

CITY OF LONG BEACH
DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

December 20, 2005

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive the supporting documentation into the record; find that the public convenience and necessity requires the operation of pedicabs as prescribed in the application; find that the rate of \$1.00 for each 1/10 of a mile is just, reasonable and nondiscriminatory; and, authorize the City Manager to approve a permit and amendments thereto for the operation of 20 pedicabs by Long Beach Pedicabs LLC. (Districts 1 and 2)

DISCUSSION

Parking and congestion are significant concerns to visitors and residents of the downtown areas of the City. In addition, the distance from the Aquarium, the Pike and Pine Circle to upper Pine Avenue or the East Village Arts District is farther than some are willing to walk. Pedicabs provide a transportation alternative for the downtown area while relieving some parking and traffic congestion. Downtown visitors can take a pedicab to/from parking and not need to use their car to go from one part of downtown to another. Pedicabs are also a service that will add to the attractiveness of the downtown area by creating a greater sense of convenience and safety for visitors, providing transportation in the newly formed Downtown Dining and Entertainment District. This action by the City Council will authorize the City Manager to approve a permit for Long Beach Pedicabs LLC to operate a pedicab business in the downtown areas of the City. Presently there are no pedicab businesses in Long Beach.

The Long Beach Municipal Code (LBMC) requires an application be filed and a hearing be held before the City Council prior to issuing a license or permit for pedicab service. The LBMC also requires that the City Council make a determination that the public convenience and necessity require the operation proposed by the applicant for the permit. The City Council shall take into consideration the public demand for the service, the adequacy or inadequacy of the service being rendered by other persons, the effect of the service upon traffic, the financial responsibility of the applicant, the character of equipment proposed to be furnished, and any and all other facts which the City Council may deem relevant.

After receiving interest from several pedicab companies, the City issued a Request for Proposal (RFP) for pedicab service. A committee comprising representatives from Financial Management, Traffic Engineering and the Police Department reviewed the proposals and selected Long Beach Pedicabs LLC. It is the staff recommendation that only one pedicab business operate in the downtown area while staff conducts a one-

year evaluation on the effect that pedicabs will have on downtown congestion, traffic flow and public convenience.

Long Beach Pedicabs LLC is requesting approval for up to 20 pedicabs to operate within the downtown Long Beach area defined as the Primary Pedicab Service Area (Attachment A). They have proposed to start with 4 pedicabs and gradually increase to 20 by the end of the first year. An increase above 20 pedicabs will require City Council approval. The proposed routes include: Ocean Boulevard; the bike path along the north side of Shoreline Drive between Shoreline Village and Cedar Avenue; streets including Aquarium Way, The Paseo, Cedar Avenue and Seaside Way; The Promenade, along the 1st Street Transit Center; and, other streets within the Primary Pedicab Service Area. A large portion of the trips will originate and terminate on Pine Avenue; stopping to wait for rides, or to disembark passengers, will only be done in designated areas, the "white zones" or areas with white curb markings. The operator proposes to operate in a way that does not impede the flow of traffic.

The LBMC also states that the City Council shall establish and authorize the rate charged for pedicab service, following a hearing upon its own motion, upon application, or upon complaint. The City Council must determine if the proposed rate is just, reasonable and nondiscriminatory. The rate proposed to be charged by Long Beach Pedicabs LLC is \$1.00 for 1/10 of a mile, or less, plus \$1.00 per each additional 1/10 of a mile per trip regardless of the number of passengers. The trip distance will be measured by an odometer on each pedicab.

The LBMC allows that pedicabs may be operated by persons other than the permittee or his employees pursuant to a contract, agreement, permit, license or understanding between the operator and the permittee, so long as the terms and conditions of the original permit are upheld. Long Beach Pedicab LLC proposes to use independent contractor drivers, each leasing a pedicab from Long Beach Pedicab LLC. Each driver will be required to obtain a driver's permit from the Long Beach Police Department and have an individual business license. Long Beach Pedicab LLC will be responsible for the drivers, whether employees or independent contractors, will provide public liability and property damage insurance, and will be responsible for having safety inspections on the pedicabs. The pedicab drivers are subject to the following LBMC regulations:

5.68.230 Operating Regulations

- A. No person under the age of eighteen years shall drive a pedicab.
- B. No person shall operate a pedicab while under the influence of alcoholic beverages or drugs.
- C. No person shall operate a pedicab in any manner which impedes or blocks the normal or reasonable movement of pedestrian or vehicular traffic unless such operation is necessary for safe operation or in compliance with law.

- D. Every person operating a pedicab shall be subject to all applicable laws, rules and regulations of this Code and the Vehicle Code of the State of California covering the operation of bicycles upon streets and pedestrian or bicycle facilities.
- E. No person shall operate a pedicab over any route not designated in the permit for the operation of such pedicab.
- F. Whenever a pedicab is available for hire, said pedicab may be parked at any place designated by the City Manager as a pedicab stand or in any motor vehicle parking space, subject to the parking regulations as contained in this Code and the Vehicle Code of the State of California.
- G. Whenever a pedicab is not available for hire, said pedicab shall be stored at a place and in a manner as approved by the City Manager.

Attached for your review is the application (Attachment B) from Long Beach Pedicabs LLC. Also attached are reports from various departments.

City departments have reviewed the application in accordance with the LBMC. The following summarizes their findings:

- The Police Department recommends that the application for a pedicab permit be approved with conditions (Attachment C).
- The Public Works Department, City Traffic Engineer, recommends that the application for a pedicab permit be approved with conditions (Attachment D).
- The Planning and Building Department, Zoning Division, finds that the application meets the department requirements for the proposed use (Attachment E).
- The Fire Department finds that the application meets the department requirements for the proposed use.
- The Financial Management Department recommends that the application be approved with the following conditions: (1) That the permit be issued for one year and be reviewed by City staff with the applicant for safety, efficiency and success of the service prior to continuation of the service. (2) That during certain special events, like the Long Beach Grand Prix or the Pride Parade, pedicab routes may be restricted by the City.

Over the past two years, the Downtown Long Beach Association staff has briefed its Board of Directors and worked with the City staff to facilitate a downtown pedicab operation and secure requirements hoped to be acceptable to the City Council for this Downtown service.

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This matter was reviewed by Deputy City Attorney Richard Anthony on December 8, 2005 and Budget Management Officer David Wodynski on December 9, 2005.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

FISCAL IMPACT

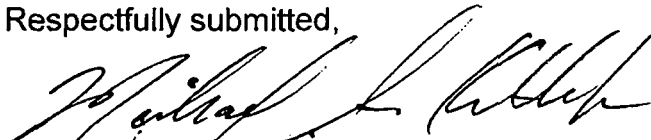
The following fees will be collected if the application is approved: Business License taxes of \$513 from the applicant and \$168.88 for each independent contractor driver (Financial Management Department), Zoning Review \$14 (Planning and Building Department), and Police Investigations \$420 (Police Department).

All fees are deposited in the General Fund.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL A. KILLEBREW
DIRECTOR OF FINANCIAL MANAGEMENT

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ATTACHMENTS

APPROVED:



GERALD R. MILLER
CITY MANAGER