



Roll Call Number

Agenda Item Number

19

Date November 17, 2014

REPORT FROM THE CITY MANAGER AND CITY ATTORNEY REGARDING TRANSPORTATION NETWORKING COMPANIES (TNCs)

WHEREAS, at the City Council Meeting on November 3, 2014, the City Council directed the City Manager and City Attorney to begin working on an Ordinance Amendment to regulate TNCs and an Interim Operating Agreement to propose between the City and Uber which is already operating within the corporate limits of the City of Des Moines; and

WHEREAS, the City Manager and City Attorney were also directed to prepare and submit a report to Council at the November 17, 2014 meeting updating the Council on such work; and

WHEREAS, work has begun on the Ordinance Amendment and the Interim Operating Agreement and the attached report is hereby submitted as directed.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that:

- 1. That the report of the City Manager and City Attorney hereby attached is received and filed and the timeline approved.

MOVED BY _____ to receive, file and approve proposed timeline.

Form Approved:

[Signature]
Jeffrey D. Lester, City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL.

MOTION CARRIED APPROVED
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

November 14, 2014



The Honorable Mayor
and
Members of the City Council
City of Des Moines

Dear Mayor and City Council Members:


At the November 3, 2014 Council meeting, the City Manager and City Attorney were directed to begin work researching and drafting an ordinance to cover Transportation Networking Companies ("TNCs") as well as terms for an Interim Operating Agreement to propose to Uber, a TNC already operating in Des Moines, to provide *minimum* safeguards while stakeholders are engaged and pending adoption of the TNC ordinance by Council. The City Manager and City Attorney were also directed to report back to Council by the November 17, 2014 Council meeting as to progress on these issues.

Staff has begun that work and is diligently progressing with the ordinance. Although staff has contacted Uber to begin negotiating, no agreement has been reached as of this report. With respect to the ordinance, staff is researching, tracking similar Uber encounters and municipal involvement across the country in regulating the industry and drafting an ordinance amendment. Staff is recommending the following timeline, including an early December stakeholder meeting where an initial rough draft will be made available for review and comment by the stakeholders. Ultimately, depending upon stakeholder input and Council direction, it is hoped that a first reading ordinance would be submitted to Council by its December 22, 2014 meeting. If acceptable to Council, readings could be waived and the ordinance adopted at that time.


The proposed timeline is as follows:

1. City Staff workgroup will complete numerous research assignments related to the ordinance by 11-18-14.
2. City Staff will attempt to negotiate a proposed Interim Operating Agreement with Uber (ongoing).
3. City Staff workgroup will work diligently to provide a *rough* first draft ordinance to the City Manager by 11-20-14.
4. City Manager and staff workgroup *revised first* draft ordinance will be provided to Council and stakeholders by 11-25-14 for the 12-03-14 stakeholder meeting.
5. City Manager will assign staff person to help coordinate stakeholder meeting; stakeholder meeting will be set for 12-03-14 in Council Chambers, with a late afternoon/early evening start.
6. Communications from City Manager or designee and City Attorney on various issues (as needed).
7. Workshop on 12-08-14 to review *revised first* draft ordinance plus **unincorporated** review of stakeholder comments.
8. First reading of revised *second* draft including Council & stakeholder comments on December 22, 2014.

Sincerely,



Scott E. Sanders
City Manager



Jeffrey D. Lester
City Attorney