



Town of Miami Lakes Memorandum

To: Honorable Mayor & Councilmembers
From: Raul Gastesi, Town Attorney
Subject: Attorney's Report
Date: 3/6/2018

Recommendation:

There are currently several matters being litigated by the Town of Miami Lakes. Some of these matters are being referred to our insurance carrier to mitigate the Town's legal expense. This report will highlight the active files, and a report of expenses incurred to date.

Additionally, this report shall discuss other miscellaneous matters.

Background:

MICHAEL PIZZI JR. v. TOWN OF MIAMI LAKES

(Criminal Matter)

New bills have been received and approved in the amount of \$8,271.99 which includes work performed through the month of February 2018. Partial reimbursement will be requested from the insurance carrier. Since litigation continues in this matter, it is recommended that \$50,000 be transferred from budgeted funds to address future invoices.

GENERAL LITIGATION

The following are current miscellaneous matters. There are several routine foreclosures currently being handled, however there are no significant expenditure to report. There are three general matters that are current, and remain from the previous month which include: that some of which include:

JUAN VALIENTE v. TOWN OF MIAMI LAKES:

Currently in litigation. Matter is being handled by the Town's insurance carrier. Additional costs in the coming months are likely.

SANCHEZ RADIOLOGY v. TOWN OF MIAMI LAKES:

Matter remains pending, there has been no activity. The issue in the lawsuit is expected to be moot, as they now have a certificate of occupancy.

LEMKE v. TOWN OF MIAMI LAKES:

Matter is undergoing settlement negotiations. There may be some expenditure as matter is wound up.

TEMPORARY SIGNAGE IN THE TOWN OF MIAMI LAKES

In recent months several municipalities have passed ordinances that address recent changes in case law concerning the placement of temporary signs. Based on these and changes in the law it is advisable to modify our existing code to provide uniformity of signage regarding temporary non-commercial signage.