



## Legislation Text

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**File #:** 1952-2018, **Version:** 1

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### 1. BACKGROUND

This legislation authorizes the Director of Public Service to execute agreements with IKE Smart City, LLC relative to the installation, operation, and maintenance of interactive kiosks, pylons, and other appurtenances (the "Equipment") within the public rights-of-way of the City of Columbus.

The Equipment is described as "a breakthrough citizen engagement platform that helps cities, business improvement districts and destination marketing organizations communicate with the public, encouraging a pedestrian-oriented environment, and tells the story of their city." IKE Smart City, LLC desires to install the Equipment at various locations throughout the City and may compensate the City for the use of the public rights-of-way by designating a portion of the net advertising fees to the Department of Public Service, which oversees the operation, use, and maintenance of the public rights-of-way. It is anticipated that the initial installation of the Equipment will take place in the Short North Area, near the Convention Center, and at a few other areas in Downtown Columbus.

Any monies designated for receipt by the Department of Public Service from IKE Smart City, LLC for this project shall be dispersed per the terms of the agreements executed with IKE Smart City, LLC. It is initially planned to provide any funds designated for the Department of Public Service under this agreement to support the Short North Alliance and the Franklin County Convention and Visitors Bureau for their involvement in this project. The designation of the use of these funds may be changed in the future.

The legislation also authorizes the waiver of those sections of Columbus City Code that prohibit the placement of vending equipment and advertising within the public rights-of-way. That waiver is only for the Equipment that is to be installed by IKE Smart City LLC under these agreements.

### 2. FISCAL IMPACT

There is no anticipated cost to the City relative to the aforementioned agreement. Instead, the City is to receive a percentage of the net advertising fees generated by IKE Smart City, LLC from the sale or placement of advertisements on Equipment placed within the City. The City's share of these funds will be dispersed according to the agreements executed for this project. Public Service is initially planning for the City's share of the revenue to be dispersed to the Short North Alliance and the Franklin County Convention and Visitors Bureau to compensate them for their involvement in this project.

### 3. EMERGENCY DESIGNATION

Emergency action is requested to allow the Equipment to be installed as soon as possible, enhancing the visitor experience to the City.

To authorize the Director of Public Service to enter into agreements with IKE Smart City, LLC relative to the installation, operation, and maintenance of interactive kiosks and appurtenances within the City of Columbus; to waive those sections of Columbus City Code that prohibit the placement of vending equipment and advertising within the public rights-of-way to the extent that those provisions may be applicable to the placement, operation, and maintenance of the Equipment pursuant to this legislation; to authorize the Director of Public Service to accept and disburse its share of net advertising fees generated by IKE Smart City for the sale or placement of advertising on the Equipment within the City; and to declare an emergency. (\$0.00)

**WHEREAS**, the Department of Public Service is responsible for the operation, use, and maintenance of public rights-of-way within the City of Columbus; and

**WHEREAS**, IKE Smart City, LLC desires to install and operate Equipment within the public rights-of-way at various locations for the purpose of conveying information to the general public; and

**WHEREAS**, as compensation for use of the public rights-of-way, IKE Smart City, LLC will pay the Department of Public Service a percentage of the net advertising fees generated from the sale or placement of advertisements on the Equipment, and will disperse these funds per the contract with the City; and

**WHEREAS**, this legislation authorizes the Director of Public Service to execute agreements with IKE Smart City, LLC concerning the installation, operation, and maintenance of the aforesaid features; and

**WHEREAS**, it is necessary to waive provisions of Columbus City Code prohibiting the placement of obstructions, including but not limited to, vending equipment, signs, and advertising of any kind, within the public rights-of-way, relative to the installation, operation, and maintenance of the Equipment within the City; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is necessary to authorize the execution of said agreements as soon as reasonably practicable so as to allow the Equipment to be installed as soon as possible, enhancing the visitor experience to the City, thereby preserving the public health, peace, property, safety, and welfare; **now, therefore**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Public Service be and is hereby authorized to execute agreements with IKE Smart City, LLC relative to the installation, operation, and maintenance of interactive kiosks, pylons, and other items (the Equipment) at various locations throughout the City.

**SECTION 2.** That the provisions of Title 9 of City Code prohibiting the placement of obstructions, including but not limited to vending equipment, signs, and advertising of any kind, within the public rights-of-way are hereby waived relative to the installation, operation, and maintenance of the Equipment to be installed under this agreement.

**SECTION 3.** That the Department of Public Service be and is hereby authorized to accept a percentage of the net advertising fees generated by IKE Smart City, LLC from the sale or placement of advertisement on the Equipment within the City of Columbus, and that the funds will be dispersed per the terms of agreements signed with the City.

**SECTION 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.