



**FINAL MINUTES
MINUTES OF THE REGULAR MEETING OF THE
BICYCLE PEDESTRIAN COMMISSION**

June 16, 2021

Final 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

David Stillman, Staff Liaison

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