



## Legislation Text

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**File #:** 11-0983, **Version:** 1

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Recommendation to receive 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, adopt Specifications No. RFP FM 11-048 authorizing City Manager to approve and execute a permit and amendments thereto for the operation of seven pedicabs by Pedaler's Society, LLC, of Long Beach, CA (Local and LSBE). (Districts 1,2,3,7,8)

In an effort to promote mobility, environmentally safe options for pedestrian transportation and the City's commitment to becoming the most bike-friendly City, we are recommending City Council approval of pedicab services by Pedaler's Society, LLC. This service will promote these goals while providing a transportation alternative for the areas of Downtown, 4<sup>th</sup> Street, Belmont Shore, Naples, Alamitos Bay, and Bixby Knolls while relieving some parking and traffic congestion. Additionally, visitors can take a pedicab to and/or from parking destinations and/or travel a distance that is farther than some are willing, or in some cases, able to walk. Pedicabs may also add to the attractiveness of the proposed areas by creating a greater sense of convenience and safety for visitors.

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 services. 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 the equipment proposed to be furnished, and any and all other facts which the City Council may deem relevant.

The Request for Proposal (RFP) was made available on the Purchasing Division's website at [www.longbeach.gov/purchasing](http://www.longbeach.gov/purchasing) <<http://www.longbeach.gov/purchasing>>, and 277 potential bidders were notified. Of those bidders, eight downloaded the bid via our electronic bid system. One proposal was received and Pedaler's Society, LLC (Local and LSBE), was selected to provide pedicab services in the City.

Pedaler's Society, LLC, is requesting approval for seven pedicabs initially, with the option to expand as the market demands, to operate within the Long Beach area defined in the main service areas (Attachment A).

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 the Pedaler's Society, LLC, is \$1.00 for one person for 1/10 of a mile and \$1.50 for two to three people for 1/10 of a mile. The trip distance will be measured by an odometer on each pedicab.

The LBMC allows for pedicabs to 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. The Pedaler's Society, LLC, proposes to use independent contractor drivers, each leasing a pedicab from Pedaler's Society, LLC. Each driver will be required to obtain a driver's permit from the Long Beach Police Department and have an individual business license. Pedaler's Society, 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.

Attached for your review is the application (Attachment B) from Pedaler's Society, LLC. Also attached are reports from various departments.

The Departments of Financial Management, Fire, Police, and Public Works have reviewed the application in accordance with the LBMC Title 5.68 and have approved their recommendations with conditions, per the attached Recommended Conditions of Operation (Attachment C).

This matter was reviewed by Deputy City Attorney Amy Webber on September 16, 2011 and Budget Management Officer Victoria Bell on September 19, 2011.

City Council action to adopt Specifications No. RFP FM 11-048 and authorize the City Manager to execute a contract is requested on October 4, 2011 to ensure that a contract is in place expeditiously.

The following fees are collected with the application: Zoning Review \$15 (Development Services Department) and Processing Fee \$613 (Financial Management Department).

The following fees will be collected if the application is approved: Business License \$214.67 plus \$19.26 per each additional pedicab; Annual Regulatory \$279 from the applicant; and Business License \$197.46 for each independent contractor driver (Financial Management Department).

The award of this proposal will provide continued support to our local economy by assisting in the preservation of two full-time and eight part-time employees residing in Long Beach with employment.

Approve recommendation.

JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT

APPROVED:

PATRICK H. WEST  
CITY MANAGER