

# Scenic Watch

Citizens for a Scenic Florida



August 2013

“America’s Most Illegal Billboard.”

Guess Where It Is Located?



Photo: Sylvia Ros, Biscayne Times

Guess Where These  
Might Be NEXT?

'..In a July 24 letter to the Federal Highway Administration, he [Bill Brinton, nationally renowned sign attorney] included photographs of the western face of the Miami River Center, the city’s administrative office building.

Covering that west wall is a huge advertising mural. The Van Wagner company pays Miami \$9250 per month plus a percentage of revenue for the privilege of using its building as a giant billboard. The murals draped over the Miami River Center have included ads for Heineken beer, a Spike TV show called Auction Hunters, and most recently, CNN’s new morning show A New Day.

However, the city’s building, which is 300 feet from I-95, is zoned 'civic institutional.'

FDOT doesn’t permit advertisements on such buildings within 600 feet of an interstate highway.

'A billboard at this particular site represents the most egregious violation of the Highway Beautification Act that I have ever seen,' Brinton stated in his letter to FHWA officials. 'And I can tell you that I have seen thousands of violations over the past 30 years.'

Behind these billboards are the 7th floor offices for the Miami Code Enforcement Department, the 8th floor offices for the Miami Public Works Department, and the 9th floor offices of the Office of the City Attorney..."

Brinton calls this sign **'the most illegal billboard in America....'**

-- Eric Bojnanski, Biscayne Times



Photo: Sylvia Ros, Biscayne Times

The Biscayne Times cover story this month includes MANY astonishing photographs that clearly illustrate the threat we all face, if the city of Miami prevails in their attempt to destroy state and federal controls on billboards.

[Click Here](#) to see a copy of last month's Scenic Watch which includes background materials on the proposed city, state and federal agreements and the dangers they pose.

## WHAT CAN YOU DO?

Citizens for a Scenic Florida has written a letter to Senator Bill Nelson about this matter. [Click here to read our letter \(.pdf\)](#)

**Want to send Senator Nelson YOUR own thoughts on this matter?**

[Click here to send YOUR own email to Nelson](#) (Scenic Miami-Dade set up this easy to use site)

### Encourage Scenic Miami-Dade

Please also take a moment to encourage the courageous folks in Miami by visiting the Scenic Miami-Dade facebook page and "like them" or even comment on the posting of the Biscayne Times article. This is an epic battle for all of us and they are on the "front lines".



[Visit Scenic Miami-Dade Website Here>](#)  
[Visit Citizens For A Scenic Florida Website Here>](#)  
[Visit FACEBOOK Website To Comment On Article And "Like Us">](#)

August-September



Fun Festivals and Events

Central Florida

**Aug 30-Sept 1**

Central Florida Film Festival, Ocoee

**Aug 30-Sept 2**

NKF Surf Festival, Cocoa Beach

**Aug 31-Sept 2**

Cold-Blooded Weekend at Brevard Zoo, Melbourne

**Sept 1-2**

Sponge Docks Art and Craft Festival, Tarpon Springs

**Sept 1-30**

Orlando Magical Dining Month, Orlando

**Sept 1**

Brevard Caribbean Fest, Cocoa

**Sept 6-7**

Night of Joy, Disney's Magic Kingdom (Lake Buena Vista)

**Sept 6-7**

Rock the Universe at Universal Studios, Orlando

**Sept 7**

First Saturday Jam, Barberville

**Sept 14-15**

Florida International Reptile Expo, Lakeland

## The Secrets of Successful Communities - Urban Land Institute



Photo: ULI.com

"...Every "successful" community has its own strengths and weaknesses, but they all share some common characteristics.

### Part 1: Have a Vision for the Future

Failing to plan simply means planning to fail. It is difficult to name any successful individual, organization, corporation or community that doesn't plan for the future.

### Part 2: Inventory Community Assets

Creating a vision for the future begins by inventorying a community's assets: natural, architectural, human, educational, economic, and so on.

### Part 3: Use Education and Incentives, Not Just Regulation

Successful communities use education, incentives, partnerships, and voluntary initiatives, not just regulation. While regulations prevent the worst in development, they rarely bring out the best.

### Part 4: Pick and Choose Among Development Projects

All development is not created equal. Some development projects will make a community a better place to live, work, and visit. Others will not. Communities that will not say no to anything will get the worst of everything.

### Part 5: Cooperate With Neighbors for Mutual Benefit

Elected officials have historically tended to view neighboring communities and the county government as adversaries rather than allies. Successful communities know

**Sept 14**

The Space Coast Symphony Opening Gala Concert, Melbourne

**Sept 14**

Music and Motorcycles, Zephyrhills

**Sept 14-15**

The Lakeridge Winery & Vineyards Jazz at the Winery, Clermont

**Sept 15**

Turtle Krawl 5K Run/Walk, Indialantic

**Sept 17-22**

Global Peace Film Festival, Orlando

**Sept 21-22**

The Villages Craft Festival, The Villages

**Sept 21**

31th Annual Raft Race Weekend, Homosassa

**Sept 27**

Fourth Fridays Art Walk, Sanford

**Sept 27-29**

New Smyrna Beach Jazz Festival, New Smyrna Beach

**Sept 27-29**

Super Boat International racing, Clearwater Beach

**Sept 28**

Flagler Avenue Art Walk, New Smyrna Beach

**Sept 28**

Orlando Oktoberfest 2013, Bahia Shrine Center, Orlando

**Sept 28**

International Beer & Food Tasting, DeLand

**Sept 28**

Ranch Rodeo Finals and Cowboy Heritage Festival, Kissimmee

**Sept 28**

Space Coast Music Festival, Cape Canaveral

**Sept 28**

USF Botanical Gardens Honey Tasting Event, Tampa

**Sept 28-29**

Craft & Quilt Show, DeLand

[Read More >](#)

South Florida

Aug 29-Sept 2

the value of cooperation and understand that the real competition today is between regions.

**Part 6: Pay Attention to Community Aesthetics**

The image of a community is fundamentally important to its economic wellbeing.

**Part 7: Have Strong Leaders and Committed Citizens**

A small number of committed people can make a big difference..."

-- Ed McMahon, Urban Land Institute, from series in the Planning Commissioners Journal

[Read Entire Article Here>](#)  
[Read About Ed McMahon Here>](#)

## Clearwater Billboard Comes Loose in Storm Crushing Automobiles



Photo: BayNews9.com

"...Severe thunderstorms swept through the [Tampa] Bay area for over three hours Wednesday evening, bringing wind gusts, lightning and hail to much of the Bay area.

The serious weather toppled trees, damage buildings and even knocked over a billboard that crashed on top of cars at JLinn Car Sales in Clearwater..."

-- BayNews9.com

[View Entire Article Here](#)



## LEGAL: Scenic Advocates For Jacksonville

Key West Brewfest, Key West

**Aug 29-Sept 8**

XVIII annual International Ballet

Festival of Miami, Miami

**Aug 31-Sept 1**

Labor Day Weekend Craft Festival,

Venice

**Sept 1**

The Great Grove Bed Race, Coconut

Grove

**Sept 3-8**

WomenFest, Key West

**Sept 6-8**

West Palm Beach Antiques Festival,

West Palm Beach

**Sept 14**

Fourth Annual Kid's Surfing Clinic,

Fort Pierce

**Sept 14-15**

Galloway Captiva Triathlon, Captiva

Island

**Sept 14-15**

Sullivan Street Craft Festival, Punta

Gorda

**Sept 15**

20th Annual Hollywood Beach Latin

Festival, Hollywood Beach

**Sept 15**

POW/MIA Remembrance Ceremony

at Fishermen's Village, Punta Gorda

**Sept 19-22**

Key West Poker Run, Key West

**Sept 20**

Downtown Gallery Walk, Punta

Gorda

**Sept 24-29**

Florida Keys Birding and Wildlife

Festival, Marathon and Lower Keys

**Sept 28**

Conch Life Scramble, Islamorada

**Sept 28**

Fire Fest, Port St. Lucie

[Read More >](#)

## North Florida

**Sept 6**

First Friday Art Walk, St

Augustine

**Sept 6-8**

Juana's Good Time Regatta, Navarre

Beach

## "The Truth About the Twelve Settlement Agreements"

Hearings and workshops were recently held by the Planning Commission on August 1, 2013 and by the Jacksonville City Council on August 13, 2013 concerning a proposed ordinance related to billboards. During those meetings, there was discussion around settlement agreements with various outdoor advertising companies that were made over the years.

### "Former Jacksonville City Attorney Corrects the Record

Mr. Tracey Arpen, former Deputy General Counsel for the City of Jacksonville, was directly involved in negotiating each of the 12 agreements and spoke at a recent workshop and at a public hearing.

In the Planning Commission workshop, Mr. Arpen was blunt:

**'You've heard a claim that you need to do this because the settlement agreements are about to expire and there are no laws in place to regulate billboards. Well, both of those [claims] aren't true.'**

Mr. Arpen categorically rejected the notion that the agreements 'expire.'

Mr. Arpen also rejected the notion that there will be no set of rules after 2013.

### Ordinance Drafted by Clear Channel, Outdoor

Ordinance No. 2013-493 was drafted by Clear Channel Outdoor, Inc.'s attorney and lobbyist, Karl Sanders. It was filed in late July 2013.

In a preamble Mr. Sanders wrote, 'between 1994 and 1998, the City of Jacksonville entered into a series of settlement agreements.' In another preamble, he wrote that 'many of those settlement agreements begin' to 'expire' in '2013.'

### Statements Made by Mr. Sanders

At the City Council hearing recently, Mr. Sanders stated that 12 agreements were 'getting ready' (his words) to 'expire' (his words). He stated that it was his own view that when the 12 agreements 'expire', there will be 'no rules' (his words) to govern the billboard industry in Jacksonville. Mr. Sanders was not under oath. Mr. Sanders invited scrutiny of his representations.

[Compare transcripts of their conflicting presentations to the Planning Commission and the Jacksonville City Council by clicking here](#) (.pdf).

### List of Agreements:

[Links to Them and Summary of Each, Year, Billboard Plaintiffs, Settling Parties "](#)

-- Scenic Advocates For Jacksonville, Inc.

## UPDATE: Jacksonville Citizens Speak Out

Citizens wore large red "Stop the BS" badges when they spoke out at the recent city council meeting. BS is short for 'billboard scam', of course.

You can access the [video of the city council meeting online here](#).

Both citizens and industry representatives spoke on issue number 2013-493, which



**Sept 7**

448th Menendez Founder's Day, St Augustine

**Sept 7**

Colonial Crafts for Children, Tallahassee

**Sept 7-8**

First Weekend Union Garrison, Fernandina Beach

**Sept 13-14**

Amelia Island Blues Festival, Amelia Island

**Sept 13-15**

Old Time Music Weekend, White Springs

**Sept 14**

Artrageous Artwalk, Amelia Island

**Sept 14-15**

Taste of the Beach, Pensacola Beach

**Sept 21 and 22**

Spanish American War Event, Fernandina Beach

**Sept 26-28**

Florida Heritage Book Festival & Writers Conference, St Augustine

**Sept 26-28**

Quiltfest, Jacksonville

**Sept 27-28**

Florida Catfish Classic, Wewahitchka

**Sept 27-29**

Pensacola Seafood Festival, Pensacola

[Read More >](#)



**Note from the Editor**

Suggestions for improvement are always welcome.

starts at about 3:54 minutes into the video."

[Visit Scenic Advocates For Jacksonville Website Here>](#)  
[See Citizens And Industry Representatives Speaking On City Website Here>](#)



Photo: NBCBayarea.com

**Legal:**

**Settlement Agreement**

**Small Citizen's Groups Won Against Giant Corporations**

**"Giant Jumbotron Axed from America's Cup Plans"**

-- Chris Roberts, NBC Bay Area

An alert Scenic Watch reader noted that citizens had been successful in protecting their city from the introduction of a giant floating Jumbotron during the America's Cup race earlier this year (among other issues).

We are sharing the text of the settlement agreement to illustrate how committed individuals can face down a city government (working on behalf of some of the largest corporations in the world) and still win! So congratulations to Waterfront Watch!

[Read Article And View Video Here>](#)  
[Read Text of Agreement Here \(.pdf\)>](#)

**Plant City --**

**Publicly Owned Bus Service?**

**Not Since 2008**



Photo: City of Clearwater

**Commissioners Voted to Terminate Bus Bench Agreement**

More than 40 concrete and wood benches may soon disappear from around town.

City commissioners voted July 22 in favor of terminating a decades-old agreement with a Tampa company that sells advertising on the benches and shares the money with a civic club. The commissioners say the benches are rarely used and serve as billboards.

"They are really there to make money on advertising," Commissioner Billy Keel said. "I've yet to see one person sitting on these benches."

The commissioners asked City Attorney Ken Buchman to draw up a resolution terminating the city's agreement with Metropolitan Systems Inc. and will consider the resolution at their Aug. 12 meeting.

If the commissioners adopt the resolution, Metropolitan will have 30 days to remove the 43 benches, Buchman said.

Commissioners Keel, Rick Lott and Mike Sparkman and Mayor Mary Mathis were unanimous in their opposition to the benches. Commissioner Bill Dodson is recovering from heart surgery and didn't attend the meeting when the benches were discussed.

Andrew Moos, who coordinates the benches statewide for Metropolitan, said he was unaware the city commissioners had voted to terminate the agreement. He said he had provided the city with information about his company's Plant City benches and hoped to meet with city leaders to discuss the situation.

The agreement with Metropolitan was adopted April 10, 1978, and allowed the company to install and maintain benches. The company at the time shared advertising revenue with the Plant City Jaycees.

The Plant City Lions Club later took over as the official charity sponsor of the benches. The club has received a total of nearly \$15,000 since 2001, according to information the company submitted to the city.

Lions Club treasurer Gail Lyons said the club recently received money from the company, but hadn't for a year or so before that. She said the club would miss the financial support, but it wouldn't have a major impact on the Lions activities as it was a relatively small part of the budget.

Metropolitan charges its advertisers \$65 to \$100 each per month per bench for the service, the company told the city. The bench advertisers range from insurance companies to a church. The benches are along such heavily traveled roads as Alexander Street, James L. Redman Parkway and Park Road.

Keel said "no one in the right mind" would sit in some of the benches along Alexander because of their proximity to the roadway."

He said he would consider new benches should the city ever again have publicly owned bus service. Public transit was offered from 2001 to 2008, when commissioners shut it down for lack of riders.

-- Dave Nicholson, Tampa Tribune

[Read Article And View Video Here>](#)