City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Public Works
To: City Council
From: City Manager & Staff
Council Meeting Date: March 15, 2021
Re: Supplemental Memo related to Council Bill B243-20, Authorizing an Operating Agreement with The Curators of the University of Missouri and Bird Rides, Inc. for Implementation of a Shared Active Transportation Operation for Small Dockless Electric Vehicles.

Executive Summary

At the September 21, 2020 City Council meeting, staff requested Council authorize the City Manager to execute an operating agreement with The Curators of the University of Missouri and BIRD Rides, Inc. for implementation of a shared active transportation operation for small dockless electric vehicles. At the meeting, there was concern that due to the COVID pandemic the scooters could adversely affect downtown businesses that were looking at conducting business differently with regard to the sidewalks and parking spaces in front of the businesses. After discussion, Council voted to table Council Bill 243-20 for 6 months, to March 15, 2021.

Discussion

Council Bill 243-20 was tabled at the September 21, 2020 City Council meeting.   Since that time, the City has continued to provide free curbside pick-up parking spaces to assist downtown businesses. We have reached out to the University of Missouri regarding their process for approving the agreement and have been told that their Senior Business Services Consultant will be approving it, once executed by the City. BIRD Rides, Inc. will be submitting new signature pages as the ones currently included in the agreement are stale dated.

In addition, we have reached out to BIRD Rides, Inc. regarding their COVID protocols and they have a website on their sanitation procedures and rider messaging located at: https://www.bird.co/blog/bird-promoting-health-safety-scooters-take-flight/. They have also indicated they can distribute hand sanitizer or sanitation wipes or even affix them to the scooters to supplement their rider education materials.

The initial term of the agreement shall be one (1) year commencing on the effective date. Depending upon the outcome of the pilot review, it is subject to automatic renewals, unless earlier terminated as provided in the terms, and in no event shall be binding beyond three (3) years from the effective date.

At the September 21, 2020 City Council Meeting, there was a question about the termination clause in the agreement and whether it would require both the University of Missouri and the City of Columbia to agree to termination. After consulting with the City's Legal department, their interpretation was that the right to termination must be exercised by both parties and

that neither the City of Columbia nor the University of Missouri can unilaterally exercise the right.

Fiscal Impact

Short-Term Impact: None related to this supplemental memo.

Long-Term Impact: None related to this supplemental memo.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:
Primary Impact: Not Applicable, Secondary Impact: Secondary, Tertiary Impact: Tertiary

Comprehensive Plan Impacts:
Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
09/08/2020	B243-20 Authorizing an operating agreement with The Curators of the University of Missouri and Bird Rides, Inc. for implementation of a shared active transportation operation for small dockless electric vehicles.
05/6/2019	REP 41-19 Contract Compliance and other information related to BIRD Scooters
9/16/2019	REP77-19 Report for joint venture between City and University to regulate shared active transportation of small dockless vehicles for a one-year pilot
11/19/2018	Ord. 023714 Authorizing the City Manager to sign interim operating agreements with Bird Rides, Inc. and Pony Scooter, Inc. for implementation of a shared active transportation operation.

Suggested Council Action

Supplemental memo is for information only.