

**Item 23-0163: Approve Memorandum of Understanding with Bird Rides, Inc. to initiate a Dockless, Stand-up Electric Scooter Program for 2023-2024**

**Municipal Services Committee**

Mon, Feb 20, 2023 4:30PM

**Aldersperson William Siebers (District 1) 18:36**

Approve Memorandum of Understanding with Bird Rides Incorporated to initiate a dockless stand up electric scooter program for 2023-2024. Do I hear motion?

**Aldersperson Katie Van Zeeland (District 5) 18:50**

I'll motion to approve to get it on the table for discussion.

**Aldersperson William Siebers (District 1) 18:53**

Do I have a second?

**Aldersperson Brad Firkus (District 3) 18:54**

I'll second.

**Aldersperson Katie Van Zeeland (District 5) 18:55**

Motion's been made and seconded to approve. All right. Discussion? Questions? Aldersperson Hartzheim.

**Aldersperson Sheri Hartzheim (District 13) 19:06**

Thank you Chair. I was pleased to see that the Bird company has responded to a lot of our concerns and made some changes to their program in this regard. My one concern that I've heard over and over again, is that there is still a persistent issue with underage usage of Birds. And I'm concerned that might continue to be an issue through this new MOU. I'm also not super thrilled with a two-year contract. I'd prefer to continue to sort of review this as we go especially considering other items that we'll be discussing tonight.

**Aldersperson William Siebers (District 1) 19:48**

All right. Any other questions or comments? Aldersperson Firkus.

**Aldersperson Brad Firkus (District 3) 19:52**

Thank you, chair. I—what I would like to see I think addressed even more than it has been so far is the parking situation with this. That's the number one complaint that I get is, even though they have done, Bird has done some things to stop, say the parking or leaving the scooters on bridges and things like that, there's still quite a few of these that are being left in places that are creating inconveniences and hassle for other people.

**Aldersperson Brad Firkus (District 3) 20:16**

Would it be possible to ask for Bird to give us, at least like a monthly report to say these are the number of incidents where they are detecting parking violations through their software or through their own ability to take these things and just kind of give us a report on saying "This is how many we had. And this is what we did about them. We've suspended this person's account, or we fined them," or whatever they do when they with their ability to—you know, because we're supposed to take a picture when you're done. I would imagine there's some level of review, or I would hope there's some level review, to say like, "Yeah, okay, when you said you parked it here, you didn't park it in a spot you showed and you didn't leave it like on the centerline of some street" or something like that.

**Alderson William Siebers (District 1) 20:57**

Director Block.

**Director Danielle Block (Department Of Public Works) 20:59**

Thank you, Chair. I can certainly request that Bird either report that out or elaborate on their ability to report that out. I have to imagine that they are able to do that, given the fact that they have priority parking locations, and it can recognize if it is parked in a location where that discount is given for parking it in a better location. They've shared that map with me on what the priority parking locations are. We've reviewed those. They still seem suitable. So, I can certainly ask that they report that monthly. Thank you.

**Alderson William Siebers (District 1) 21:36**

Alderson Doran, did I see your hand?

**Alderson Chad Doran (District 15) 21:39**

Thank you. I—my question is about item 8.3 in the memo, the payment. More specifically, because of all of the complaints or concerns the community has, we have in the agreement the city would recoup 10 cents per ride to cover its administrative costs and other costs for having the program in the city. Do we have an idea, does that actually meet all of our actual costs? Do we know? Have we calculated that out yet?

**Director Danielle Block (Department Of Public Works) 22:18**

Thank you, Chair. We have through 2022 shown receipt of that payment made by Bird into the city. So, they are giving us the 10 cents per ride back to recoup those costs. In terms of quantifying how long staff spends, you know, perhaps on a phone call, answering emails, that is not being tracked, you know, to the detail of you know, hour by hour. We felt as a group when we discussed this 10 cent rate as negotiated in the agreement that it was in line with the amount of staff time that we've been spending on it. And especially I think in 2022, where the level of comments and phone calls in, seemed to decline versus 2021. So, we felt 10 cents per ride was still appropriate.

**Alderson Chad Doran (District 15) 23:12**

Thank you. I guess I just, I'd like to see us have some data of—I know we're not able to track like by the minute, but all of the things that that the city puts into allowing Bird to provide the scooters here, and there is some benefit to the community certainly, of having them. I think that not only should the city really be able to recoup its cost, but should be able to generate some revenue from it for the convenience that it provides for the community and for Bird just given the concerns that many people in the community who never have or never will use them have to endure because of having the scooters here. So, I guess I'll hold with that for now and just see what others feel is as far as that goes. Thank you.

**Alderson William Siebers (District 1) 24:03**

Alderson Van Zeeland.

**Alderson Katie Van Zeeland (District 5) 24:04**

Thank you Chair. I actually had a different question. So, it says in here that they are going to geofence the bridge areas. Does that mean that you cannot cross the bridge on a Bird? Or I guess I just like some clarification on that please.

**Director Danielle Block (Department Of Public Works) 24:18**

Sure. I can I can answer that one. Geofencing just means that they can cross they just can't park or end a ride on a structure. They can still cross the structure.

**Alderson Katie Van Zeeland (District 5) 24:26**

Okay. I was wondering otherwise why my district would care if we can't get across the bridge. Okay, thank you.

**Alderson Brad Firkus (District 3) 24:32**

I can confirm that you can cross the bridge.

**Alderson Katie Van Zeeland (District 5) 24:35**

Perfect.

**Alderson William Siebers (District 1) 24:36**

Alderson Meltzer, what number are you? Okay.

**Alderson Vered Meltzer (District 2) 24:42**

Thank you. I still hear a lot of concerns from my constituents about the Bird scooters, about safety issues. Another thing that I've been hearing more of is that, while we track reported crashes, we don't track unreported crashes, and a lot of people really mess themselves up and give themselves injuries while using birds while intoxicated. They go to the emergency room, they tell the nurse what they were doing, but they don't report that back to the city. So, there's definitely a community concern and what seems to be a growing trend with these unreported safety issues. I also—while I am not necessarily in favor of continuing the contract at all, I think that Alderson Hartzheim bringing up that a one year contract would be more prudent than a two year. I very strongly feel the same way. So I would encourage the committee, I would ask an amendment of that sort to be made. Thank you.

**Alderson William Siebers (District 1) 25:46**

Alderson van Zeeland?

**Alderson Katie Van Zeeland (District 5) 25:48**

Thank you Chair. I guess I'm wondering—I've used these scooters before and it can tell when you're trying to move them in certain ways that they shouldn't be moved. Can they tell when there's been an accident or when it feels as if something dangerous has occurred? Would that be something we could gather from Bird?

**Alderson William Siebers (District 1) 26:12**

Director Block?

**Director Danielle Block (Department Of Public Works) 26:12**

Thank you, Chair. I will I will have to ask that question to Bird specifically and if they can provide that sort of report, perhaps, you know, along monthly with parking locations as well.

**Alderson Katie Van Zeeland (District 5) 26:24**

If they can I'd like to see that, please?

**Alderson William Siebers (District 1) 26:26**

Alderson Hartzheim, did you want to speak? Anybody else want to speak? Anybody else want to—anybody want to make an amendment? All right, a motion's—Alderson Doran.

**Alderson Chad Doran (District 15) 26:42**

I guess I'll ask the question. In the agreement, I believe I read that it said that while it is a two year contract, there is an option for both the Public Works Director and the Police Chief to end the contract for any reason, at any time. With what—what, it's seven days' notice, correct? Okay. Thank you.

**Alderson William Siebers (District 1) 27:06**

All right. Director Block.

**Director Danielle Block (Department Of Public Works) 27:10**

Thank you, Chair. I think it's worth noting that at this time, this isn't critical timing on the on the agreement. So, if the committee would like me to follow up on the questions that have been asked here and hold for a future committee meeting, that is an option. I just wanted to, you know, be sure everybody was aware. I think Birds usually land in the April/May timeframe in the city.

**Alderson William Siebers (District 1) 27:35**

The City Attorney would like to direct us or guide us.

**Attorney Christopher Behrens 27:39**

Just because you're talking about potentially amending terms of the agreement that have already been essentially discussed and negotiated with the other party. If you do that here, and then it moves up to Council, it can be a little bit awkward then if there needs to be more discussions about those negotiations. So, if you're interested in that, and there's time, which it sounds like there is, holding, it may be worthwhile to allow that opportunity.

**Alderson William Siebers (District 1) 28:07**

Alderson van Zeeland.

**Alderson Katie Van Zeeland (District 5) 28:09**

I was gonna make the motion. Okay, I'll make the motion to hold until the next Municipal Services meeting.

**Alderson William Siebers (District 1) 28:15**

I will second. I'll second it.

**Alderson Chad Doran (District 15) 28:20**

Can I just ask a question? I guess if that's the case—and I'm fine with holding it. And I would just ask to add to that list, if we could find out some information about what other communities are receiving as far as payment from Bird, and perhaps maybe, you know, high and low and kind of average. Thank you.

**Alderson William Siebers (District 1) 28:42**

Alderson Hartzheim.

**Alderson Sheri Hartzheim (District 13) 28:44**

Thank you, Chair. I appreciate the potential to hold this because I think there's a sort of malaise in in our constituency, like I think they are like, "Well, it's already here. What can we do about it?" So, I would like to be able to go back to my constituents and say, we're really talking about whether this really fits for Appleton. Can you give me more feedback on that? So, I think a hold is very appropriate. Thank you.

**Aldersperson William Siebers (District 1) 29:09**

All right. With that. If there's no further discussion, all in favor to hold until our next meeting (Is that appropriate? Next meeting?) signify by saying aye? all those opposed. Chair votes aye. Five zero. It's held. All right, that takes care of all our action items.