

# Memorandum



CITY OF DALLAS

DATE April 27, 2007

TO Honorable Mayor and Members of the City Council

SUBJECT May 2, 2007 Briefing – Kiosk Installation Status

Please find attached briefing materials on the City's kiosk program. The briefing materials include background information, information on contract provisions, status of kiosk installations, and the work accomplished by the City Council Kiosk Ad Hoc Committee.

Please contact me if you need additional information.

A handwritten signature in black ink, appearing to read 'A.C. Gonzalez'.

A.C. Gonzalez  
Assistant City Manager

C: Mary K. Suhm, City Manager  
Deborah A. Watkins, City Secretary  
Thomas P. Perkins, Jr., City Attorney  
Craig D. Kinton, City Auditor  
Judge Jay E. Robinson  
Ryan S. Evans, First Assistant City Manager  
Charles W. Daniels, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Ramon F. Miguez, P.E., Assistant City Manager  
David K. Cook, Chief Financial Officer  
Theresa O'Donnell, Director of Development Services  
Chandra Marshall-Henson, Assistant to the City Manager

# KIOSK INSTALLATION STATUS

City Council Briefing  
May 2, 2007



# PURPOSE

To brief the City Council on the progress of the City Council Kiosk Ad Hoc Committee on location criteria and revisions to the contract.

# PROGRAM PURPOSE

To provide citizens and visitors to Dallas with amenities that stimulate a vital and active street life, that increase comfort and livability, that provide enhanced way finding within the city, and that encourage the use of mass transit and pedestrian-oriented transportation modes while providing an additional source of revenue to the City of Dallas.

# BACKGROUND

- March 9, 2005 - Downtown Special Provision Sign District amended to prohibit additional private kiosks effectively capping them at 69
- August 24, 2005 – Council approves a code amendment to allow kiosks that are part of City sponsored program
- August 24, 2005 – Council approves contract with Viacom (now CBS)
- October 4, 2006 – Mayor establishes ad-hoc committee to look at standards for kiosk program
- Ad-hoc committee meets between November 2006 and April 2007.

# Issues

- Perception of right of way constraints
- Sidewalk clearance – minimum vs desired
- Scale relative to adjacent development
- Adjacent businesses / property owners
- General concerns with advertising / aesthetics

# CONTRACT PROVISIONS

- Installation of 150 kiosks within the public right-of-way
- At least one face of each kiosk is city information
- \$5,000,000 in advanced scheduled payments
  - \$1,250,000 upon signing agreement (paid)
  - \$1,250,000 upon approval of 50% of kiosks (75)
  - \$1,250,000 upon approval of 75% of kiosks (113)
  - \$1,250,000 upon approval of all 150 kiosks

# CONTRACT PROVISIONS

- Payment of 37% of gross receipts, but not less than a graduated minimum annual guarantee (\$500,000 in year 1 to \$975,000 in year 20)
- Installation of at least \$450,000 worth of street amenities



# CONTRACT BENEFITS

- Total guaranteed revenue to the City over the life of the contract of \$21.3 million
- If sales projections are reached, the City could receive an estimated \$34 million over the life of the contract

# FISCAL IMPACTS

- Minimum projected revenue to date - \$5.5 million
  - all 4 installments of the \$5 million advance in FY05-06
  - minimum annual guarantee of \$500,000 in FY06-07
- Actual received \$1.25 million
  - first installment of advance payment
- \$4.25 million less than the minimum projected

# APPROVAL /INSTALLATION STATUS

CBS has submitted 185 locations

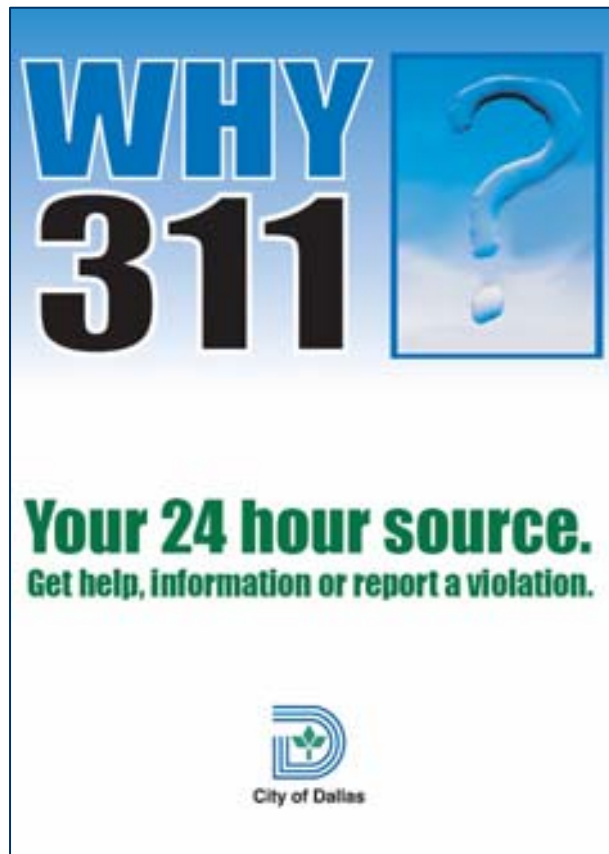
- 99 have been approved
- 63 have been rejected
- 9 require some modifications
- 14 are in review

CBS has installed 47 kiosks


# City Information Face

- 2 face changes annually per contract
- Initially installed public service announcements
- Prepare and install maps in appropriate locations
- Identify and work with area associations to customize maps
- Work with DART to provide transit information on maps


# City Information Face



**WHY  
311**



**Your 24 hour source.**  
Get help, information or report a violation.



City of Dallas



**Downtown  
to West End**



City of Dallas

**Know  
NOW**



**Are you interested in helping animals?**  
**Are you a Dallas vendor?**  
**Free help with your child's homework...**



Dallas Together  
we do it better

# AD HOC COMMITTEE FOCUS

- Evaluate and identify issues with examples of existing locations
- Identify kiosks which need to be relocated
- Establish standards for placement in ROW
- Establish location criteria
- Address other contract provisions

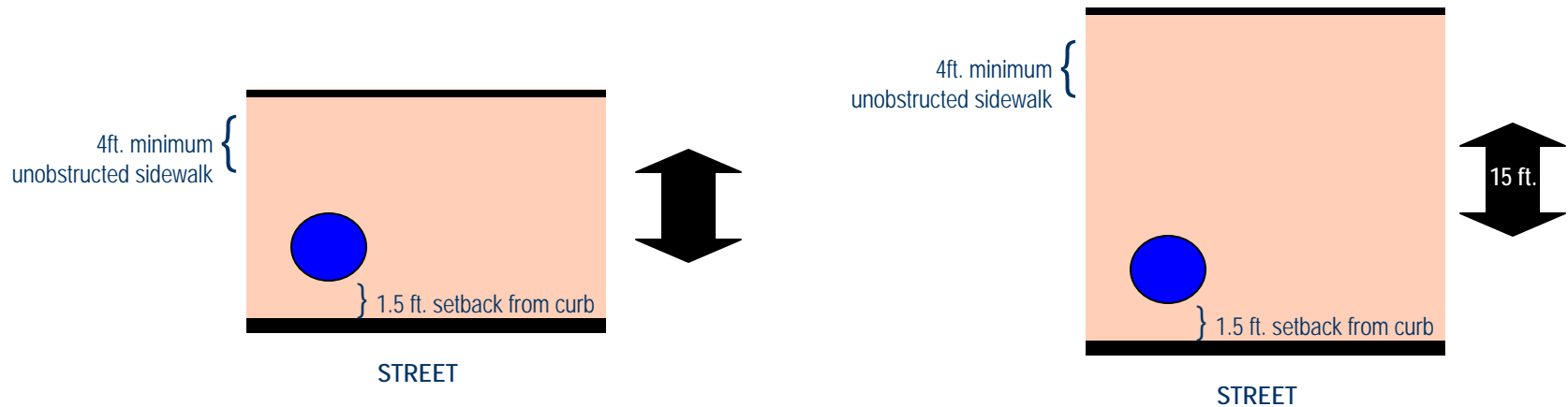
# AD HOC COMMITTEE PLACEMENT AND LOCATION CRITERIA



# PROPOSED PLACEMENT CRITERIA

## Parkway - Paved

- The kiosk must be positioned 1.5 feet from the back of the curb, with a minimum of 4 feet unobstructed sidewalk (If the kiosk is within 25 feet of a DART bus shelter/bench/stop, see DART stop rule)



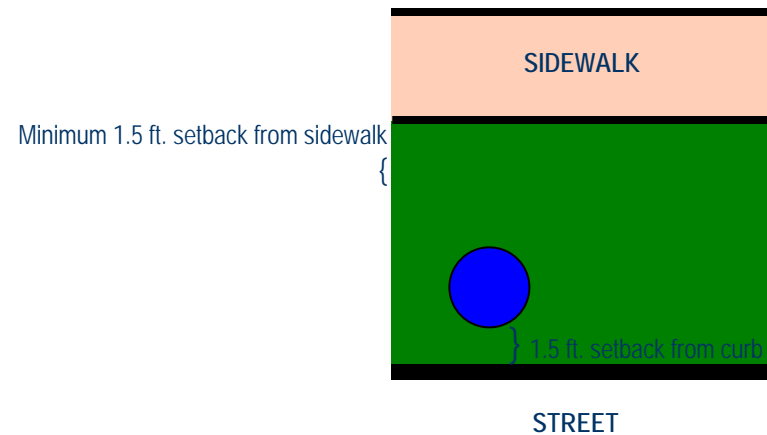
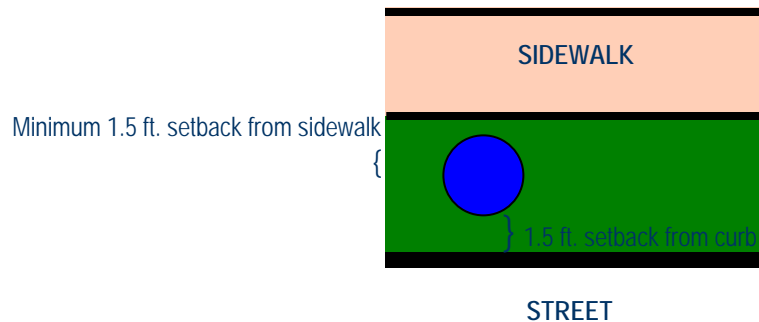


# PROPOSED PLACEMENT CRITERIA

## Parkway - Sidewalk Off Curb

(Preferred Location Scenario)

- Position kiosk exactly 1.5 ft. from back of curb
- Position kiosk at least 1.5 ft. from sidewalk
- Minimize size of concrete base
- Must be in compliance with ADA requirements

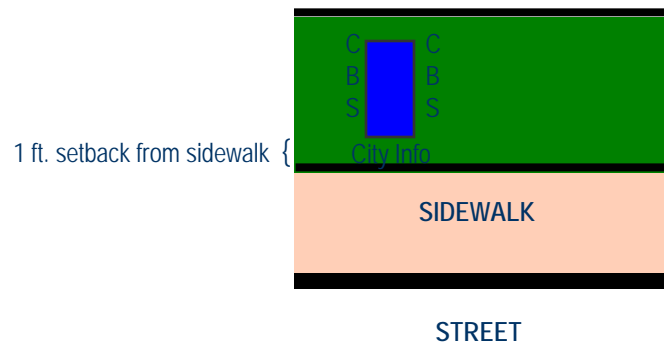


# PROPOSED PLACEMENT CRITERIA

## Parkway - Sidewalk On Curb

(Least Desirable Location Scenario, Should be Avoided)

- Position kiosk at least 1.5 ft. from sidewalk
- Provide a different kiosk shape that provides access to city information at sidewalk's edge, rather than at rear; smaller area for city information is acceptable subject to approval
- Minimize size of concrete base



# PROPOSED PLACEMENT CRITERIA

## When less than 25 ft. from a DART bus shelter/bench

- Position kiosk on the side of the DART bus shelter/bench/stop that is down-street from traffic flow (to allow DART passengers waiting for the bus to see, and be seen by, the bus driver)
- Position kiosk at least 7 ft. from DART bus shelter/bench/stop
- Align the kiosk with the bus shelter/bench (instead of using 1.5 ft. setback from back of curb)
- Must be in compliance with ADA requirements

# PROPOSED LOCATION CRITERIA

## Separation / Distance Requirements

- Minimum 300 ft separation between kiosks
  - Exceptions (minimum 75ft)
    - Downtown SPSD
    - Perimeter of West Village SPSD and Victory SPSD
- Minimum 300 ft from parks and libraries
- Minimum 50 ft from hike and bike trails

# OTHER PROPOSED CRITERIA

- Kiosks may not obstruct the main entrance of a business. Kiosks must be positioned at least 2 ft. to the left or right of the main entrance.
- Additional paving around kiosks must match surrounding paving. Any special paving removed must be replaced to match surrounding paving.
- Meter box, utility box, meter base, conduit, utility disconnect, etc must be either placed inside the kiosk structure or if outside a kiosk, in a location that is not visibly obtrusive.

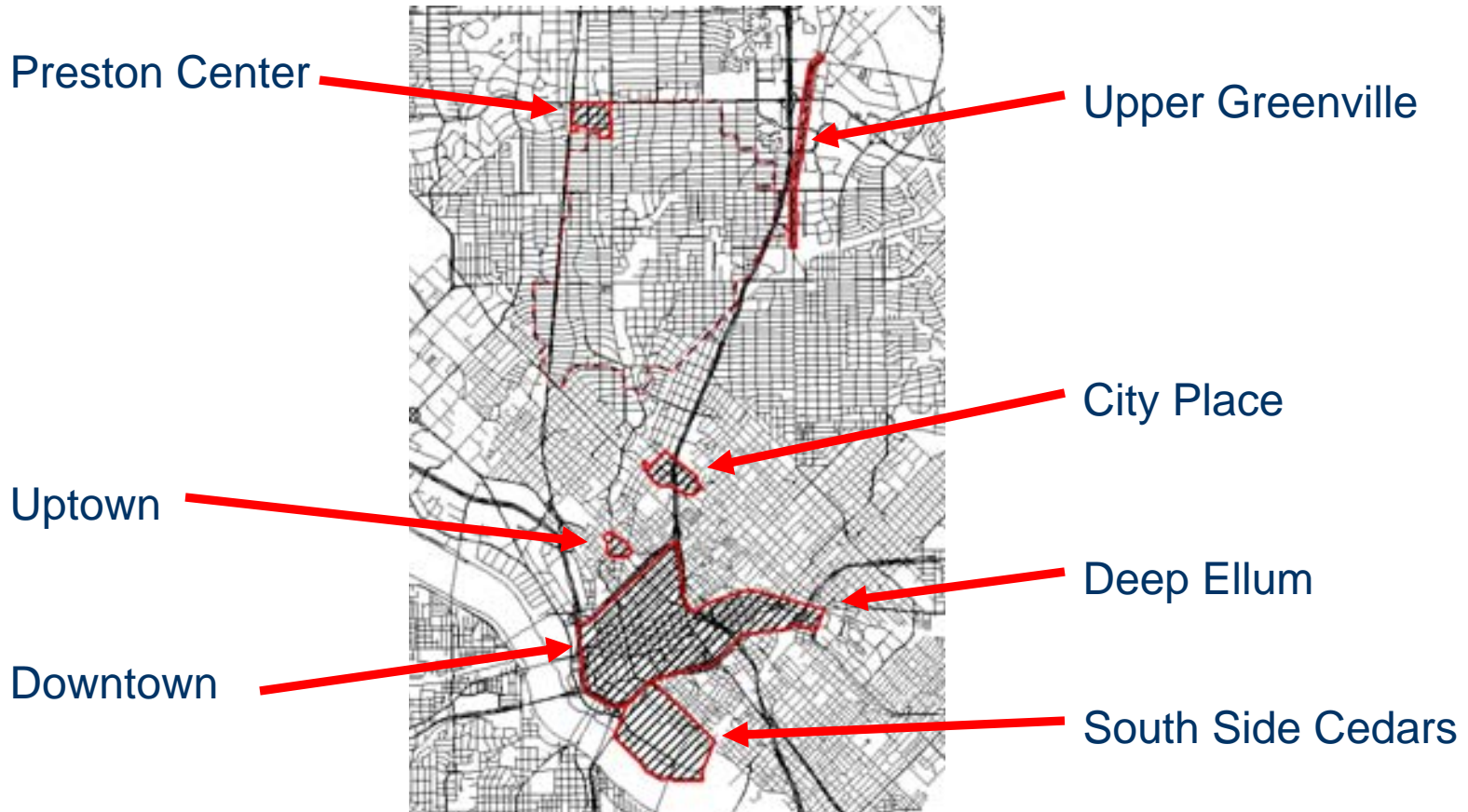
## OTHER ISSUES

- CBS will need to remove, relocate and/or modify certain kiosks to comply with proposed standards
- Alcohol advertising
  - Currently alcoholic beverage ads are prohibited except for beer and wine ads in identified entertainment districts
  - Liquor ads could now be allowed in Downtown, Deep Ellum and North of LBJ (subject to TABC wet / dry status and elections)
  - CBS has also requested liquor ads in areas adjacent to Victory and West Village

# CURRENT ALCOHOLIC BEVERAGE RESTRICTIONS

- Beer and wine ads only permitted in designated entertainment districts
  - Downtown
  - Deep Ellum
  - South Side / Cedars
  - Uptown / City Place
  - Upper Greenville Corridor (Yale to Park)
  - Preston Center
- Prohibited in all D and D-1 Overlays
- Prohibited in all TABC Dry areas
- Prohibited in all alcohol free school zones

# CURRENTLY PERMISSIBLE AREAS FOR BEER AND WINE ADS





# PROPOSED LIQUOR AD AREAS



# CONTRACT AGREEMENT

City Attorney's office will discuss contract provisions in executive session if necessary.

# PROPOSED AGREEMENT

- CBS will relocate certain kiosks as agreed and/or make modifications to parkway to comply with proposed standards
- Contract will be amended to allow liquor ads in certain areas
- Location criteria will be amended to allow kiosks in multi family residential areas

# CONCLUSION

- All kiosk placements will be reviewed thoroughly and comply with provisions set by Council
- Having the kiosks in high traffic areas benefits the City and is in keeping with program goals
- Contract will provide significant revenue and amenities to the City

# Recommendation

- Recommend continuation of contract and approval of contract amendments, with renewed emphasis on correct placement of kiosks to maximize revenue and public benefit

# COUNCIL DISCUSSION

