: I'm sorry, Vice Mayor. Can you say that again?

Commissioner Quesada: Can we make it a requirement in the ordinance that it has some sort of audible mechanism, like a bell or...

Assistant City Attorney Stephanie Throckmorton: We can add that to the definition that there's...

Commissioner Mena: Operable is...

Unidentified Speaker: Yes.

Assistant City Attorney Stephanie Throckmorton: An operable...

Commissioner Quesada: Because all the bikes, I've always had them. He brings up a good point. You know, if you're walking down -- if you're -- if someone's walking in front of you, you don't want to get -- you know, you can make a noise or something.

Mayor Valdes-Fauli: Alright.

Jose Felix Diaz: Mr. Mayor, how are you? I'm Jose Felix Diaz, on behalf of Bird, 2 Alhambra. Just a quick comment. I wanted to clarify the record. There was a mention about the scooters being set aside and people paying a fee to keep them. That's rarely ever used because of how many of these scooters are on the road. So, that's one thing I wanted to clarify on the record. The tax that you were talking about -- let's call it a 25 percent tax. That's a pretty high tax rate on the corporate side. Imagine anyone of your corporations being charged at that rate. I do think that a per ride fee is much better. And one thing that I would like to get clarity on, if it's possible, is I think we're talking about everything prospectively, right after the RFP. There's still a pilot going on right now. These fees will not be assessed during the pilot period, correct?

Assistant City Attorney Stephanie Throckmorton: That's been established by the City Commission and I believe the ordinance addresses that directly.

Mr. Diaz: Okay.

Mayor Valdes-Fauli: Alright. Will you make a motion?

Assistant City Attorney Stephanie Throckmorton: Just to clarify Vice Mayor's point. I'm sorry, Mayor. That you want something added to the definition that the scooters not only have lights, but they also have an operable, audible signal.

Commissioner Mena: Yes.

Commissioner Quesada: Bell or ringer, whatever you want to call it.

Commissioner Mena: Whatever the term of art is.

Commissioner Quesada: Yeah, exactly.

Assistant City Attorney Stephanie Throckmorton: Something audible.

Commissioner Mena: Correct.

Commissioner Quesada: So, I'm going to make the motion.

Mayor Valdes-Fauli: Please.

Commissioner Quesada: But I'm going to give it the way that I want it. I think it should be no more than 50 cents a day to start with.

Mayor Valdes-Fauli: To start with, alright.

Vice Mayor Lago: The flexibility...

Mayor Valdes-Fauli: Is there a second?

Vice Mayor Lago: To move towards...

Commissioner Quesada: Correct.

Vice Mayor Lago: What the City Manager deems appropriate.

Commissioner Quesada: Correct.

Mayor Valdes-Fauli: Is there a second? No second. It fails for lack of a second.

Commissioner Quesada: Got it. Okay, so...

Mayor Valdes-Fauli: Alright.

Commissioner Quesada: Then I'll make a motion directly as prescribed on -- as has been presented to us today with the only amendment being the audible bell.

Assistant City Attorney Stephanie Throckmorton: As well as the language that it's a right-of-way fee...

City Attorney Ramos: To be established.

Assistant City Attorney Stephanie Throckmorton: Per day to be periodically adjusted and set by the City Manager.

Mayor Valdes-Fauli: Alright. Is there a motion? You made it. Is there a second?

Commissioner Mena: Second.

Mayor Valdes-Fauli: Okay. Will you call the roll, please?

Commissioner Mena: Yes.

Commissioner Quesada: Yes.

Vice Mayor Lago: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 4-0)