



CITY OF DORAL NOTICE OF PUBLIC HEARING

All residents, property owners and other interested parties are hereby notified of a **COUNCIL ZONING MEETING** on **March 23, 2022 beginning at 6:00 PM** to consider an amendment to the City's Official Zoning Map to reflect the boundaries of the "Doral Décor Overlay District" (DDOD). The City Council will consider this item for **SECOND READING**. The meeting will be held at the **City of Doral, Government Center, Council Chambers located at 8401 NW 53rd Terrace, Doral, Florida, 33166**.

The City of Doral proposes to adopt the following Ordinance:

ORDINANCE No. 2022-03

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP TO REFLECT THE BOUNDARIES OF THE "DORAL DÉCOR OVERLAY DISTRICT" (DDOD), GENERALLY BOUNDED BY NW 36 STREET ON THE NORTH, STATE ROAD 826 (PALMETTO EXPRESSWAY) ON THE EAST, NW 25 STREET ON THE SOUTH, AND NW 82 AVENUE ON THE WEST; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

HEARING NO.: 22-03-DOR-09

APPLICANT: City of Doral

LOCATION: Generally bounded by NW 36 Street on the north, SR 826 (Palmetto Expressway) on the east, NW 25 Street on the south, and NW 82 Avenue on the west.

SIZE: ±241.89 acres

REQUEST: The City Manager's Office respectfully recommends that the Mayor and City Councilmembers approve an amendment to the City's Official Zoning Map to reflect the boundaries of the Doral Décor Overlay District (DDOD).

Location Map



Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL.

Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, any person who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

Connie Diaz, MMC
City Clerk
City of Doral

FROM THE COURTS

Judge Polster Upholds 1st Jury Verdict Over Opioid Crisis



U.S. District Judge Dan Polster upheld his decision to excuse three unvaccinated jurors from the trial, concluding there was "no doubt that trial would have been disrupted."

by **Amanda Bronstad**

A federal judge upheld the nation's first jury verdict involving the opioid crisis, insisting that his decision to prohibit unvaccinated jurors and finding of no juror misconduct did not result in an unfair trial against three pharmacies.

In a pair of rulings, U.S. District Judge Dan Polster concluded there was substantial evidence for a jury to conclude that CVS, Walmart and Walgreen's contributed to the epidemic, despite their claims that the trial was "plagued with errors." A federal jury in Cleveland found all three liable in a Nov. 23 verdict, following a trial in which jurors were asked to decide whether pharmacies were liable for overdoses and deaths in two Ohio counties.

Polster, who initially backed down from a decision to prohibit unvaccinated jurors from the trial, ended up excusing three of them during voir dire. The pharmacies had argued that decision prohibited them from having a "fair cross-section of the community," but Polster said it demonstrated his authority under the U.S. Jury Selection and Service Act to excuse jurors who were "likely to disrupt the proceedings."

"The court need only to look at the pretrial proceedings to support the conclusion that unvaccinated potential jurors were likely to be disruptive—one unvaccinated venire-person had to be excused when he contracted COVID-19 just days before jury selection began, and another unvaccinated venire-person was excused after he was cleared for cause during voir dire because his wife contracted COVID-19," he wrote. "Had either of these individuals been seated on the jury when their COVID-19 exposure occurred, there is no doubt that trial would have been disrupted to allow all the jurors to isolate. Indeed, even defendants are tellingly silent on the issue of potential disruption."

He also disputed claims that unvaccinated jurors were a "distinctive group," given that they have a diverse mix of beliefs.

Polster also denied the pharmacies' argument that a juror who brought her own Internet research materials to the courtroom necessitated a mistrial. The research was related to testimony happening at the time. Polster interviewed all members of the jury, ultimately dismissing the problem juror from the case, but concluded that the other jurors largely ignored the materials.

The pharmacies also raised misconduct claims involving statements that plaintiff attorney W. Mark Lanier of The Lanier Law Firm in Houston made during his closing argument. Among other things, Lanier told jurors the case had "national ramifications."

Additional issues included jury instructions, improper evidence, hearsay and references to the U.S. Department of Justice's opioid case against Walmart, all of which Polster denied.

The plaintiffs' executive committee leading the multidistrict litigation—Jayne Conroy, of Simmons Hanly Conroy; Paul Farrell, of Farrell & Fuller; and Joe Rice, of Motley Rice—joined with Lanier and his trial co-lead attorneys Frank Gallucci, of Plevin & Gallucci Co., and Peter Weinberger, of Spangenberg Shibley & Liber, in praising Polster's orders.

"This order reaffirms what we already knew to be true," they wrote. "The trial process that found the defendants responsible for fueling the opioid epidemic was fair, transparent, and evidence-based. We agree with Judge Polster's findings and appreciate his continued leadership on opioid litigation matters."

Walgreen Co. spokesman Fraser Engerman declined to comment, and lawyers for Walmart and CVS did not respond to requests for comment.

The verdict was the first in the nation in which a jury was asked to decide the liability of corporate defendants over the opioid crisis. Polster has scheduled a damages phase for the trial to begin May 9. The Ohio counties have asked for \$1.1 billion and \$1.3 billion.

Amanda Bronstad is the ALM staff reporter covering class actions and mass torts nationwide. Contact her at abronstad@alm.com.