

..Title

Resolution to Approve a Right-of-Way License Agreement with Spin, Inc., for the Operation of Electric Scooters in the City of Ann Arbor

..Memorandum

Phenix USH LLC dba Spin (Spin) is the owner and operator of the Spin e-scooter and e-bike service. Spin has previously negotiated agreements in good faith with the City of Ann Arbor to operate e-scooters and e-bikes in our community. Spin e-scooters have been in operation in Ann Arbor since April 2019 and e-bikes have been in operation since April 2023. This agreement would commence a sixth year of their operation in the community with the opportunity to administratively extend operations for an additional two years (not to exceed three years in total). The number of vehicles would remain unchanged from the current levels: 450 e-scooters and 100 e-bikes.

Budget/Fiscal Impact: This license agreement, which is consistent with the existing agreement, will charge Spin \$.20/e-scooter or e-bike/day to operate in Ann Arbor. Just over half of the vehicles are licensed by the City of Ann Arbor (300); the remainder are licensed by the University of Michigan (250). Therefore, this agreement would result in an anticipated payment of ~\$21,900/year to the Major Streets fund (300vehicles x \$.20fee x 365days).

..Staff

Prepared by: Raymond Hess, Transportation Manager
Reviewed by: Sue F. McCormick, Interim Public Services Area Administrator
Approved by: Milton Dohoney, City Administrator

..Body

Whereas, Providing mobility options to Ann Arbor residents is an important and necessary function of this government to help foster the continued adoption of active transportation opportunities;

Whereas, The A2Zero Carbon Neutrality Plan and the Moving Together Towards Vision Zero Transportation Plan both call for electric and shared mobility such as e-scooters and e-bikes to achieve our sustainability and mobility goals;

Whereas, Scooter and bike share gives people a healthy, affordable option for making short trips and can expand the reach of transit service;

Whereas, Encouraging multi-modal transportation through non-motorized options is a necessary and important tool for reducing vehicle miles traveled on our roads and increasing the viability of our City;

Whereas, While encouraging multi-modal transportation, it is critically important to make every reasonable effort to ensure the proper and safe operation of e-scooters and e-bikes on the public right-of-way;

Whereas, The City has entered into several agreements with Spin in the past five years – R-19-180, R-20-184, R-21-226, R23-099 – and Spin has fulfilled the terms of those agreements; and

Whereas, It is also a necessary function of local government to permit use of the right-of-way to ensure that all commercial uses are not obstructive and contribute positively to the public's wellbeing;

RESOLVED, That Council approve the attached operating license agreement with Pheenix USH LLC dba Spin (Spin) for the Operation of Electric Scooters and Electric Bicycles in the City of Ann Arbor;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said agreement after approval as to form by the City Attorney, and approval as to substance by the City Administrator;

RESOLVED, That the City Administrator be authorized to renew said agreement for up to two (2) additional one-year (1) periods at the City Administrator's discretion; and

RESOLVED, That the City Administrator be authorized to take necessary administrative actions to implement this resolution.