

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



3
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ORDINANCE 2015-810

5 AN ORDINANCE APPROVING THE SECOND AMENDED AND
6 RESTATED SETTLEMENT AGREEMENT CONCERNING THE
7 REGULATION OF OFF-SITE COMMERCIAL SIGNS
8 BETWEEN THE CITY OF JACKSONVILLE, SCENIC
9 JACKSONVILLE, INC., AND CBS OUTDOOR, LLC, TO
10 IDENTIFY CBS OUTDOOR'S NEW CORPORATE NAME,
11 REDEFINE CERTAIN TERMS, DEFINE A TERM, AND
12 LIMIT SIGN HEIGHT FOR SIGNS PRIMARILY ORIENTED
13 TO A MAJOR ARTERIAL ROADWAY, CORRECTING
14 TAKEDOWN DATES AND ADDING RESTRICTIONS TO A
15 SPECIFIED SIGN IN CERTAIN EXHIBITS TO THE
16 SECOND AMENDED AGREEMENT; APPROVING,
17 AUTHORIZING AND DIRECTING THE MAYOR AND THE
18 CORPORATION SECRETARY TO EXECUTE THE SECOND
19 AMENDED AGREEMENT; WAIVING THE ENFORCEMENT OF
20 VARIOUS SIGN REGULATIONS INCLUDING PROVISIONS
21 OF THE CITY CHARTER AND ANY OTHER PROVISION OF
22 JACKSONVILLE LAW WHICH CONFLICT WITH ANY TERM
23 OF THE SECOND AMENDED AGREEMENT; PROVIDING AN
24 EFFECTIVE DATE.

25
26 **WHEREAS**, on November 25, 2014, the City enacted Ordinance
27 2014-717-E, which approved and authorized the Amended and Restated
28 Settlement Agreement concerning off-site commercial signs in
29 Jacksonville by and among the City of Jacksonville, Scenic
30 Jacksonville, Inc., and CBS Outdoor, LLC (hereinafter "Amended
31 Agreement"); and

1 **WHEREAS**, a second and restated amended settlement agreement is
2 necessary to correct errors made at the time of drafting the
3 Amended Agreement and to provide clarification to the Amended
4 Agreement; and

5 **WHEREAS**, the Council desires to confirm and memorialize the
6 agreed upon amendments to the Amended Agreement; and

7 **WHEREAS**, Section 656.1309, Ordinance Code, permits off-site
8 commercial signs maintained or erected in accordance with the terms
9 of an authorized settlement agreement with the City; and

10 **WHEREAS**, the Council wishes to substantially preserve the
11 results of settlement agreements previously entered into by the
12 City of Jacksonville, which resulted in a significant reduction in
13 the total number of billboards in Jacksonville and in numerous
14 Jacksonville roadways becoming billboard-free; now therefore

15 **BE IT ORDAINED** by the Council of the City of Jacksonville,
16 acting herein as the governing body for Duval County, Florida, and
17 intending this Ordinance to be effective everywhere within the
18 boundaries of Duval County, Florida:

19 **Section 1. Approval and Authorization of Second Amended**
20 **Agreement.**

21 The Second Amended and Restated Settlement Agreement by and
22 among the City of Jacksonville, Scenic Jacksonville, Inc., and CBS
23 Outdoor, LLC, n/k/a Outfront Media, LLC, concerning off-site
24 commercial signs (the "Second Amended Agreement") and amended only
25 to identify the new corporate name of CBS Outdoor, LLC, redefine
26 certain terms, define a term, limit the sign height for signs
27 primarily oriented to a major arterial roadway, and correct
28 takedown dates and add restrictions to a sign in certain Exhibits
29 to the Second Amended Agreement, is hereby approved and
30 incorporated into this Ordinance in substantially the same form as
31 **Exhibit 1, labeled as "Exhibit 1, Second Amended and Restated**

1 **Settlement Agreement.**" The Mayor, or his designee, and the
2 Corporation Secretary are hereby authorized and directed to execute
3 the Second Amended Agreement on behalf of the City.

4 **Section 2. Council's power and right to legislate.**

5 Pursuant to Section 23.07, City Charter, the Council has the powers
6 and right to legislate and enter into the Second Amended Agreement.

7 **Section 3. Waiver of current City Charter and any other**
8 **current provision of City law contrary to Second Amended Agreement.**

9 In order to effectuate the Second Amended Agreement, the Council
10 hereby suspends and waives, during the applicable terms set forth
11 in the Second Amended Agreement, any current provision of the City
12 Charter and any other current provisions of City law which relate
13 to the regulation of signs and which are contrary to or conflict
14 with the terms of the Second Amended Agreement.

15 **Section 4. Severability.** If any part, section,
16 subsection, paragraph, subparagraph, sentence, phrase, clause,
17 term, or word of this Ordinance or the Second Amended Agreement
18 attached hereto is declared unconstitutional by the valid judgment
19 or decree of any court of competent jurisdiction, the declaration
20 of such unconstitutionality shall not affect any other part,
21 section, subsection, paragraph, subparagraph, sentence, phrase,
22 clause, term, or word of this Ordinance or the Second Amended
23 Agreement attached hereto.

24 **Section 5. Effective Date.** This Ordinance shall become
25 effective upon signature by the Mayor or upon becoming effective
26 without the Mayor's signature.

27 Form Approved:

28
29 /s/ Sondra R. Fetner

30 Office of General Counsel

31 Legislation Prepared By: Sondra R. Fetner and Susan Grandin

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