

R10 A CITY ATTORNEY'S STATUS REPORT
Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: City Attorney Ricardo J. Dopico
DATE: June 25, 2025
TITLE: CITY ATTORNEY'S STATUS REPORT

RECOMMENDATION

LAWSUITS FILED BY AND AGAINST THE CITY OF MIAMI BEACH SINCE THE LAST MEETING:

1. GREGORY S. TYNDELL V. THE CITY OF MIAMI BEACH

Case No. 2025-080273 SP05 (County Court in the 11th Judicial Circuit in and for Miami-Dade County, Florida)

This is a small-claims case wherein Plaintiff contends that police unlawfully took his personal property worth \$7,800. The Office of the City Attorney will vigorously defend this action.

2. STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY AS SUBROGEE OF LUIS ALVAREZ V. CITY OF MIAMI BEACH

Case No. 2025-090898-SP-23 (County Court in the 11th Judicial Circuit in and for Miami-Dade County, Florida)

This is a one-count small claims subrogation case brought by State Farm as subrogee of Luis Alvarez. State Farm alleges that Mr. Alvarez suffered property damage to his motor vehicle as a result of a motor vehicle accident on March 22, 2024, involving a City vehicle. The Office of the City Attorney will vigorously defend this action.

3. MICHAEL ANTHONY MAXWELL V. CITY OF MIAMI BEACH

Case No. 2025-003232-CA-07 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida)

This is a one-count state-law false arrest claim arising out of the detention of the plaintiff on February 26, 2021. The Office of the City Attorney will vigorously defend this action.

4. NEW NATIONAL LLC V. CITY OF MIAMI BEACH

Case No. 1:25-cv-22558-DPG (United States District Court for the Southern District of Florida)

New National LLC (owner of The National Hotel) has sued the City for purported violations of the Federal and Florida Constitutions based on the alleged interconnectedness of the Historic Preservation Board's approval of the Ritz/Sagamore redevelopment project and the planned improvements to the 100 and 200 blocks of Lincoln Road. The Office of the City Attorney will work closely with outside counsel on this matter.

5. CITIBANK, N.A. NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE ON BEHALF OF EFMT 2023-1 V CHRISTOPHER REGAN, LEONTE REGAN, ET AL

Case No. 2025-010025-CA-01 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County Civil Division)

This is an action on a mortgage on the real property located at 1500 Ocean Drive, Unit 1501, Florida. The Summons and Verified Complaint to Foreclose Mortgage (the “Complaint”) was served on the City on June 9, 2025.

The Complaint alleges that the City’s Notice of Priority lien for the unpaid Resort Taxes in the principal amount of \$49,751.51 which was filed in the public records in and for Miami-Dade County, Florida is inferior to Plaintiff’s interest.

The Answer and Affirmative Defenses will be timely filed asserting that the City’s lien is superior to Plaintiff’s mortgage interest.

6. LAURA ANN NEHRBASS v. CITY OF MIAMI BEACH, MCI METRO ACCESS TRANSMISSION SERVICES CORP. MCI METRO ACCESS TRANSMISSION SERVICES LLC, AND FLORIDA DEPARTMENT OF TRANSPORTATION AND MASTEC, INC.

Case No. 2023-020921-CA-25 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida)

In this action, Plaintiff, Laura Ann Nehrbass, alleges that on November 22, 2020, she was walking at or near 2301 Normandy Drive when she tripped and fell due to an uneven sidewalk. Plaintiff has sued the City, MCI Metro Access Transmission Services Corp., MCI Metro Access Transmission Services LLC, the Florida Department of Transportation, and MasTec Inc., alleging each entity negligently maintained the subject premises. The Office of the City Attorney will vigorously defend this action.

7. CITY OF MIAMI BEACH V. MEGA MIAMI BEACH, LLC, ET AL

Case No. 25-011250-CA-21 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County)

This is the City’s Complaint to Abate Nuisance and for Temporary and Permanent Injunction, a lawsuit filed by the City Attorney’s Office in Miami-Dade County Circuit Court on Friday, June 13, 2025, against former Formula One racing driver Eddie Irvine and his wholly owned corporation, Mega Miami Beach, LLC, as the owners of nuisance properties at 24 S. Hibiscus Drive and 14 San Marino Drive. The Complaint alleged that the two properties had been repeatedly rented or offered to rent for short-term rental use and/or commercial use as an illegal “party house”, in violation of the City Code and the City’s Resiliency Code.

BACKGROUND/HISTORY

ANALYSIS

FISCAL IMPACT STATEMENT

N/A

**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)

Co-sponsor(s)

Condensed Title

City Attorney's Status Report

Previous Action (For City Clerk Use Only)