



DRAFT MINUTES
MINUTES OF THE REGULAR MEETING OF THE
BICYCLE PEDESTRIAN COMMISSION

June 16, 2021

Draft Minutes

The meeting was called to order at 7:00 p.m.

ROLL CALL:

Present: Jack Carter, Maanya Condamoor, Gerhard Eschelbeck (Chair), Ilango Ganga (Vice Chair), Erik Lindskog

Absent: None

Staff: David Stillman, Staff Liaison

Others Present: Chris Corrao, Senior Transit & Transportation Planner, Iqraam Nabi, Innovation Technology Technician, Toan Quach, Innovation Technology Technician

APPROVAL OF MINUTES

1. May 19, 2021 Minutes

Commissioner Lindskog motioned to approve the minutes as presented, Commissioner Carter seconded the motion. Motion passed 5-0.

POSTPONEMENTS

Item 3, Cupertino Crash Data Analysis was postponed until July 2021.

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

David Stillman, Transportation Manager relayed there were six Written Communication received, some were addressed just Mr. Stillman and just to Chair Eschelbeck; Chair Eschelbeck wanted those included in Written Communication. Mr. Stillman stated he would talk to the City Clerk about the standard procedure for emails sent to individual Commissioners. There was Written Communication received from Maureen Schneider, Andrew Schneider, Roxanne Beverstein, and Pete Klein.

OLD BUSINESS

2. Future Agenda Items (Eschelbeck)

Carmen Road Bridge

McClellan Separated Bikeway Phase 3

Public places for bike racks

Education on how to use two-stage left turn boxes

Path between Lincoln Elementary and Monta Vista High School

Next steps for commission Work Plan Item

Touchless pedestrian push buttons

The impact of semi-rural designation on bike and ped projects/priorities

Adaptive traffic signal pilot update

Multi-modal traffic count pilot update

Cupertino crash data analysis

Bollinger Road Corridor Safety Study

Rental Bicycle Discussion

Junipero Serra Trail

Reassess the Intersection at Bubb Rd/McClellan Rd

3. Cupertino Crash Data Analysis (Ganga)

This item was postponed.

NEW BUSINESS

4. Receive Multi Factor Authorization Training from the City's Infrastructure Division (Nabi)

Iqraam Nabi, Innovation Technology Technician gave a presentation on multi factor authentication for entry into City email and City programs that have access to the City server. This was a safety precaution because there were always cyber criminals trying to breach people's accounts. He shared a presentation about the change and added that a password was still going to be needed, along with a mobile push notification to gain access.

Mr. Nabi added there was going to be an email sent to the Bicycle Pedestrian Commission (Commission) from "React" which was a program utilized for people who forget their password or need some afterhours assistance. Toan Quach, Innovation Technology Technician added that people should also notify the Innovation Technology (IT) Department if they plan on traveling out of the area or the country. If IT received a notification that someone was attempting to access an account from outside the country and IT was not notified, they would disable the account until it was verified.

5. Overview of California E-Scooter Policy (Condamoor)

Commissioner Condamoor presented an overview of California Electronic Scooters (e-scooter) policies. There are two types of e-scooters, personal and private company (or City-run) e-scooter programs. Regarding the private e-scooters, they were usually done in cooperation with the City on a permit issued by the City and run as a joint venture between the City and the private company. E-scooters were defined in the State of California as a vehicle that has two wheels, handlebars, a floorboard to stand on while riding and a motor that powers the vehicle. All e-scooter riders must have a valid California drivers license. E-scooters cannot be ridden on roads with speed limits above 25 Miles Per Hour (MPH) unless they are in a designated bike lane. Some cities do not permit e-scooters on sidewalks, passengers are not allowed on an e-scooter and there is typically a 15 MPH speed limit for e-scooters. Some cities have their own independent program, but they are not allowed to conflict with State guidelines.

Chair Eschelbeck asked what class of a driver's license was required. Commissioner Condamoor believed it was a Class C, but not necessarily a California State driver's license.

Chair Eschelbeck did not think e-scooters were so different from Electronic Bikes (e-bikes), but e-bikes did not have the same constraints as e-scooters. Commissioner Condamoor was uncertain about the policy but thought it had to do with the way e-scooters were introduced in California.

Chris Corrao, Senior Transit & Transportation Planner noted that a lot of the policies were in place before the e-scooter phenomenon took place; the State has most likely not caught up with the trend of e-scooters.

Commissioner Carter asked if these rules applied to motorized scooters, like a Vespa. Commissioner Condamoor said a key difference was an e-scooter was defined as having a floorboard to stand on while riding and you sit on a Vespa; a Vespa was more in the motor vehicle category.

Commissioner Condamoor continued with her presentation and gave an overview of how City-run programs typically worked. Typically, a City issues a Request for Proposal (RFP) from companies that run privately operated e-scooters within the city limits. Private property owners could ban e-scooters on their private property if they chose to do so. Cities usually capped the number of operators within their city, the total number of e-scooters or both; this was to minimize sidewalk clutter. Operators typically paid an annual permit fee to operate e-scooters to cover the cost of oversight. Operators typically turned in monthly reports to the respective City on e-scooter usage. Most

California cities provide much more robust reporting, such as the number of rides or the start/end location. All data captured is anonymous to protect the customer's privacy. Cities use this information to track progress and provide it publicly. Typically, e-scooters are managed through transportation departments and depending on the city size, they may have specialists overseeing micro mobility.

Commissioner Lindskog noted California Law says e-scooters "should not" be ridden on sidewalks, but it did not say "shall not," he asked for clarification. Commissioner Condamoor replied she was not an expert in the law, but every city had specific rules, such as the City of San José forbidding e-scooters on sidewalks.

Vice Chair Ganga asked if a city did not have an e-scooter program, were e-scooter vendors allowed to operate in that city. Commissioner Condamoor relayed that it depended on the city. Some have specifically banned e-scooters and people could face fines or the impounding of their e-scooter if that ban was violated.

Chair Eschelbeck asked what the success rate of e-scooter programs was because he thought there were not many. Commissioner Condamoor commented that e-scooter programs tended to work in densely packed urban environments and cities need to have a business environment that was favorable enough for a vendor to want to work there.

Commissioner Carter was interested in the positives versus the negatives because some e-scooters were left in roadways, and he wanted to know what would happen if someone was seriously injured. Commissioner Condamoor noted that if Cupertino did have e-scooters, some things to consider were sidewalk/bike lane riding, bike rack parking, speed limits, helmet requirements, and age restrictions.

Commissioner Carter asked if e-scooters had to go in the same direction as bicycles. Commissioner Condamoor assumed that would be the case.

Vice Chair Ganga acknowledged e-scooter use for recreation or for commute purposes but in both cases, he did not see people riding with helmets. Another issue was he noticed e-scooters being abandoned or blocking sidewalks. Commissioner Condamoor replied that helmet usage was challenging to enforce. Some cities issued tickets and on the flip side, some agencies offered free helmets to encourage usage. Regarding parking, there was ticketing that could help with enforcement or some operators had mandated parking areas specifically for e-scooters.

Chair Eschelbeck asked about the procedure to charge the scooters. Commissioner Condamoor said some cities collected the e-scooters at night at a nearby hub to recharge them or some e-scooters had batteries that could be swapped out.

Chair Eschelbeck asked if an e-scooter program was considered in Cupertino. Mr. Corrao said yes, they were thinking of a pilot program. Initially some concerns were volume and safety and some concerns have dissipated because of the pandemic. One company was interested in a small-scale pilot where Cupertino could determine how many scooters they wanted, the area for the e-scooters and to have access to the latest e-scooter, which had two kickstands and more safety features. A few areas of concern for Cupertino were how it was going to be permitted and whether e-scooters were allowed in bicycle lanes.

Commissioner Carter thought speed was more of a concern for the pedestrians if e-scooters were allowed on sidewalks and added that Cupertino was so dispersed, he wondered where people were going to leave their e-scooters.

Commissioner Condamoor followed up by asking if the contractor the City had in mind, Bird, included De Anza College or was the pilot just for City property. Mr. Corrao had not reached out to De Anza College yet and did not know how they felt about a possible pilot. He thought most use would be by commuters in the business district.

Mr. Corrao commented that when Via Shuttle was launched, there could be people that did not want to wait for the shuttle and might want a scooter.

Chair Eschelbeck inquired about the demand for e-scooters. Mr. Corrao answered that the pandemic affected the demand for e-scooters. The usage rate for e-scooters was much higher than a bike share. Commissioner Condamoor thought there was an approachability factor as well because a scooter was much easier to ride than a bicycle and e-bikes tended to be docked. Chair Eschelbeck thought bike share was a phenomenon that died off, but e-scooters may still be wanted.

Vice Chair Ganga interjected that high schoolers might be interested in e-scooters.

Vice Chair Ganga asked what the policy was to start a pilot program. Mr. Corrao said there were two approaches, one was to come up with a policy first and then take it to Council. Staff did that and no one applied for the program. The second option was a

pilot program with a provider. Commissioner Carter liked that e-scooters got people out of cars.

STAFF AND COMMISSION REPORTS

6. Staff Update and Commissioner Activity Report (All)

Chair Eschelbeck said he attended the Safe Routes to School (SRTS) Meeting, which was mainly about the bike facilities around Bubb Road. There was some discussion about the creation of a tool to track the climate impact of students driving to school versus having them ride their bike. The Mayor's Meeting discussion revolved around the Crest Awards.

Commissioner Lindskog noted that the Valley Transportation Authority (VTA) Bicycle Pedestrian Advisory Committee (BPAC) meeting was cancelled for June 2021.

David Stillman, Transportation Manager reported that the City was planning the Bike Fest around September 2021. He imagined there would be a similar format to years past. There were some summer bike challenges happening this summer (information found at Cupertino.org/bikechallenge.) The Council Work Program included the approval of the Vision Zero Program, an Item recommended by the Bicycle Pedestrian Commission.

ADJOURNMENT

Meeting adjourned at 8:41 p.m.

SUBMITTED BY:

David Stillman, Staff Liaison

Note: Any attachments can be found on the Cupertino Website
<https://www.cupertino.org/our-city/agendas-minutes>

Kim Lunt

From: David Stillman
Sent: Wednesday, June 16, 2021 7:27 PM
To: Kim Lunt
Subject: BPC written communication #1



David Stillman

Transportation Manager
Public Works
DavidS@cupertino.org
(408) 777-3249



From: mes@alumni.stanford.edu <mes@alumni.stanford.edu>
Sent: Friday, May 21, 2021 1:46 PM
To: City of Cupertino Bike and Ped Commission <Bikepedcommission@cupertino.org>
Subject: Obstructed bike lanes to and from bike to wherever day event

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This picture was taken on McClellan Rd in front of the CVS shopping center. There was a similar blockage on the other side of McClellan also.

McClellan is often obstructed by garbage cans, vehicles and those dangerous portions of the concrete barricade that juts into the bike lane just waiting to take some unsuspecting rider down. There are often leaves and branches in the lane and with the concrete barrier I'm not sure that the street sweeper can get in there. And between Stelling and highway 85, the lanes have a sideward tilt and a telephone pole obstruction. Apologies if the obstruction has been removed; I avoided that stretch today.

To be honest, ever since the barriers were constructed I've done everything I can to avoid McClellan which I'm sure was not the intention of spending all that money to construct them. I hope there's something you can do to make these lanes more welcoming to riders.

Thank you.
Maureen Schneider



Kim Lunt

From: David Stillman
Sent: Wednesday, June 16, 2021 7:27 PM
To: Kim Lunt
Subject: BPC written comm #2
Attachments: 20210521_124740.jpg



David Stillman

Transportation Manager
Public Works
DavidS@cupertino.org
(408) 777-3249



From: Andrew Schneider <ajs@stanfordalumni.org>
Sent: Friday, May 21, 2021 1:00 PM
To: City of Cupertino Bike and Ped Commission <Bikepedcommission@cupertino.org>
Subject: Bike lane obstructed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

On bike to anywhere day no less.



Kim Lunt

From: David Stillman
Sent: Wednesday, June 16, 2021 7:28 PM
To: Kim Lunt
Subject: BPC written comm #3
Attachments: image001.png; 20210521_131141.jpg



David Stillman

Transportation Manager
Public Works
DavidS@cupertino.org
(408) 777-3249



From: Andrew Schneider <ajs@stanfordalumni.org>
Sent: Friday, May 21, 2021 1:35 PM
To: David Stillman <DavidS@cupertino.org>
Subject: Re: Bike lane obstructed

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The other direction was worse.

On Fri, May 21, 2021, 1:24 PM David Stillman <DavidS@cupertino.org> wrote:

Hi Andrew, thanks for bringing this to our attention. We'll follow up with the contractors.

Best Regards,

David

David Stillman

Transportation Manager
Public Works
DavidS@cupertino.org
(408) 777-3249

From: Andrew Schneider <ajs@stanfordalumni.org>

Sent: Friday, May 21, 2021 1:00 PM

To: City of Cupertino Bike and Ped Commission <Bikepedcommission@cupertino.org>

Subject: Bike lane obstructed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

On bike to anywhere day no less.



Kim Lunt

From: David Stillman
Sent: Wednesday, June 16, 2021 7:28 PM
To: Kim Lunt
Subject: BPC written comm #4



David Stillman

Transportation Manager
Public Works
DavidS@cupertino.org
(408) 777-3249



From: Gerhard Eschelbeck <geschelbeck@cupertino.org>
Sent: Tuesday, June 8, 2021 6:13 PM
To: Roxanne Beverstein <rbeverstein@gmail.com>; David Stillman <DavidS@cupertino.org>
Subject: Re: No turn on red signs on McClellan Road

Roxanne,

Thank you for your input. I am copying David Stillman, City of Cupertino Transportation manager on your email.

Best,
Gerhard



Gerhard Eschelbeck

Bicycle and Pedestrian Commissioner
geschelbeck@cupertino.org



From: Roxanne Beverstein <rbeverstein@gmail.com>
Sent: Tuesday, June 8, 2021 4:57 PM
To: Gerhard Eschelbeck <geschelbeck@cupertino.org>
Subject: No turn on red signs on McClellan Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I live off on McClellan and find the "no turn on Red" signs on McClellan/Stelling and McClellan/Bubb to be useless as schools in the area haven't been in full session for a year and there is little to no bike traffic in the newly constructed bike protected lanes. Please change the sign to read "no turn on red when bicyclists are present." The current sign on "no right turn on red" cause congestion, create air pollution as cars idle at the lights and frustrate drivers because there are no or few bikes and pedestrians at these intersections.

I have punctured two tires on my car and damaged my car tire rims by hitting these barriers. I recognize that we need better bike lanes on McClellan, but the current bike barriers are extreme; and you did not fix the biggest problem on McClellan which is the narrowing of the road at the RR crossing. I see that the barriers were constructed, then modified with jackhammers and then constructed again. Were these modifications over budget? What is the cost to the City for these errors/changes?

I am an active citizen but missed the review of your plan in 2016. I am furious with these new bike lanes that don't allow for easy changes and these barriers were incorrectly constructed resulting in cars hitting the barriers when entering McClellan from other streets. (Recently a car ran over the bike barrier on McClellan and Stelling!!!)

Please don't continue building these "over the top barriers". Try an alternate flexible barrier design
Roxanne beverstein

Sent from my iPhone

Kim Lunt

From: David Stillman
Sent: Wednesday, June 16, 2021 7:28 PM
To: Kim Lunt
Subject: BPC written comm #5



David Stillman

Transportation Manager
Public Works
DavidS@cupertino.org
(408) 777-3249



From: Roxanne Beverstein <rbeverstein@gmail.com>
Sent: Sunday, June 6, 2021 2:19 PM
To: David Stillman <DavidS@cupertino.org>
Subject: Bikes on McClellan Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi David

I am writing to you with my feedback on the Bike lanes. I read an article in the Cupertino Courier of May 28 on the bike lanes, the article had an incorrect email address for giving feedback.

I read the cover story in the May 28, 2021 issue of the Cupertino Courier and am furious with the City for implementing the McClellan Road protected bike lanes. We use McClellan Road most every day as we live near this McClellan. We have punctured two tires and damaged two tire rims on our cars by hitting these concrete barriers. I understand the need for a protected bike lane but the lanes should be protected with pylons or some type of flexible lane divider especially at intersections so that motorists don't hit them

The City and my tax dollars have paid for the construction of the current barrier format twice on McClellan Road. Originally the City installed the barriers too close to intersections which resulted in punctured tires and ruined tire rims, then the City reconstructed them. What a waste of my tax dollar.

You are currently constructing these barriers on Bubb Road between McClellan and Stevens Creek, where there is currently only one sidewalk and it doesn't extend from Bubb to Stevens Creek. on the East side of the street. The better plan is to have sidewalks on both sides of the street and a bike lane with a flexible boundary. Another idea is to elevate the bike lanes via a bridge along Bubb Road and then continue this configuration on Stevens Creek which is a much busier roadway than Bubb. I know that it costs more for an elevated bike surface, but Bubb Road that runs between McClellan and Stevens Creek is very busy and the City has taken a way a care lane to construct the over done concrete bike barriers.

I have lived in Cupertino for 35 years and have ridden my bike throughout the city for many years. I know that our roads are congested and respect protection for bicyclists. McClellan Road did not have an adequate bike line and the City allowed trucks on the street which resulted in the death of a boy on a bike. The City went from simply marked bike lanes to that over the top concrete barrier. It seems that we could have found a solution in the middle by constructing a bike lane that had flexible barriers with reflective poles.

I am also infuriated with the "no turn on red" signs installed on Bubb and McClellen and Stelling and McClellan. Currently there is no or very little bike traffic at these intersections and cars are required to stop, run their engines, burn gas and pollute our air because they can't turn Right on a Red light. It is even worse on McClellen road heading west and turning right on Bubb. Traffic backs up as people cannot make a right turn on red when they are in the Right lane.

Cupertino schools and De Anza college have been closed for the year and there has been little bike traffic and these Right on Red signs are still up. Take down the "no Right on Red Light signs" and do a survey as to how these signs are impacting traffic and the number of bikes that are present that could be impacted by a right turn.

I served on the Citizens committee to review the General Plan. I am an active citizen of Cupertino and am angry that the City installed these concrete bike barriers.

Roxanne Beverstein
1061 November Dr.,
Cupertino

Kim Lunt

From: David Stillman
Sent: Wednesday, June 16, 2021 7:29 PM
To: Kim Lunt
Subject: BPC written comm #6



David Stillman

Transportation Manager
Public Works
DavidS@cupertino.org
(408) 777-3249



From: Pete Klein <pklein95014@hotmail.com>
Sent: Thursday, June 10, 2021 8:28 PM
To: City of Cupertino Bike and Ped Commission <Bikepedcommission@cupertino.org>
Subject: Traffic signal won't trigger for bikes at key intersection

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The in-ground loop that should trigger for bikes attempting to cross N. Stelling on Greenleaf doesn't work. This is true for both directions. Greenleaf is a main bike "boulevard" route across Cupertino and it passes a school. N. Stelling is a busy cross street.

Also, there are no clear markings for how to position a bike to trigger the signal on the pavement. Pretty shoddy work, actually. Why create a main bicycle route where bikes can't trigger a major critical signal?

Can you have this corrected or direct me to the folks who can? It's been like this "forever" and is a real hazard for cyclists.

Thanks,
Pete Klein

Overview of California e-scooter policy

May 2021 Cupertino Bike/Ped Commission Meeting

E-scooter overview

Scooter Operations

- Personal e-scooter use
- Private company or city run program

Current California Policy

- E-scooters are defined as:
 - Two wheels
 - Handlebars
 - A floorboard to stand on while riding
 - A motor that powers the vehicle
- All e-scooter riders must have a valid driver's license
- Scooter's can't be ridden on roads with speed limits > 25 mph, unless in the bike lane
- E-scooters should not be ridden on sidewalks
- No passengers on the e-scooters
- 15 mph speed limit on the road

City run programs

Overview

- City issues an RFP for operation on public property
- City caps either the number of operators, total number of scooters, or both
- Operators pay an annual permit fee to the city which covers cost of oversight
- Operators provide city with monthly reports on usage
- Program is managed by city Department of Transportation

Example Programs

- [San Francisco](#)
- [San Jose](#)

Key areas for policy consideration

Both personal and company run e-scooters

- Sidewalk or Bike Lane Riding
- Bike Rack Parking
- Speed limit (generally 12-15 mph)
- Helmets required
- Age restrictions (must be 18+ to ride)

Company run operations

- Designated parking area
- Hours of operation
- Equitable access programs
- In-app safety information