

RESOLUTION NO. 2025-58

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA; APPROVING THE SETTLEMENT OF ALL CLAIMS BY MAVERICK BENCH MEDIA COMPANY AND CREATIVE OUTDOOR ADVERTISING OF AMERICA, INC.; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

WHEREAS, on or about July 1, 2001, Maverick Bench Media Company (“Maverick”) and the City of Deltona, Florida (the “City”) executed an Agreement pertaining to bus benches, and advertising on bus benches, within the City (the “2001 Agreement”); and

WHEREAS, disputes have arisen as to the 2001 Agreement, and Maverick and the City have sued each other via a legal action pending before the Circuit Court of the Seventh Judicial Circuit, in and for Volusia County, Florida, styled as *Maverick Bench Media v City of Deltona* and identified by Case Number 2021-11135-CIDL (the “Litigation”); and

WHEREAS, on or about September 1, 2022, Maverick and Creative Outdoor Advertising of America, Inc. (“Creative”) executed an Exclusive Management Agreement, under which Creative agreed to act as Maverick’s exclusive manager as to, and to be responsible for Maverick’s performance under, the 2001 Agreement; and

WHEREAS, Maverick and Creative are willing to execute a General Release extinguishing any and all claims including all past, present, and future claims for damages related to the Litigation in exchange for the City dismissing its own counterclaims in the Litigation; and

WHEREAS, the City desires to avoid the uncertainties and expense of litigation; and

WHEREAS, until the City selects a vendor or service provider, through a request for proposal, request for qualification, solicitation, and/or competitive bidding process, or any other process available under Florida law and/or the City’s Code of Ordinances (“vendor selection process”), to assume handling of and responsibility for the City’s bus benches, Maverick and Creative may continue to operate under the 2001 Agreement, and shall continue to pay the City all fees and payments owed, or which shall be owed, under the 2001 Agreement; and

WHEREAS, the City Commission has determined that it is in the best interest of the City to extinguish all claims raised by Maverick and Creative.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF DELTONA, FLORIDA:**

Section 1. Recitals Adopted. That each of the above recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Settlement Agreement Approved. That the City Commission approves the settlement of all claims that were or could have been asserted by Maverick and Creative, which arise or relate to the Accident, inclusive of costs and attorney's fees in exchange for the City dismissing its Counterclaim.

Section 3. Implementation. That the City Manager or his designee is hereby authorized to execute all documents and agreements, in a form approved by the City Attorney, necessary to implement the intent of this Resolution.

Section 4. Effective Date. That this Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA, THIS _____ DAY OF _____, 2025.**

BY: _____

Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

TG Law, PLLC, CITY ATTORNEY