

Introduced by the Council President at the request of the Mayor:

ORDINANCE 2026-97

AN ORDINANCE APPROVING THE SETTLEMENT OF CLAIMS
MADE BY THE CITY OF JACKSONVILLE AGAINST OTIS
ELEVATOR COMPANY AS SET FORTH IN THE FOURTH
JUDICIAL CIRCUIT COURT CASE NUMBER 16-2024-CA-
000270; APPROVING AND AUTHORIZING EXECUTION OF
A PROPOSED SETTLEMENT AND RELEASE AGREEMENT;
AUTHORIZING THE GENERAL COUNSEL AND HIS
DESIGNEE(S) TO TAKE ALL FURTHER ACTION TO
RESOLVE THE CLAIMS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville ("City") asserted claims against Otis Elevator Company ("Otis Elevator") relating to breach of contract and damages arising out of elevator service and elevator maintenance at several buildings owned by the City, which are more fully described in a lawsuit filed by the City in the Fourth Judicial Circuit styled City of Jacksonville v. Otis Elevator Company, Duval County Circuit Court Case No. 16-2024-CA-000270 ("Lawsuit"); and

WHEREAS, Otis Elevator has agreed to pay the City \$100,000 in settlement of the Lawsuit in exchange for a mutual release and dismissal of the Lawsuit; and

WHEREAS, the City and Otis Elevator wish to resolve all matters relating to the Lawsuit, thereby avoiding the risk of increased costs, expenses, and attorney's fees associated with potential litigation; and

WHEREAS, the parties have developed a proposed Settlement Agreement and Release ("Settlement Agreement") to resolve the claims without admitting any liability or fault;

1 Now therefore, **BE IT ORDAINED** by the Council of the City of
2 Jacksonville:

3 **Section 1. Settlement Approval and Authorization.** There is
4 hereby approved, and the Mayor, or his designee, and the Corporation
5 Secretary are authorized to enter into the Settlement Agreement in
6 substantially the form attached hereto as **Exhibit 1** and incorporated
7 herein.

8 **Section 2. Further Action Authorized.** The General Counsel, or
9 his designee, is authorized to take such further action and to execute
10 all other documents necessary to effectuate the approved settlement.
11 Following completion of the payment as set forth in the Settlement
12 Agreement, the General Counsel, or his designee, is authorized to
13 file a notice of dismissal with prejudice of the Litigation as
14 provided in the Agreement.

15 **Section 3. Effective Date.** This Ordinance shall become effective
16 upon signature by the Mayor or upon becoming effective without the
17 Mayor's signature.

18
19 Form Approved:

20
21 /S/ Tiffiny Douglas Pinkstaff

22 Office of General Counsel

23 Legislation Prepared By: Tiffiny Douglas Pinkstaff

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