



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE (1) AMENDING ORDINANCE NO. 13355 C.M.S. GRANTING AN EXCLUSIVE FRANCHISE TO LYFT BIKES AND SCOOTERS, LLC (LYFT), FORMERLY BAY AREA MOTIVATE, LLC, TO OPERATE A BIKE SHARE PROGRAM; (2) AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE BIKE SHARE PROGRAM FRANCHISE AGREEMENT WITH LYFT TO EXTEND THE TERM TO NO LATER THAN DECEMBER 31, 2032; (3) AUTHORIZING ADVERTISING SIGNS ON THE BIKE SHARING PROGRAM EQUIPMENT, PURSUANT TO SECTION 17.104.060 OF THE OAKLAND PLANNING CODE; AND (4) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, the City of Oakland (City) recognizes the practice of bike sharing as a beneficial mode of transportation that reduces demand for private vehicles, decreases per capita greenhouse-gas emissions, and creates more affordable mobility options for all of Oakland's residents; and

WHEREAS, the City, through its "Alternative Modes Policy" adopted pursuant to [Resolution No. 73036 C.M.S.](#), supports transportation alternatives to private, single-occupant vehicles; and

WHEREAS, the City's Equitable Climate Action Plan adopted pursuant to [Resolution No. 84126 C.M.S.](#) calls for a 56% reduction in greenhouse gas emissions from 2005 levels by 2030; and

WHEREAS, the City adopted a Bike Sharing Policy which calls for the implementation of a bike sharing program that facilitates the "last mile" of transit trips and non-auto short trips, pursuant to [Resolution No. 85715 C.M.S.](#); and

WHEREAS, pursuant to Ordinance No. 13355 C.M.S. adopted on February 2, 2016, the City entered into a ten-year Franchise Agreement on July 15, 2016 with Bay Area Motivate, LLC (Motivate) to operate a bike share program. In November 2018, Motivate was purchased by the

ride-hailing company Lyft, Inc., and subsequently merged into Lyft Bikes and Scooters, LLC (Lyft); and

WHEREAS, Lyft operates a bike sharing program (Program) in the City of Oakland (City), City of Berkeley, City of Emeryville, City and County of San Francisco, and City of San José branded as “Bay Wheels.” The Program is governed by a “Program Agreement” between Lyft and the Metropolitan Transportation Commission (MTC) and a regional “Coordination Agreement” between the five participating cities, Lyft, and MTC; and

WHEREAS, in March 2026 the MTC’s Regional Network Management Committee agreed to the terms of a five-year Program Agreement renewal to July 31, 2032s MTC also authorized their Executive Director to enter into a contract amendment with Lyft and appropriated Two Million Five Hundred Ten Thousand Dollars (\$2,510,000) to fund capital investments in more e-bikes, batteries, stations and system expansion. MTC is expected to execute this amendment to the Program Agreement in June 2026; and

WHEREAS, the City’s Franchise Agreement expires on July 14, 2026, and there are two 5-year options to extend; and

WHEREAS, the proposed legislation would amend the Franchise Agreement to authorize Lyft as an exclusive franchisee and extend the term by an additional 6.5 years with a 5-month option to extend to no later than December 31, 2032, for consistency with MTC; and

WHEREAS, it is in the best interest of the City to maintain concurrency with the regional Program Agreement to allow Program operations to continue in Oakland until a long-term successor agreement can be reached with Lyft or another bike share operator; and

WHEREAS, the advertising signs are not permitted in the City of Oakland except: (1) as otherwise provided for in this Code, or (2) pursuant to a franchise agreement or relocation agreement authorized by the Oakland City Council, which expressly allows Advertising Signs and then only under the terms and conditions of such agreements, pursuant to Section 17.104.060 of the Oakland Planning Code; and

WHEREAS, the proposed amendment to the Franchise Agreement is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15183 (projects consistent with a Community Plan, General Plan, or Zoning), Section 15308 (protection of the environment), and Section 15061(b)(3) (no significant effect on the environment); and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. That the City Administrator is hereby authorized to execute an amendment to the Franchise Agreement to authorize an exclusive franchise with Lyft Bikes and Scooters, LLC, formerly Bay Area Motivate, LLC, to extend the term by six and a half years to July 31, 2032 with a five-month extension until no later than December 31, 2032.

SECTION 2. That the City Council hereby authorizes advertising signs on the Lyft bike sharing program equipment, pursuant to Section 17.104.060 of the Oakland Planning Code.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional

SECTION 4. CEQA. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15183 (projects consistent with a Community Plan, General Plan, or Zoning), Section 15308 (protection of the environment), and Section 15061(b)(3) (no significant effect on the environment).

SECTION 5. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise, it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

NOTICE AND DIGEST

AN ORDINANCE (1) AMENDING ORDINANCE NO. 13355 C.M.S. GRANTING AN EXCLUSIVE FRANCHISE TO LYFT BIKES AND SCOOTERS, LLC (LYFT), FORMERLY BAY AREA MOTIVATE, LLC, TO OPERATE A BIKE SHARE PROGRAM; (2) AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE BIKE SHARE PROGRAM FRANCHISE AGREEMENT WITH LYFT TO EXTEND THE TERM TO NO LATER THAN DECEMBER 31, 2032; (3) AUTHORIZING ADVERTISING SIGNS ON THE BIKE SHARING PROGRAM EQUIPMENT, PURSUANT TO SECTION 17.104.060 OF THE OAKLAND PLANNING CODE; AND (4) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

The ordinance (1) amends Ordinance No. 13355 C.M.S. granting an exclusive franchise to Lyft Bikes And Scooters, LLC, formerly Bay Area Motivate, LLC (Lyft), to operate a bike share program; (2) authorizes the City Administrator to negotiate and execute an amendment to the bike share program franchise agreement with Lyft to extend the term by an additional six and a half (6.5) years until July 31, 2031, with a five (5) month option to extend to no later than December 31, 2032; (3) authorizes advertising signs on the bike sharing program equipment, pursuant to Section 17.104.060 of the Oakland Planning Code; and (4) adopts appropriate California Environmental Quality Act findings.