

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: November 20, 2024  
TITLE: CITY ATTORNEY'S STATUS REPORT.

### RECOMMENDATION

### BACKGROUND/HISTORY

### ANALYSIS

#### **LAWSUITS FILED BY OR AGAINST THE CITY OF MIAMI BEACH SINCE LAST REPORT:**

1. **CITY FIRST MORTGAGE CORP. V KOACH ENTERPRISE LAND, INC. ET AL** Case No. 2024-019934-CA-24 (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 437 W 31st ST, Miami Beach, FL. The Summons and Complaint were served on the City on October 24, 2024. The City will be filing the appropriate pleadings.

2. **DENISSE NOVAS MARTINEZ V. CITY OF MIAMI BEACH** Case No. 2024-020229-CA-05 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, FL)

This is a claim for automobile negligence relating to a collision involving a City-owned, City-employee-operated vehicle on 71st Street and Biarritz Drive on August 13, 2023. The Office of the City Attorney will vigorously defend this action.

3. **NIKITA OLIVER V. CITY OF MIAMI BEACH** Case No. 2024-018558-CA-05 (Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, FL )

This is a claim for automobile negligence relating to a collision involving a City-owned, City-employee-operated vehicle on Indian Creek Drive (SR A1A) and 69th Street on March 6, 2023. The Office of the City Attorney will vigorously defend this action.

### 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-notices/>

**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. CA