

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: City Attorney Ricardo J. Dopico
DATE: March 19, 2025
TITLE: CITY ATTORNEY'S STATUS REPORT

RECOMMENDATION

LAWSUITS FILED BY OR AGAINST THE CITY OF MIAMI BEACH SINCE THE LAST REPORT.

1. JOHN JOLIAT v. CITY OF MIAMI BEACH Case No. 2025-002548-CA-23 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, FL)

In his one-count negligence complaint, Plaintiff alleges that on May 22, 2024, he was riding his electric scooter at or near 13th Street and Michigan Avenue when his scooter struck an uneven surface that resulted in Plaintiff losing control of his electric scooter, causing him to sustain injuries. Plaintiff claims that the City of Miami Beach was negligent in creating and/or failing to correct the uneven surface.

The Office of the City Attorney will vigorously defend this matter.

2. ATHENE ANNUITY AND LIFE COMPANY v. JOHN SISNEROS, ET AL Case No. 2025-003261-CA-04 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, FL)

This is an action to foreclose a mortgage on real property located at 1601 West Ave, Unit 213, Miami Beach, FL.

The Summons and Complaint were served on the City on March 5, 2025.

The City's Answer and Affirmative Defenses will be timely filed.

3. CHARLES MCGOLDRICK v. CITY OF MIAMI BEACH Case No. 2025-002693-CA-23 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, FL)

This action arises from an alleged incident that took place on May 16, 2024, when Plaintiff "was walking southbound across 14th street" and "got his foot caught on a raised portion of the road when approaching the sidewalk." Plaintiff's one-count Complaint asserts a claim for negligence against the City.

The Office of the City Attorney will vigorously defend this matter.

BACKGROUND/HISTORY

ANALYSIS

FISCAL IMPACT STATEMENT

None

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

City Attorney

Co-sponsor(s)

Condensed Title

City Attorney's Status Report

Previous Action (For City Clerk Use Only)

