



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Thursday, October 13, 2022

Date approved: November 7, 2022

---

### **SPECIAL MEETING – OPEN SESSION 5:30 PM**

#### **1. CALL TO ORDER**

Vice Mayor Tiedemann called the meeting to order.

Council Member McQuaid read the Albany Land Acknowledgement Statement as adopted by the City Council per City of Albany Minute Action, November 15, 2021.

#### **2. ROLL CALL**

Present: Council Members Gary, McQuaid, and Nason, Vice Mayor Tiedemann, Mayor Jordan (arrived at 5:33 p.m.)

Absent: None

#### **3. NEW BUSINESS**

**3-1.** Urgency Ordinance Adding a New Section to the Albany Municipal Code Relating to Mobility Sharing Services and Authorization to Enter into a Temporary Operating Agreement

Staff recommendation: that the Council:

1. Adopt Urgency Ordinance No. 2022-08, entitled:  
An Urgency Ordinance of the City of Albany, California, Adding a New Section 5-12 Of the Albany Municipal Code Relating to Mobility Sharing Services, for the Immediate Preservation of the Public Peace, Health, and Safety, and Declaring Same to be an Urgency Measure to Take Effect Immediately
2. Authorize the City Manager to enter into a temporary operating agreement with dockless shared mobility operators in advance of permit issuance

Transportation Commission recommendation: that the Council adopt an ordinance to amend the Albany Municipal Code to include the proposed permitting regulations of shared micromobility services

Justin Fried, Transportation & Sustainability Manager, presented the staff report. Shared electric scooters are a micromobility transportation option that have been expanding in the region and in other cities. State law regulates the operation of motorized scooters, whether individually owned, or owned by an operator and rented to qualified users. Operators must have a valid driver's license or instruction permit and must wear a helmet if under eighteen years of age. Motorized scooters may not operate in the Albany Hill open space area nor in the Waterfront area unless authorized by the City. Mobility sharing services must obtain a business license to operate in the City. City General Plan and Climate Action and Adaptation Plan strategies support decreasing passenger vehicle miles traveled and vehicle emissions through use of alternative modes of travel.



## ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Thursday, October 13, 2022

---

Michelle Plouse, Community Development Analyst, advised that the proposed ordinance is intended to regulate the use of shared scooters to maintain the safety and accessibility of sidewalks and roadways. Additional objectives include creating a permeable border with neighboring jurisdictions with consistency in the rules for shared scooter operations and allowing flexibility for permit requirements.

Stuart Coltrell, Operations Manager of Veo, indicated that residents cannot contact customer service by text message, but complaints and suggestions can be sent to local representatives via email. The Veo mobile app informs the customer of nearest vehicle locations and vehicle types.

A summary of public comment is as follows: inquiries about regulations regarding age restrictions, obtaining helmets without a permanent address, helmet requirements and enforcement, the low-income option, liability, and whether the scooters could be without the use of a smartphone; opposition to complaint-driven enforcement; support for shared electric scooters in Albany; a suggestion to consider bike lanes on San Pablo Avenue.

Mayor Jordan advised that the electric scooters can be used in cycling lanes.

Stuart Coltrell, Operations Manager of Veo, explained that customers are prompted to scan a state issued identification. Technology within the mobile app verifies the age of the customer. An account that is discovered to be fraudulently used is permanently closed. To receive a helmet, customers without an address may arrange a meetup with the local operations team or attend any community engagement event.

Michelle Plouse, Community Development Analyst, noted that operators need to offer a discounted membership plan for individuals with low incomes that is equivalent to five dollars for one year of unlimited thirty-minute rides.

A summary of Council comment is as follows: a suggestion to place the grace period in the temporary ordinance; concern about the dangers associated with stand-up scooters; a preference that Council explore the safety aspects of the stand-up scooters; support for sit-down scooters; the onus is on each individual to ensure that they are adequately protected on the scooters; Council should craft the City's regulatory system to eliminate the most egregious dangers; the mobile app has many features, particularly regarding identification requirements.

City Attorney Mala Subramanian indicated state law requires that individuals under the age of eighteen wear helmets. Additionally, state law provides that the City may adopt an ordinance to regulate, provided that it is not in conflict. Helmet usage by individuals over the age of eighteen is not likely to be required by the City, but rather encouraged.



## ALBANY CITY COUNCIL - MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Thursday, October 13, 2022

---

### MOTION:

Moved by Council Member McQuaid, seconded by Council Member Gary, to 1) adopt Urgency Ordinance No. 2022-08, and 2) authorize the City Manager to enter into a temporary operating agreement with dockless shared mobility operators in advance of permit issuance.

AYES: Council Members Gary and McQuaid, Vice Mayor Tiedemann, Mayor Jordan

NOES: Council Member Nason

Motion carried and so ordered.

### 4. ADJOURNMENT OF SPECIAL MEETING

6:53 p.m. There being no further business before the City Council, Mayor Jordan adjourned the meeting.

Minutes submitted by Anne Hsu, City Clerk.

  
\_\_\_\_\_  
Preston Jordan  
Mayor

Attest:

  
\_\_\_\_\_  
Anne Hsu, City Clerk