

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

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5 **ORDINANCE 2020-524-E**

6 AN ORDINANCE RATIFYING AND APPROVING A
7 SETTLEMENT AGREEMENT REGARDING JACKSONVILLE
8 LANDING INVESTMENTS, LLC'S CLAIM FOR COSTS
9 INCURRED IN THE LITIGATION STYLED *CITY OF*
10 *JACKSONVILLE V. JACKSONVILLE LANDING*
11 *INVESTMENTS, LLC*, DUVAL COUNTY, FLORIDA
12 CIRCUIT COURT CASE NO. 16-2015-CA-6340, DIV.
13 CV-C IN THE AMOUNT OF \$68,366.02; AUTHORIZING
14 THE GENERAL COUNSEL, OR HIS DESIGNEE, TO TAKE
15 FURTHER ACTION TO EFFECTUATE THE SETTLEMENT;
16 PROVIDING AN EFFECTIVE DATE.

17
18 **WHEREAS**, The City of Jacksonville ("City") filed a lawsuit
19 against Defendant, Jacksonville Landing Investments, LLC ("JLI"),
20 in the Duval County, Florida Circuit Court, Case No. 16-2015-CA-
21 6340, Div. CV-C ("Lawsuit"), in order to acquire the east parcel
22 parking lot which formerly served as parking for the Jacksonville
23 Landing ("JLI East Parcel") by paying the purchase price determined
24 by the court ("JLI East Parcel Acquisition"); and

25 **WHEREAS**, the Circuit Court entered a Final Judgment against
26 the City in the amount of \$3,717,876.00 ("Judgment"), payment of
27 which has been made with interest due thereon; and

28 **WHEREAS**, JLI has a claim for costs incurred in the Lawsuit
29 ("Claim"); and

30 **WHEREAS**, the parties, through their representatives, have
31 reached a potential settlement of the Claim in the amount of

1 \$68,366.02, subject to review and approval by the City Council
2 pursuant to the requirements of Chapter 112, *Ordinance Code*; and

3 **WHEREAS**, the Council finds that it is in the best interests
4 of the City and the public that JLI's Claim be resolved without
5 resorting to further litigation and incurring additional litigation
6 costs and expenses; and

7 **WHEREAS**, funding for payment of the settlement amount of
8 \$68,366.02 has been transferred by the Mayor's Budget Review
9 Committee via TD20-350 to General Fund - Judgments, Claim and
10 Losses Over \$50,000, which is attached hereto as **Exhibit 1**; now
11 therefore

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

13 **Section 1. Approval and Ratification of Settlement**
14 **Agreement.** The Settlement Agreement ("Settlement Agreement")
15 attached hereto as **Exhibit 2** is hereby approved and ratified
16 pursuant to Section 112.307(a)(2)(iii), *Ordinance Code*.

17 **Section 2. Further Action Authorized.** The General
18 Counsel, or his designee, is authorized pursuant to the respective
19 Code to take all further action and to execute all other documents
20 necessary to effectuate the approved and ratified Settlement
21 Agreement.

22 **Section 3. Effective Date.** This Ordinance shall become
23 effective upon signature by the Mayor or upon becoming effective
24 without the Mayor's signature.

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26 Form approved:

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28 /s/ Paige H. Johnston

29 Office of General Counsel

30 Legislation Prepared By: Christopher M. Garrett

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