



Minutes

Administrative Rules Board Meeting

Tuesday, June 13, 2019

Administrative Headquarters

2079 E 9th Street, 4th Floor Committee Room 407

Rule Title: Cuyahoga County Rules for Receiving a Bicycle and Scooter Share Vendor's License

1. CALL TO ORDER

Meeting called to order at 9:30 a.m.

2. ROLL CALL

Greg Huth, Law Director

Alexa Beeler, Assistant Law Director

Victor Manolache, Assistant Law Director

Jonathan McGory, Assistant Law Director

Maggie Keenan, Director of Office Budget and Management

Quorum present: Yes

Others Board Members Present: Nora Hurley, Deputy Chief Director of Law

3. REVIEW AND APPROVAL OF MEETING MINUTES

There are no minutes to be approved.

4. PUBLIC COMMENT RELATED TO THE AGENDA

- Michael Wise, Lime representative, commented on their concerns surrounding duplications between Cuyahoga County and the City of Cleveland regulations (Posted on ARB website). There was a comment presented by Jonathan McGory regarding data that is collected but not shared. Michael responded that there will not be any individual information shared. Lime will be providing aggregate information to the County.
- Sam Cooper, Bird representative, commented on the concerns surrounding duplications between Cuyahoga County and the City of Cleveland regulations (Posted on ARB website).

5. ITEMS FOR 1ST READING

Resolution NO.	Requesting Entity	Rule Title	Temporary or Permanent Adoption
ARB2019-0001	Department of Sustainability	Bicycle and Scooter Share Vendor's License	Permanent

Mike Foley, Director of Sustainability, presented.

Jonathan McGory commented regarding a change he thought was made on the per trip fee of 15 cents. If both the County and the City has a fee and the City fee is greater than 15 cents, the County fee would not apply. The funds are not coming to the County and it does not make sense for us to double charge. That will be a change we make before the second reading. Foley responded, that's the intent.

Maggie Keenan questioned the per trip fee and if the fare would be discounted because they are dropped off at a preferred location is that per trip the 15 cents discounted as well or is that flat? Foley responded, that it is flat. Keenan also asks if the data sharing will be restricted to gender and age - will I be required to give my name when I sign up for this and will the county know who I am and where I was? Foley responded, we don't want to know individual usage. We are trying to get a broad sense of where people are taking the scooters, how many are doing and how effective.

Alexa Beeler questioned what happens if during the term of the licensing agreement the operator does not meet any of the regulations? Foley responded, we can give them 30 days to correct the issue or the County will pull their license, are you saying there should be something beyond that? Beeler commented that this is something to consider. Beeler also asked if there are provisions for if the operator does not pickup the bikes after the term of the agreement? Foley commented, no, but that makes sense. McGory added that these companies can remotely shut down these vehicles so a proposed change that we will work on after this meeting and put in for the second hearing is: Egregious issues with the company as determined by the Director of Sustainability the director can require that all vehicles be shut down immediately until the issue is fixed, then the vehicles have to be removed after 30 days and if not the County and/or the City can impound the vehicles.

Victor Manolache questioned operators of bikes and scooters nationally are there others? Foley responded, yes, the industry has changed dramatically over past 5 years and some have gotten out of the business or lost their license. Manolache also asked about the wages. Foley responded that potentially that is an issue but felt strongly that these should be living wage jobs and that people working in the industry should be able to make careers doing all facets of the work.

Maggie Keenan questioned the 5k licenses fee if the county ever wanted to change that would we have to come back to arb to do so? Yes, this is a new program and we anticipate changes as we move forward and don't want to burden Council with technical tweaks. Keenan suggested we give the ARB discretion in determining fees. McGory agreed. Keenan wanted to acknowledge on record, thank you to Mike Foley, you did a lot of work on this. The best thing the County can do is establish priorities and implement actual activities that actually meet those priorities so thank you.

Greg Huth stated that we are required to have a second reading and that the director has the opportunity to make changes. There is no minimal time line. Once changes are made, we submit to the Clerk to post online for 2 days and then it gets placed on the agenda which has to be posted at least 2 days before the second meeting.

6. PUBLIC COMMENT UNRELATED TO THE AGENDA

There was no public comment unrelated to the agenda.

7. ADJOURNMENT

Greg Huth motioned to adjourn; Alexa Beeler seconded the motion. The motion to adjourn was unanimously approved at 10:10 a.m.