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## MEMORANDUM

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DATE: May 12, 2017

TO: Mayor Chris Alahouzos  
Vice Mayor David Banther  
Commissioner Rea Sieber  
Commissioner Susan Miccio-Kikta  
Commissioner Jacob Karr

CC: Mark LeCouris, City Manager  
Robert Kochen, Chief of Police

FROM: Jay Daigneault, City Attorney

RE: Sunbay Motel

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Dear Mayor and Commissioners:

As you know, the Sunbay Motel at 57 W. Tarpon Ave. has been a subject of this Board's concern for some time. The City's Community Redevelopment Agency has, in fact, hired an attorney to attempt to negotiate the purchase of the property. In the meantime, however, the issues at the Sunbay continue uncorrected.

The Tarpon Springs Police Department and the Pinellas Sheriff's Office Countywide Narcotics Task Force recently concluded a six-month joint narcotics operation, which investigation involved undercover operations into the sale of narcotics in the City. The operation culminated in criminal drug charges for at least twenty people. The investigation revealed that the majority of the undercover deals had a nexus to the Sunbay Motel, where a large majority of the suspects would frequent and make contact with undercover operatives. Approximately 30% of the undercover drug deals took place at the motel, with some of the suspects staying on the property during the investigation. Other narcotics transactions originated at the motel, but actually occurred at other locations within the City due to increased law enforcement presence and efforts around the motel. The property has also been established as a repeat violator by the City's code enforcement board due to multiple and recurring code violations. As of this writing, the property is currently in compliance with all building and fire codes.

In light of the above, I am requesting the Board's permission to file suit against the property pursuant to Chapter 8, Article III of the City's Code of Ordinances, and Section 823.05, Florida Statutes, in order to seek temporary and permanent injunctions enjoining future unlawful conduct at the motel. In such a case, the reviewing court has significant discretion to order a wide variety

of remedies. Upon a proper showing, the court may prohibit the property owner from continuing to operate the motel. There is no ability to recover attorney's fees in a case of this nature, so the City will bear the cost of the firm's efforts on the case.

As always, please do not hesitate to contact me should you have any questions or concerns regarding this matter.

/s/ Jay Daigneault, Esq.  
City Attorney