

**RESOLUTION NO. 24 - 2020**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE EXECUTION OF A CONTINGENCY, RETAINER AGREEMENT WITH THE LLOPIZ WIZEL LAW FIRM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING THE TOWN ATTORNEY WITH AUTHORITY TO OFFER A BINDING SETTLEMENT OFFER; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Miami Lakes (the “Town”) desires to recoup monies spent by the Town in participating and resolving the extensive legal proceedings involving its former Mayor, Michael A. Pizzi, Jr. (“Pizzi”), alleging as follows against the Becker & Poliakoff law firm;

**WHEREAS**, in August 2013, Pizzi, while serving as Mayor of the Town was arrested by the FBI and charged with six counts related to public corruption; and

**WHEREAS**, the public corruption charges included actions taken by Pizzi while Mayor of the Town; and

**WHEREAS**, the causes for which Pizzi was arrested, charged and later acquitted, all stem from a public corruption “sting operation” carried out by the Federal Bureau of Investigations (“FBI”); and

**WHEREAS**, at all relevant times relevant times, Richard Candia (“Candia”), an employee of the Becker & Poliakoff law firm, served as a lobbyist for the Town of Miami Lakes; and

**WHEREAS**, Candia and the Becker & Poliakoff law firm, as agents of the Town, had a fiduciary duty to act loyally for the Town’s benefit in all matters connected with the agency relationship; and

**WHEREAS**, Candia’s and the Becker & Poliakoff law firm’s duties to the Town included the duty to disclose all material facts relevant to the relationship, to resolve conflicts with Candia’s and the Becker & Poliakoff law firm’s self-interest in favor of the Town, and to identify those issues that may affect the Town or its citizens, and regularly inform the Town as to such matters, both orally and in writing; and

**WHEREAS**, Candia and the Becker & Poliakoff law firm failed in their duties to the Town; and

**WHEREAS**, Candia was caught up in the FBI's sting operation and became a principal informant of the FBI; and

**WHEREAS**, Candia used his position of trust with the Town to present the scheme to the Town and persuaded Town officials to support and participate in the scheme without disclosing all material facts; and

**WHEREAS**, for his own benefit and that of the Becker & Poliakoff law firm, aided the FBI and breached his fiduciary obligations to the Town, in ensnaring Pizzi, causing millions of dollars of fallout involving legal proceedings that would go on for years and cause great loss to the Town;

**WHEREAS**, Richard Candida's duplicitous actions were a catalyst to Pizzi's eventual arrest, charge, trial and Pizzi's subsequent lawsuits against the Town; and

**WHEREAS**, Richard Candida's actions have caused the Town to expend million dollars in legal fees and costs associated with the various lawsuits stemming from Pizzi's arrest; and

**WHEREAS**, through a written agreement with the Becker & Poliakoff Law Firm, the statute of limitations in filing an action against the Becker & Poliakoff Law Firm has been tolled; and

**WHEREAS**, during the June 2024 Town Council Meeting, the Town settled with Pizzi his last claim for attorneys' fees for an amount of One Million Six-Hundred Twenty Five Thousand Dollars and 00/100 (\$1,625,000.00), payable in installments; and

**WHEREAS**, the Town desires to prosecute a claim against the Becker & Poliakoff Law Firm for damages it caused the Town; and

**WHEREAS**, if successful in its claim against the Becker & Poliakoff Law Firm, the Town will be able to recuperate taxpayer dollars it has expended in the various legal proceedings referenced above; and

**WHEREAS**, the Llopiz Wizez LLP law firm has agreed to represent and prosecute this matter on behalf of the Town on a contingency basis. A true and correct copy of Llopiz Wizez's retainer agreement is attached hereto as Exhibit "A."

**WHEREAS**, pursuant to the agreement with the Llopiz Wizez Law Firm, the Town will solely be responsible for the costs necessary to prosecute this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

**Section 1. Recitals.** The foregoing Recitals are true and correct and incorporated herein by this reference.

**Section 2. Town Council Approves to Retain the Llopiz Wizel Law Firm to Prosecute a Claim against the Becker Law Firm.** The Town Council approves to retain the Llopiz Wizel Law Firm to file a lawsuit against the Becker Law Firm for damages and to execute an agreement in substantially the same manner as attached hereto as Exhibit "A."

**Section 3. Providing the Town Manager with Authority to Expend Budgeted Funds.** The Town Manager has authority to expend budgeted funds in order to accomplish this resolution.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

**Resolution No. 24 - 2020**

Passed and adopted this 13th day of August 2024.

The foregoing resolution was offered by Councilmember Morera who moved its adoption. The motion was seconded by Councilmember Collazo and upon being put to a vote, the vote was as follows:

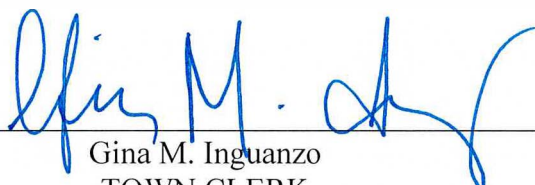
Mayor Manny Cid	Yes
Vice Mayor Tony Fernandez	Absent
Councilmember Luis E. Collazo	Yes
Councilmember Josh Dieguez	Absent
Councilmember Ray Garcia	Yes
Councilmember Bryan Morera	Yes
Councilmember Marilyn Ruano	Yes



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Manny Cid  
MAYOR

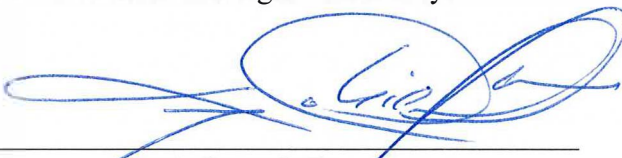
Attest:



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Gina M. Inguanzo  
TOWN CLERK

Approved as to form and legal sufficiency:



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Raul Gastesi, Esq.  
Gastesi, Lopez and Mestre, PLLC  
TOWN ATTORNEY