

**THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR**

Council Agenda
Item No. XI. AE.1&2
8/16/2022

TO: Mayor and City Council

FROM: Kenneth Jordan, Municipal Counselor

1. Resolution approving Settlement Agreement in the case of *Lamar Central Outdoor, LLC and Lamar TLC Properties, Inc. v. State of Oklahoma ex. Rel. Department of Transportation, Defendant, The City of Oklahoma City and Hearts for Hearing Foundation, Intervenor*, United States District Court for the Western District of Oklahoma Court Case No. 20-CV-01194-SLP;
Deferred from August 2, 2022.

AND/OR

2. Enter into executive session on advice of the Municipal Counselor to receive confidential communications from its attorney concerning the above pending litigation, as authorized by 25 O.S. (2021) §307(B)(4) because disclosure would seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest.

On November 6, 2020, Plaintiff filed the latest lawsuit involving the Oklahoma Department of Transportation (ODOT) concerning the issuance of a relocation permit for a billboard at 11450 N. Portland, along Lake Hefner Parkway. The lawsuit was initially brought against ODOT, and ODOT removed the case to the United States District Court for the Western District of Oklahoma. The City and Hearts for Hearing Foundation subsequently intervened, seeking a temporary and permanent injunction prohibiting the reissuance of the relocation permit.

The Plaintiff is represented by William Hickman of the firm Hickman Law Group. Defendant Oklahoma Department of Transportation is represented by Lisa Erickson Endres. Intervenor Hearts for Hearing Foundation is represented by Carrie Vaughn and Paul Trimble of Trimble Law Group, PLLC. The City is represented by Assistant Municipal Counselors Susan D. Randall and Laura K. McDevitt.

A Resolution approving the settlement agreement and authorizing the Municipal Counselor to prepare, execute, and file the necessary additional settlement paperwork is attached. If additional discussion is necessary, it is the recommendation of the Municipal Counselor that the Mayor and Council enter into executive session to discuss the ongoing litigation.