



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission
Alina T. Hudak, City Manager

FROM: Rafael A. Paz, City Attorney

A handwritten signature in blue ink, appearing to be "Rafael A. Paz", written over a horizontal line.

DATE: September 13, 2023

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT AGREEMENT) RELATING TO THE INSTALLATION OF DIGITAL KIOSKS AT APPROVED LOCATIONS ON FDOT RIGHTS-OF-WAY; AND FURTHER APPROVING AMENDMENT NO. 1 TO THE AGREEMENT WITH IKE SMART CITY, LLC (AMENDMENT NO. 1 TO THE IKE AGREEMENT), FOR IKE TO ASSUME THE CITY'S OBLIGATIONS UNDER THE FDOT AGREEMENT; AND FURTHER, AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE THE FDOT AGREEMENT AND AMENDMENT NO. 1 TO THE IKE AGREEMENT.

The proposed Resolution is submitted for consideration at the September 13, 2023 City Commission meeting.

The proposed Resolution would authorize the City to enter into a Memorandum of Agreement with the Florida Department of Transportation ("FDOT") relating to digital media kiosks placed on any FDOT right-of-way, and would simultaneously authorize an amendment to the City's agreement with IKE Smart City, LLC ("IKE"), to provide for IKE to assume all of the City's obligations under the FDOT agreement.

BACKGROUND

On June 28, 2023, the Mayor and City Commission approved the essential business terms for the Agreement with IKE Smart City, LLC to design, manufacture, install, maintain, and operate interactive digital media kiosks.

On July 28, 2023, the City of Miami Beach executed an agreement with IKE Smart City, LLC ("IKE Agreement") for the design, manufacture, installation, maintenance, and operation of interactive digital media kiosks in the City of Miami Beach.

Some of the IKE digital media kiosks will be placed along or abutting certain rights-of-way under the jurisdiction of the Florida Department of Transportation ("FDOT Rights-of-Way"). Before IKE can place any digital media kiosks along or abutting any FDOT Rights-of-Way, the City must enter

into an agreement with the Florida Department of Transportation (“FDOT Agreement”), a copy of which is attached to this agenda item.

Under the FDOT Agreement, the City shall be responsible for installing, operating, and maintaining digital media kiosks and the necessary utilities along the approved FDOT Rights-of-Way pursuant to the terms and conditions of the FDOT Agreement.

IKE has agreed to assume all of the City’s responsibilities under the FDOT Agreement pursuant to Amendment No. 1 to the IKE Agreement (“Amendment No. 1 to the IKE Agreement”), a copy of which is attached to this agenda item.

RAP/ag