



## **CITY MANAGER'S OFFICE**

CITY HALL

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## **CITY COUNCIL STAFF REPORT**

Meeting: October 17, 2017

### Subject

Kidpool Pilot Project

### Recommended Action

Authorize the City Manager to execute a contract with Fremont Union High School District and Pogo, Inc. for the use of a mobile application platform that facilitates parent carpooling.

### Description

In the 2017 Biennial Community Survey, residents identified traffic as the biggest issue facing Cupertino. While the City is working with regional stakeholders to find solutions to this regional issue, there are opportunities to provide relief from local traffic congestion. One of the biggest traffic issues our residents are concerned with is traffic congestion around our local schools during pick up and drop off hours.

The City of Cupertino is committed to sustainable solutions that reduce traffic congestion in our community. To this end, we have invested in a robust Safe Routes to School (SR2S) program that encourages walking and biking. Now, our local school districts have asked us to partner with them to enhance the effectiveness of SR2S using an innovative technology solution.

The Kidpool Pilot Project will provide parents with a mobile platform to create and manage walk, bike, or car “kidpools” for school pick up and drop off as well as afterschool activities. The goal is to make it easy for busy parents to organize convenient, reliable alternative transportation options for their children. An effective parent carpool program has the potential to reduce traffic congestion around schools during peak hours as well as reduce GHG emissions to further the City’s Climate Action Plan (CAP) goals.

### Discussion

Given their limited resources and staff capacity, the districts approached the City when a community member brought the idea of a parent carpool app to their attention. The City agreed to research parent carpool apps, establish a set of evaluation criteria to inform the vendor selection process, develop an outreach plan, propose a timeline, and develop a project evaluation plan. The district will assign a site administrator to manage the school group at each school site.

The Fremont Union High School District (FUSD) agreed to pilot the project at Cupertino High School this fiscal year. Cupertino High was selected because of its strong SR2S program, congestion issues, and potential for expansion at nearby elementary school locations within the Cupertino Union School District (CUSD). CUSD is interested in the results of the pilot as a potential solution to traffic issues at their middle schools. They are considering extending the pilot to Hyde Middle School located near Cupertino High.

### *Vendor Selection*

After a thorough vetting process, staff selected Seattle-based startup Pogo, Inc. as the vendor. The Pogo app allows parents to manage existing carpools and find potential carpool “matches”. Carpool matches are made based on home address and common locations or “groups” like schools, tutoring centers, or sports leagues. Participating schools set up a group and invite parents using a unique group code. While parents will see potential matches to fellow parents affiliated with their group, it is a parent’s choice and responsibility to make the decision with whom to share personal information and with whom to establish a walk-pool, bike-pool, or carpool. Pogo app users do so voluntarily, without compensation, and at their own risk.

Pogo won Verizon’s Powerful Answers Award contest in 2015 and is currently being used at 12 private schools in the Pacific Northwest and Orange County. Reference checks were positive with schools reporting that parents find the app valuable. Pogo is also the only app offering optional background checks for users.

### *Outreach*

Outreach efforts will be driven by the City’s SR2S Coordinator with support from school staff. Pogo has existing marketing material, which can be customized, that enhances parent awareness of Pogo and encourages walking, biking and carpooling. City staff will work with key school site staff to disseminate marketing materials to parents, including speaking and tabling at school and community events. Parent champions will also be enlisted to be early adopters and provide testimonials to other parents.

While the project has yet to launch, some Cupertino parents have already downloaded the app and have requested to join the Cupertino High group. The City’s SR2S Coordinator has also received numerous inquiries from parents enthusiastic about the potential pilot.

### *Timeline and Cost*

The pilot is slated to run through the end of the school year with evaluation results presented in early August 2018. The cost to the City will not exceed \$10,000. The cost includes set up and licensing for two school sites and the cost of optional background checks for up to 500 users. FUHSD will cover Pogo’s software licensing fee (\$500 per school).

### *Project Evaluation*

Staff has developed an evaluation plan that defines and tracks key metrics to evaluate if the pilot program was successful, such as measuring activity (groups formed, rides initiated, connections made) and reduced congestion (periodic manual counts of single family and carpool drop offs). Car counts are already being conducted at Cupertino High to provide baseline data. Staff will present the data after the pilot period and make a recommendation for next steps.

### *Risk*

Staff has explored risk issues with the City Attorney’s Office and the ABAG Pooled Liability Assurance Network (ABAG). ABAG initially recommended that we require Pogo to secure cyber liability and sexual abuse and molestation coverage (SAM) and name the City and school districts as secondary insured. Pogo has obtained cyber coverage. Unfortunately, SAM coverage quotes ranged from \$120,000-\$150,000 per year, which is cost prohibitive for the small startup at this time. The City sought to obtain SAM coverage on its own. However, ABAG clarified that

SAM coverage would not provide any additional protection to the City as it would only cover City employees and volunteers.

Based on ABAG's assessment, the City would only be held liable if a relationship exists between the Pogo user and the City that exposes the City to liability for the user's actions. Pogo users are clearly not employees or volunteers of the City or Pogo. They would not be performing a service or be directed in any way by the City or Pogo. However, there is always a risk, which is why the City requires all contractors to name the City as additional insured under their general liability coverage.

#### *Innovation Comes With Risk*

The City Manager would like to move forward with the pilot. CMO staff believe the risk is low given the small scope of the pilot, strong user terms of service language, and messaging that parents are responsible for vetting drivers and deciding who to trust with their children. The City Attorney recommends that the City only provide monetary support for the pilot and not be a party in the contract. However, based on FUHSD feedback, without the City's full support, the pilot cannot move forward. The FUHSD Board will be taking an action on this item at their October 17, 2017 meeting.

If the pilot project is successful, it has potential to impact local traffic around neighborhood schools with the added benefit of reducing GHG emissions towards our CAP Goals. Parents are looking to the City and school districts to find solutions to the local traffic issues in our community. While there is always some risk, staff believes the potential benefits of such an innovation outweigh the potential risk.

#### Sustainability Impact

To the extent that this pilot reduces the number of single family car rides within the City, it will reduce GHG emissions and bring the City closer to its CAP goals.

#### Fiscal Impact

Up to \$10,000 from the City Manager's Budget for the pilot phase.

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Approved for Submission by: David Brandt, City Manager

#### Attachments:

- A. Draft Contract