

**RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SANTA BARBARA,
STATE OF CALIFORNIA**

IN THE MATTER OF ESTABLISHING)
AN ISLA VISTA CAR SHARE)
PROGRAM PURSUANT TO) RESOLUTION NO. _____
CALIFORNIA VEHICLE CODE)
SECTION 22507.1)

WHEREAS, on November 27, 1990, the Santa Barbara County Board of Supervisors approved and adopted Ordinance No. 3894 establishing the Redevelopment Plan for the Isla Vista Redevelopment Project; and

WHEREAS, on August 21, 2007, the Board of Supervisors adopted the Isla Vista Master Plan which identifies a goal to develop an effective, efficient multi-modal transportation system for the Isla Vista community; and

WHEREAS, the 2007 - 2011 Five Year Implementation Plan for the Isla Vista Project Area identifies goals and objectives to provide car share opportunities within the Project Area that would thereby reduce parking demand; and

WHEREAS, on August 28, 2006, the Governor of the State of California approved and filed with the Secretary of State Assembly Bill No. 2154, Chapter 189 (California Vehicle Code Section 22507.1) allowing the County by resolution to designate street parking for car share vehicles; and

WHEREAS, on February __, 2010, the Board of Supervisors adopted an ordinance authorizing the designation of on-street parking spaces for car share permit parking in Isla Vista ("Car Share Ordinance"); and

WHEREAS, public parking in the road right of way is a service to people with cars and the car share parking spaces are to be available to people who do not have a car; and

WHEREAS, the Isla Vista Master Plan includes discussion that "A car-sharing program might start with nine vehicles at three locations in the first year and according to increased demand, may provide more than 25 vehicles at 6 locations after three years"; and

WHEREAS, the Isla Vista Community is uniquely suited for operation of a car share program because of its population density and pedestrian orientation.

NOW, THEREFORE BE IT FOUND AND RESOLVED AS FOLLOWS:

1. The above recitations are found to be true and correct.
2. Establishment of a car share parking program for Isla Vista as set forth in this resolution is consistent with State Law, the Redevelopment Plan for the Isla Vista Redevelopment Project Area, the 2007 – 2011 Five Year Implementation Plan for Isla Vista, and the adopted Isla Vista Master Plan.
3. This resolution shall only be effective within the area covered by the Isla Vista Master Plan as adopted by the Board of Supervisors on August 21, 2007.
4. The following definitions shall apply to this resolution:
 - a. A Car Share Parking Space shall mean an on-street parking space at the locations designated in a duly adopted resolution of the Board of Supervisors which is reserved exclusively for a vehicle operated by the holder of a Car Share Permit for that space.
 - b. A Car Share Permit shall mean a permit issued by the Public Works Department to a Car Share Vehicle implementing the requirements of this resolution.
 - c. A Car Share Provider shall mean a public or private company or organization authorized to do business in California and meeting all of the following criteria:
 - 1) The organization has the primary purpose of operating a regional fleet of automobiles that can be used by members of the organization on an hourly or daily basis at the discretion of the member.
 - 2) At a minimum, membership in the organization is open to full time students of colleges and universities located in Santa Barbara County who are 18 years of age or older in addition to other persons who meet the organizations criteria for eligibility.
 - 3) The organization processes and charges for reservations using an online reservation system.
 - 4) Car Share vehicles can be accessed where they are parked without having to go to a different location to execute a contract and/or pick up the keys.
 - d. A Car Share Vehicle shall mean a motor vehicle that is owned or leased by a Car Share Provider and available to members of the organization on a daily or hourly basis.
5. Car Share Permits shall entitle the holder of the Car Share Permit to a specific Car Share Parking Space but are transferable among Car Share Vehicles operated by the holder of the Permit so long as the Car Share Vehicle parked in the Car Share Parking Space meets the criteria of Section 8 of this resolution.

6. Prior to issuance of a Car Share Permit, a Car Share Provider must show proof that it meets the County's Standard Indemnification and Insurance provisions to the satisfaction of County Risk Management and County Counsel.
7. Each Car Share Permit shall be executed by the Car Share Permit Car Share Provider to which it is issued and shall include the requirements set forth in this resolution including insurance and indemnification requirements.
8. Car Share Permits may only be used for vehicles meeting all of the following criteria:
 - a. The vehicle is covered by insurance meeting County requirements.
 - b. The vehicle meets all vehicle code requirements for vehicles operating on California highways pursuant to California Vehicle Code Division 12, Section 24000 et seq.
 - c. The Vehicle meets all the EPA Smartway Elite criteria.
9. Car Share Permits shall be valid for one year except that if the issuance date for a Car Share Permit is less than one year from the expiration date of this resolution, then that Car Share Permit shall be valid until the date of expiration of this resolution as set forth below.
10. The Car Share Permit holders will be required to provide a quarterly report in a form to be approved by the County Public Works Department.
11. The County Public Works Department is hereby authorized to issue Car Share Permits to qualifying vehicles of Car Share Providers consistent with this resolution.
12. The number of Car Share Permits that the Department of Public Works may issue shall not exceed the number of designated Car Share Parking Spaces.
13. Car Share Parking Spaces shall be assigned by permit to an individual Car Share Provider but need not be used for a specific vehicle so long as the vehicle meets the requirements of this resolution. Car Share vehicles may be replaced at the discretion of the Car Share Provider, and a current valid permit may be transferred to a new vehicle owned or leased by the same Car Share Provider. Car Share Permits cannot be assigned or transferred by the Car Share Provider.
14. The County Road Commissioner may require the relocation of Car Share Parking Spaces.
15. The County Road Commissioner shall cause appropriate signs to be erected for Car Share Spaces, indicating prominently thereon the parking limitation and notification that vehicles left standing in violation of such sign may be removed at the owner's expense. The provisions of this resolution shall not apply until signs giving adequate notice thereof are in place.

16. A Car Share Permit is subject to suspension or termination by the County Public Works Department at any time. The Road Commissioner shall have the authority to prohibit parking in a designated car share space at any time whether for convenience or because of anticipated or actual problems or conflicts in the use of the right-of-way. Such problems and conflicts may arise from, but are not limited to: scheduled festivals and similar events; parades or marches; repairs to the street or sidewalk; periodic or one-time street cleaning, or from demonstrations or emergencies occurring in the area.
17. The granting of a Car Share Permit or a renewal thereof may be denied and an existing permit may be revoked or suspended if the permit holder or applicant:
 - a. Is not in compliance with a Car Share Permit and/or this resolution;
 - b. Has knowingly made a false statement in a material matter either in its application or in any reports or other documents furnished by the organization to the County;
 - c. Does not maintain and operate vehicles and other equipment in the manner and in the condition required by law and applicable regulations and this resolution;
 - d. Does not maintain a Car Share Vehicle for a designated Car Share Parking Space that is either being used or is available for use by members for at least 25 days for each month that the permit is effective; or
 - e. Does not keep clean, free from graffiti and adequately maintain the assigned parking spaces, signage, and any adjacent bike parking.
18. The Public Works Department may give notice to a holder of a Car Share Permit of its intention to revoke a Car Share Permit. If the Public Works Department deems that it will be a hazard to the health, safety or welfare, for the Car Share Permit holder to continue operations pending a revocation hearing, the Public Works Department may suspend the permit and all rights and privileges thereunder until the hearing on revocation. The notice shall specify a time and place at which a hearing will be held by the Public Works Department. The hearing shall be conducted not less than fifteen working days after the date of the notice, unless the Car Share Permit holder agrees to a shorter period of time. The notice shall specify the reasons for the proposed revocation in sufficient detail so as to fully inform the Car Share Permit holder of the reasons which have caused the notice to be given, and if the permit has been suspended the reasons for such suspension.
19. The Car Share Permit holder shall have the right to call and examine witnesses, cross-examine witnesses, and argue their position. The proceedings shall be informal, and strict rules of evidence shall not apply. All evidence shall be admissible which is of the kind that reasonably prudent persons rely on in making decisions.
20. The Public Works Department shall render its decision in writing, and include the reasons therein. The decision of the Public Works Department shall be final.

21. The Public Works Department is hereby authorized to issue Car Share Permits consistent with the provisions of this resolution.
22. The Public Works Department may designate up to twenty five (25) Car Share Parking Spaces in Isla Vista Rights of Way.
23. Any violation of a Car Share Permit and shall be enforced as set forth in the County Code Section 23-11.12(e).
24. This resolution shall take effect and be in force thirty (30) days from the date of its passage.
25. This resolution shall expire three years after it becomes effective.

APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

ACCEPTED AND AGREED:
COUNTY OF SANTA BARBARA

By: _____
Deputy

By: _____
Janet Wolf, Chair
Board of Supervisors

APPROVED AS TO FORM:
DENNIS A. MARSHALL
COUNTY COUNSEL

APPROVED AS TO FORM:
RAY AROMATORIO
RISK PROGRAM ADMINISTRATOR

By: _____
Deputy County Counsel

By: _____

APPROVED AS TO ACCOUNTING:
ROBERT W. GEIS,
AUDITOR CONTROLLER

By: _____