


MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Rafael A. Paz, Acting City Attorney 

DATE: March 17, 2021

SUBJECT: **CLOSED ATTORNEY-CLIENT SESSION RE: OCEAN TERRACE HOLDINGS, LLC V. CITY OF MIAMI BEACH AND THOMAS R. MOONEY, FLORIDA ELEVENTH JUDICIAL CIRCUIT COURT CASE # 20-17802 CA 43**

Pursuant to § 286.011(8) Florida Statutes, I hereby advise the Mayor and City Commission that I, as your City Attorney, desire advice concerning the following pending litigation matter:

**ELEVENTH JUDICIAL CIRCUIT COURT, CIRCUIT CIVIL DIVISION,
COMPLEX BUSINESS LITIGATION SECTION (CASE NO. 20-17802 CA 43)**

OCEAN TERRACE HOLDINGS, LLC, a Foreign Limited Liability Company, et al.,

vs.

CITY OF MIAMI BEACH, a Florida Municipal Corporation; and THOMAS R. MOONEY, in his official capacity as the Planning Director for the City of Miami Beach, Florida.

Therefore, a private closed Attorney-Client Session will be held during the City Commission meeting on March 17, 2021 at 12:30 p.m. A quorum of the City Commission will meet in person at the Miami Beach Convention Center, 1901 Convention Center Drive, Miami Beach, FL 33139, and remaining members of the City Commission and other attendees will participate virtually, via secure communications media technology, to discuss settlement negotiations and/or strategy related to litigation expenditures with regard to the above-referenced litigation matter. (Secure Zoom invitations shall be provided directly to attendees.)

The following individuals will be in attendance: Mayor Dan Gelber and Members of the City Commission Ricky Arriola, Michael Gongora, Steven Meiner, David Richardson, Mark Samuelian, and Micky Steinberg; Interim City Manager Raul J. Aguila; Acting City Attorney Rafael Paz; First Assistant City Attorney Nick Kallergis; and Special Counsel to the City: Jeffrey S. Bass, Esquire, and Deana Falce, Esquire.

A certified court reporter will be present to record the time of commencement of the meeting, the time of termination of the meeting, all discussions and proceedings, the names of all persons present, and the names of all persons speaking. The transcript shall be a public record at the termination of the litigation.

RAP/NK/pps