

## CITY COUNCIL RESEARCH DIVISION LEGISLATIVE SUMMARY

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**Bill Type and Number:** Ordinance 2019-559 - amended

**Introducer/Sponsor(s):** Council President at the request of the Office of General Counsel

**Date of Introduction:** August 13, 2019

**Committee(s) of Reference:** F

**Date of Analysis:** August 15, 2019

**Type of Action:** Authorization to modify legal settlement agreement

**Bill Summary:** The bill authorizes the Mayor to execute an additional modification to the legal settlement among the City, Scenic Jacksonville, Inc. (f/k/a Capsigns, Inc.), Wesley A. Miner and B&B Outdoor Advertising Company Inc. (d/b/a Daily Billboards, f/k/a B&B Advertising Company) regarding the removal of certain billboards in the city. The modified agreement provides that B&B will remove ~~several~~ 10 billboards from various locations around the city within 9 months, will transfer 3 parcels of property (529 Lime Street, 2945 Evergreen Avenue and 3249 Emerson Street) to an affiliate of Scenic Jacksonville, will transfer all permits, licenses and tags associated with 24 current billboards and any other billboards the B&B may subsequently acquire or lease in Duval County to an affiliate of Scenic Jacksonville, and will add deed restrictions on 3 parcels (2325 Cassat Avenue, 1008 Fountain Road, and 5730 and 5732 Normandy Boulevard) that will prohibit installation of future billboards. In the agreement modification, B&B acknowledges and agrees that its ability to repair and maintain its billboards in Jacksonville expired on December 31, 2018.

**Background Information:** B&B Outdoor Advertising (through its predecessor companies) was one of several outdoor advertising companies that was party to a lawsuit and 1994 settlement agreement among the City and Capsigns Inc. (now known as Scenic Jacksonville, Inc.) and the companies over the interpretation and enforcement of the City's "billboard ban" Charter amendment. B&B was required by the legal settlement to remove certain billboards in the city by December 31, 2018, which it did not do. In lieu of further litigation to enforce the terms of the original settlement (as subsequently amended several times), after some negotiation B&B has agreed to remove more signs than was required under the latest version of the settlement agreement, and to take other actions (transferring property, permits, licenses and tags) that will prevent billboards from being erected at the sites being abandoned.

**Policy Impact Area:** Billboard regulation

**Fiscal Impact:** The modified settlement eliminates the need for future litigation by the City to enforce the terms of the existing legal settlement agreement.

**Analyst:** Clements