



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Authorize the City Manager to Execute an Operating Agreement with Bird Rides, Inc. for a One-year Pilot Operation of a Stand-up Electric Scooter Sharing Program

BACKGROUND

In October 2018, the City entered a licensing agreement with Lime to operate a dockless bike share pilot program within the City. The program was officially launched on December 17, 2018 with 300 e-bikes, with a goal of eventually operating up to 1,000 e-bikes within the City. Lime bikes were located throughout the City, including popular locations such as the Civic Center, Sunnyvale Public Library, Community Center, City parks, and Sunnyvale downtown. Due to a change in their business model and focus, Lime discontinued their bike share business nationwide. Lime officially terminated the agreement with the City for the pilot program in March 2019.

Since then, staff has been coordinating with the City of Mountain View on partnering with them on a joint program, but due to resource issues and priorities in both jurisdictions, that effort was delayed. In March 2022, Bird Rides, Inc. (Bird) reached out to the City and expressed their interest in launching a pilot share program for stand-up electric scooters in Sunnyvale. Bird is currently operating in the City of Santa Clara and is also in communications with the City of Mountain View to implement a program there as well.

EXISTING POLICY

General Plan, Chapter 3, *Land Use and Transportation Element*:

- **Goal LT-2: Environmentally Sustainable Land Use and Transportation Planning and Development** - Support the sustainable vision by incorporating sustainable features into land use and transportation decisions and practices.
- **Goal LT-3: An Effective Multimodal Transportation System** - Offer the community a variety of transportation modes for local travel that are also integrated with the regional transportation system and land use pattern. Favor accommodation of alternative modes to the automobile as a means to enhance efficient transit use, bicycling, and walking and corresponding benefits to the environment, person-throughput, and qualitative improvements to the transportation system environment.

ENVIRONMENTAL REVIEW

The action being considered is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the pilot program will have no significant effect on the environment. Executing an operating agreement will ensure the companies' operations do not impede the use of streets and sidewalks and

is beneficial to the citizens of Sunnyvale.

DISCUSSION

The stand-up electric scooter (scooter) sharing pilot program is intended to be an alternative transportation mode for short distanced local travel, which serves as the first-mile/last-mile connection between transit stations, retail, offices and residences. This pilot program could potentially result in reduced congestion, less vehicle trips, and improved air quality as people could choose to use this alternative transportation mode in-lieu of using an automobile. The pilot program is a 12-month long program with the option to extend the pilot for a second year. At the end of the 12-month period, staff will perform an evaluation to: identify concerns, review the operations within the City, and determine long-term viability of the program. The results of the pilot program would lead either to City Council consideration of development of a permanent micro-mobility shared device program, an extension of the pilot for further study for one additional year, or dropping the program within the City.

The pilot program will deploy 300 stand-up electric scooters operated by Bird at launch, with the option to increase up to a maximum of 500 stand-up electric scooters based on usage and demand for scooters. The stand-up electric scooters will be deployed within the public rights-of-way, near businesses, shopping centers and parks, including the Sunnyvale Public Library and Community Center. The scooters will be periodically swapped out with replacement scooters and are brought to Bird's facility for charging and servicing. Users will be able to find and rent scooters using Bird's smartphone app, and will be charged a flat \$1 to start a ride and then subsequently an anticipated \$0.39 per minute of use along with any fees. At the end of each month, Bird will provide ridership data for the City's review to determine if the average number of rides per day per scooter exceeds 1.5 rides per day per scooter. If the metric is met, Bird may deploy 100 additional stand-up electric scooters, with written approval from the City up to the maximum deployment of 500 stand-up electric scooters.

All scooters will be collected at least every three (3) days and repositioned in an orderly manner at high use locations. A 24-hour customer service contact for users and residents to report safety concerns, complaints, or ask questions will be maintained by Bird. The scooters all have unique ID numbers along with a customer service number and email for customers and public concerns. Bird will respond to reports of safety issues with stand-up electric scooters that are incorrectly parked, unsafe, inoperable, and hazardous within two (2) hours of receiving notice. If Bird is unresponsive to service requests, it is anticipated that Transportation staff assisted by Street Operations staff will address the issue and recoup costs from the \$10,000 deposit for potential damages, nuisance scooter removal and storage fees.

The stand-up electric scooters will only be ridden/operated by individuals who are 18 years old and older with a valid driver's license, on public streets with a posted speed limit of 25 miles per hour (mph) or less, or where available in bike lanes and bike paths, consistent with the California Vehicle Code Section 21235.

Stand-up electric scooters are prohibited within City Parks, Caltrain Stations and Santa Clara Valley Transportation Authority (VTA) Light Rail Stations. As mentioned in the previous paragraph, the California Vehicle Code prohibits scooters from operating on streets that have a speed limit of 30 mph or greater with no bike lanes (Class 2, 2B, or 4). These locations shall be marked as "Red Zones" in addition to the locations shown in the Micro-mobility Share Red Zone Map (Attachment 2). The stand-up electric scooters will be configured such that they are not operable within the Red

Zones. The maximum speed for the stand-up electric scooters will be 15 mph.

Before the pilot program is launched, Bird will host an information booth at the Sunnyvale Farmer's Market in downtown Sunnyvale on October 1, 2022. Bird will have information regarding on the upcoming launch and show the community steps in starting a ride with a Bird scooter, including how to download the Bird app, sign a user agreement, verify age, add payment, and complete educational tutorials. Bird will also have information on how to operate a scooter, where to properly park a scooter, safety tips and Red Zone locations. In addition, Bird will answer any questions about the program.

FISCAL IMPACT

The pilot program will be operated and maintained by Bird. As part of the Operating Agreement between the City and Bird (Attachment 1), Bird is required to pay an application fee of \$10,000 to cover the City's costs of processing the application and overseeing the operation of the program. An additional \$10,000 deposit is required to cover damages to public property or nuisance scooter removal and storage fees. Bird is required to respond to reports of safety issues. In the event that Bird fails to address a safety issue, the City may remedy the issue by relocating or impounding the stand-up electric scooter and impose a fee of one-hundred sixty dollars (\$160.00) against the deposit for each stand-up electric scooter addressed. If an impounded stand-up electric scooter is not retrieved by Bird from the corporation yard within one (1) business day, an additional one hundred dollars (\$100.00) per day per scooter storage fee will be imposed. The Department of Public Works Program 13100 - Transportation and Traffic Services will administer the Operating Agreement. Currently, it is anticipated that the existing program budget and staffing resources can manage the program during this pilot period. After this 12-month pilot with Bird, staff will be able to better determine any possible revenue sharing, budget or staffing resource needs associated with an on-going program.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Public Library, Senior Center, Community Center and in the Department of Public Safety Lobby. In addition, the agenda and report are available at the Sunnyvale Public Library, Office of the City Clerk, and on the City's website.

ALTERNATIVES

1. Authorize the City Manager to Execute an Operating Agreement with Bird Rides, Inc. for a One-Year Pilot Operation of a Stand-Up Electric Scooter Sharing Program and Authorize the City Manager to exercise the option for an additional one year upon determination that it is in the best interest of the City
2. Do Not Authorize the City Manager to Execute an Operating Agreement with Bird Rides, Inc. for a One-Year Pilot Operation of a Stand-Up Electric Scooter Sharing Program
3. Provide other direction to staff as determined by Council

STAFF RECOMMENDATION

Alternative 1: Authorize the City Manager to Execute an Operating Agreement with Bird Rides, Inc. for a One-Year Pilot Operation of a Stand-Up Electric Scooter Sharing Program and Authorize the

City Manager to exercise the option for an additional one year upon determination that it is in the best interest of the City

In order to provide alternative transportation mode options for short distance trips, staff recommends authorizing the City Manager to execute an operating agreement with Bird Rides, Inc. for a one-year pilot operation of a stand-up electric scooter sharing program. This alternative transportation mode serves as the first-mile/last-mile between transit stations, retail, offices and residences that will enhance efficient transit use, walking and benefits to the environment and to the citizens of Sunnyvale.

Prepared by: Joshua Llamas, Traffic Engineering Technician 2

Reviewed by: Dennis Ng, Transportation and Traffic Manager

Reviewed by: Chip Taylor, Director, Public Works

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Stand-up Electric Scooter Pilot Operating Agreement
2. Micro-mobility Share Red Zone Map