

Introduced by the Council President at the request of the Office of General Counsel:

ORDINANCE 2025-865

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR
AND CORPORATION SECRETARY TO EXECUTE AN AMENDED
SETTLEMENT AGREEMENT MODIFYING THE SETTLEMENT
AGREEMENT DATED MARCH 1, 1994, BY AND AMONG B&B
ADVERTISING COMPANY, CAPSIGNS, INC. AND THE CITY
OF JACKSONVILLE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville ("City"), Capsigns, Inc., and B&B Advertising Company entered into a settlement agreement dated March 1, 1994 (the "1994 Agreement"), resolving litigation concerning the City's billboard regulations; and

WHEREAS, the City, Scenic Jacksonville, Inc. ("Scenic Jacksonville"), f/k/a Capsigns, Inc., B&B Advertising Company, Inc., and Wesley A. Miner ("Miner"), owner of B&B Advertising Company, Inc., entered into that certain Modification to Agreement dated July 14, 2000 as authorized by Ordinance 2002-1031-E which made certain modifications to the 1994 Agreement that resulted in more billboards being removed than was required under the 1994 Agreement; and

WHEREAS, the City, Scenic Jacksonville, B&B Outdoor Advertising Company (f/k/a B&B Advertising Company, Inc.) ("B&B"), and Miner, entered into that certain Additional Modification to Agreement dated August 1, 2019 as authorized by Ordinance 2019-559-E which made certain additional modifications to the 1994 Agreement that, among other things, resulted in more billboards being removed than was required under the 1994 Agreement; and

WHEREAS, B&B transferred certain billboards to Outfront Media, LLC ("Outfront") and as a result Scenic Jacksonville filed a lawsuit

1 against B&B and Outfront in Case No. 2024-CA-3725 which was pending
2 in the Circuit Court of the Fourth Judicial Circuit in and for Duval
3 County, Florida; and

4 **WHEREAS**, Scenic Jacksonville, B&B, Outfront and the City
5 desire to settle the foregoing dispute by, in part, further modifying
6 the 1994 Agreement pursuant to that certain Amended Settlement
7 Agreement and Release attached hereto as **Exhibit 1** by and among the
8 City, Scenic Jacksonville, B&B, and Outfront (the "Amended Settlement
9 Agreement") which will result in removing additional billboards and
10 eliminate the prohibition against the future transfer of certain
11 billboards; and

12 **WHEREAS**, the City Council finds it to be in the best interest
13 of the City to agree to the terms in the proposed Amended Settlement
14 Agreement; now therefore

15 **BE IT ORDAINED** by the Council of the City of Jacksonville:

16 **Section 1. Agreement Approved and Execution Authorized.**

17 There is hereby approved, and the Mayor, or her designee, and
18 Corporation Secretary are hereby authorized to execute and deliver
19 the Amended Settlement Agreement in the form attached hereto as
20 **Exhibit 1**, for the purpose of modifying the 1994 Agreement as set
forth therein.

22 **Section 2. Effective Date.** This Ordinance shall become
23 effective upon signature by the Mayor or upon becoming effective
24 without the Mayor's signature.

25 Form Approved:

27 /s/ Tiffiny Douglas Pinkstaff

28 Office of General Counsel

29 Legislation Prepared By: Tiffiny Douglas Pinkstaff

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31 Jacksonville.docx