

Communication from Public

Name: Jill Demko
Date Submitted: 06/18/2025 08:25 AM
Council File No: 22-1154-S1
Comments for Public Posting: Please Support. Thank you

Communication from Public

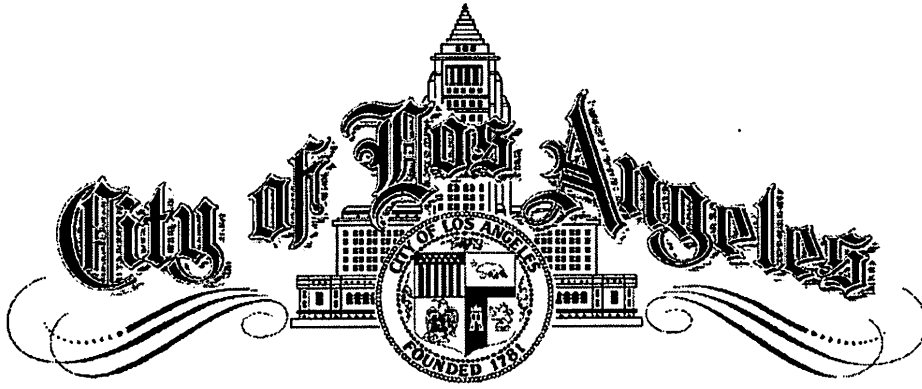
Name: Barbara Broide

Date Submitted: 06/18/2025 01:56 AM

Council File No: 22-1154-S1

Comments for Public Posting: The interactive kiosk program does not belong on the streets of LA where the City has made a commitment to the STAP transit shelter sidewalk-based advertising program. Local cities that have kiosk programs do not have transit shelter advertising programs, and if they did, they would be foolish because the two programs would be competing for the very same advertising revenues. The RFP, which remains unseen prior to the June 18 Council meeting when it is meant to be considered, should not be approved or released. There has been no public outreach about the scope of the program by the City. The only presentations made have been by lobbyists and representatives of IKE Smart Cities LLC/Orange Barrel Media, the very company that seeks the City's contract and has been soliciting letters of support for a program whose RFP has not been released. Those who follow this program will remember that previously, the Council was asked to approve a no-bid, sole source contract to implement the IKE kiosk program based upon the RFP for the IKE program in Houston, Texas. While that effort failed, IKE has continued to lobby for their program. They have been working to achieve an LA kiosk program since 2017 when they entered into a Letter of Intent with the LA Tourism and Convention Bureau. However, that program could not proceed because LA Municipal Code limited advertising on the public right-of-way to transit facilities. So, the program has been hiring lobbyists and working the corridors of City Hall to find a way to implement the program since that time. Additionally, the City Attorney Feuer pointed out in his October 2022 report, that the program required a CEQA analysis. While a new LAMC was finally introduced that opened up the public right-of-way to undefined and unlimited ad structures, that action was legally challenged by those who believe that the public right-of-way should not be commercialized and populated by advertisements we cannot turn off. Many believe that the limited open space that is shared on our sidewalks is better used for trees and true public amenities - not towering ad kiosks that provide zero shade and shelter. When this program was first conceived in 2017 it was a program said to be targeted to provide tourists with information about local resources. However, fast forward to 2025 and we now know that most travelers carry cell phones and that there are special apps designed to provide visitor information. Even if the

kiosks do provide information to the tourists or locals who manage to approach and engage a kiosk, for the vast majority of time, they are simply sidewalk-based digital advertising kiosks scrolling through ads -- ads that compete for STAP revenues and that will undermine the very program that the City claims to have made a commitment to as the vehicle to provide much-needed shade and shelter for transit riders. Among the more troubling aspects of the interactive kiosk program is that it also competes for sidewalk space with STAP. Should a kiosk be placed first before a transit shelter, according to program guidelines drafted, the kiosk would prohibit any other ad structure within 200 feet of it on the same side of the street potentially prohibiting a transit shelter from being placed where needed. The STAP program delivers significant community benefits and an unprecedented 60.5% of ad revenues to the City. The kiosks will rob ad revenues not only from STAP, but likely also from the non-freeway facing digital ad structures that are part of the City's already approved Metro TCN Program. Advertising professionals explain that out-of-home advertisers budget a set amount for each market in which they advertise. Adding screens does NOT translate into more money. It merely shifts ad dollars from one structure or program to another. So, in short, approval of an RFP for digital ad kiosks will undermine and compromise the future of the City's own STAP program. Finally, as if what has already been mentioned isn't more than enough to put a stop to the kiosk folly is the fact that this program should have been presented to neighborhood councils and the public for true input prior to its approval or the drafting of any RFP. And, the current motion omitted the Public Works/Streets LA staff and Board from participating in the RFP drafting process - a serious omission given their PROW oversight role. If not shelved, before an RFP can be considered or issued, the program should be forwarded to Public Works for a financial analysis of the impact that the program will have on the City's existing ad programs and for the environmental analysis referenced in Feuer's report. As the program originated with the Tourism and Convention Bureau and many of those same interests are involved with the Tourism Dept., there are concerns that the RFP process will not be an objective one if handled by the same players who sought to give a no-bid contract to IKE Smart Cities for their kiosks in 2022.



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 22 - 0 3 5 8
OCT 20 2022

REPORT RE:

**INSTALLATION AND MAINTENANCE CONTRACT OF INTERACTIVE KIOSKS IN
THE CITY OF LOS ANGELES**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 22-1154

Honorable Members:

Our Office submits this report in response to the October 2, 2022 motion (CF 22-1154) currently pending in the Trade, Travel & Tourism Committee requesting the City Attorney's Office, "with the assistance of the City Tourism Department, Bureau of Streets Services, and all other relevant departments, to prepare and present an agreement within 30 days with IKE Smart City, LLC, utilizing the competitive RFP process conducted by the City of Houston, Texas for the installation and maintenance of interactive kiosks in the City of Los Angeles."

Background

In an effort to bring wayfinding resources (interactive kiosks) to members of the community, as well as tourists, the City is considering the placement of interactive kiosks in the public right-of-way. IKE Smart City, LLC (IKE), has proposed that the City utilize the process outlined by Los Angeles Administrative Code (LAAC) Section 10.15(a)(8), which allows the City to utilize a contract awarded by another governmental

entity to award a City contract, in lieu of the City conducting a competitive process of its own. (Here, IKE has identified a contract between IKE and the City of Houston as one such possibility.)

Motion Timeline

The October 4, 2022 motion requests that our Office prepare and present a contract with IKE within 30 days for the installation and maintenance of IKE interactive kiosks utilizing the Houston contract as a basis, pursuant to LAAC Section 10.15(a)(8). However, before it can be determined whether such a contract can be entered into, the following substantive and procedural matters must first occur:

1. A California Environmental Quality Act (CEQA) analysis must be conducted by the City. The CEQA analysis could be done by the Bureau of Engineering (BOE). The first step of the CEQA process would be to determine the appropriate level of CEQA review, such as the use of a statutory or categorical exemption, a negative declaration, a mitigated negative declaration, or an environmental impact report. Once a determination is made, the appropriate CEQA document must then be prepared.
2. In addition to the CEQA analysis, a determination must be made regarding whether the existing IKE contract with Houston can be used by the City pursuant to LAAC Section 10.15(a)(8) because substantive changes will be required if the City contracts with IKE using the Houston contract as a template. Other factors to consider would be whether it would be in the City's best interest to utilize a competitive process to award a contract because the City has already been put on notice that other vendors exist to perform this scope of work.
3. The appropriate City department (presumably the City Tourism Department or the Public Works Department) then would need to prepare and present a proposed contract for our Office to approve as to form.
4. The proposed contract and CEQA document would need to be approved by the City department that will award the contracts and manage the interactive kiosk program.
5. In addition to the approval of any contract with IKE (or other service provider), the program also would need to be approved by the Board of Public Works before any outdoor advertising structures can be installed in the public right-of-way, pursuant to Los Angeles Municipal Code Section 67.02.
6. Mayoral approval of the contract also would be required under Executive Directive 3, which requires the CAO to review and issue a report for the Mayor.

7. Lastly the City Council would need to approve the contract and the applicable CEQA document, which would likely involve referrals to one or more Council Committees.

Although BOE has already been asked to begin CEQA review of the proposed project, due to the coordination needed between many City departments, it is unlikely that a contract and CEQA documents can be made available for Council approval within the timeline requested by the motion. If you have any questions regarding this matter, please contact the undersigned (213) 978-8130.

Sincerely,

MICHAEL N. FEUER, City Attorney

By *Valerie L. Flores*
VALERIE L. FLORES
Senior Assistant City Attorney

VF:KM:ev
Transmittal

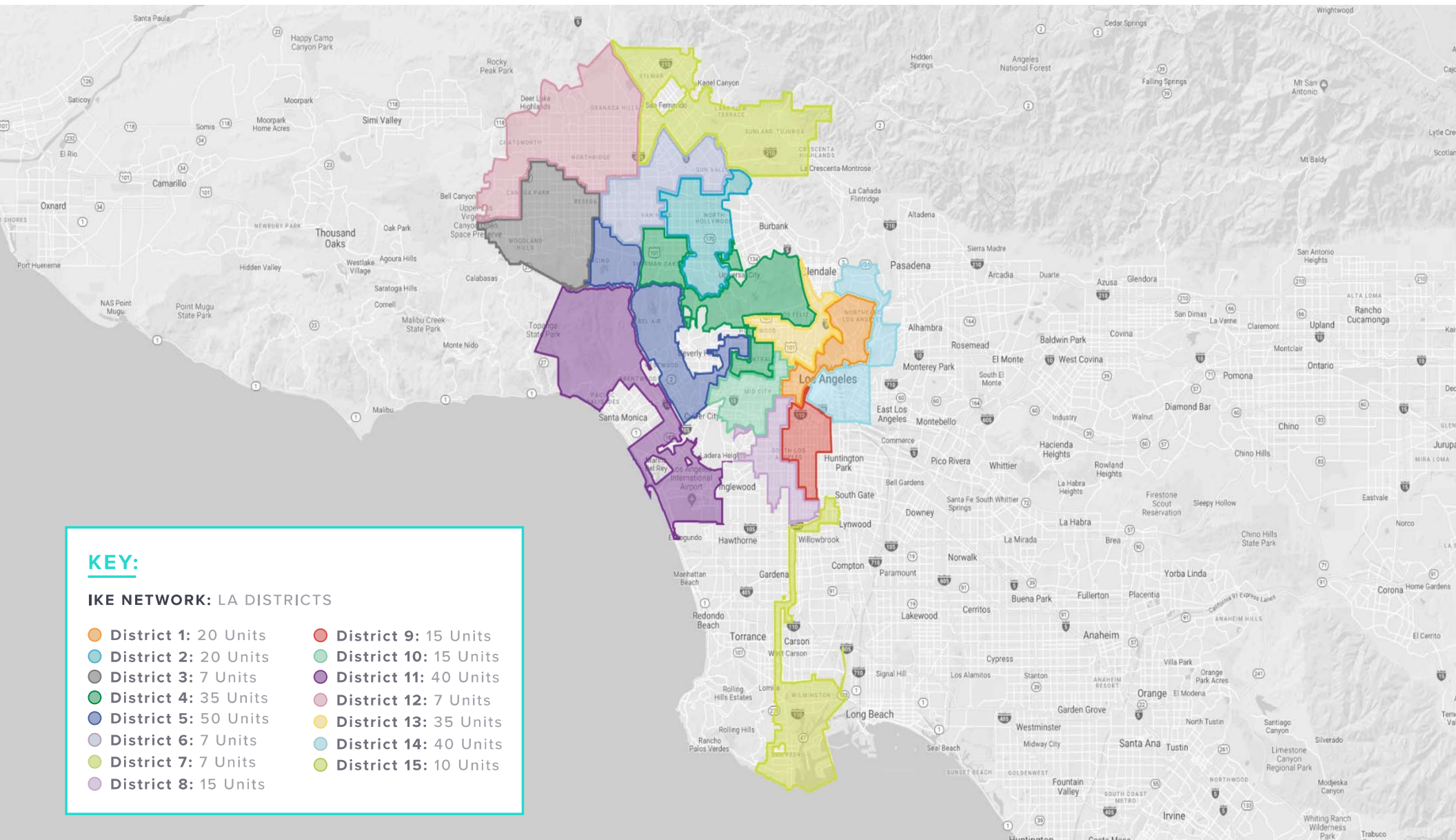
Communication from Public

Name: Coalition for a Beautiful Los Angeles

Date Submitted: 06/18/2025 02:51 AM

Council File No: 22-1154-S1

Comments for Public Posting: The Coalition for a Beautiful Los Angeles is opposed to the release of an RFP for an interactive digital kiosk program. We are opposed to the program. These structures are not community amenities. They use limited and valuable public right-of-way land meant to be shared public space with an unending stream of advertising messages that blight our visual landscape. There has been no public outreach presented by the City to seek input from communities and neighborhood councils to be affected, no environmental review, no fiscal analysis as to the impacts on existing City sidewalk-based advertising initiatives. These oversized towering cell-phone like structures are a blight on our visual environment. And, in addition, are poised to compete for advertising dollars that the STAP Sidewalk and Transit Amenities Program relies upon to meet its goals. STAP provides much-needed shade and shelter for transit riders as well as significant monies for Council District community benefit funds as well as support for the R.A.I.S.E. program's transit and pedestrian amenities. The STAP Program's environmental review resulted in protections for sensitive resources and respect for community plans and overlays that apply to the public right of way. Maps of the planned locations for IKE program kiosks that were part of the program proposed to be approved with a no-bid sole source IKE contract show no respect for such limitations. Depending on placement, these structures may also contribute to driver distraction thus endangering public safety. We oppose the approval of an RFP while noting that no such document was posted in the Council file for review in advance of the June 18 City Council meeting. We respectfully request that, if not halted, that the program be forwarded to the Public Works Dept./Streets LA so that appropriate fiscal analysis can be done to better assess the impacts of the kiosks on existing City ad programs and for needed environmental review. Following those reviews, if a program is still to be pursued, a robust public outreach effort should be mounted to seek input to better define the program's scope prior to the drafting of any RFP.



The above proposal is an estimate only. The actual number of IKEs per council district is subject to ongoing discussions with City Council and staff, as well as on-site due diligence.

Communication from Public

Name: Catherine Gopaulsingh

Date Submitted: 06/18/2025 07:51 AM

Council File No: 22-1154-S1

Comments for Public Posting: I am in opposition to the release of an RFP or the delivery of digital advertising in our neighborhood.