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RESOLUTION NO. 2016- 10

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR LEHTINEN SCHULTZ RIEDI CATALANO FUENTE, PLLC IN THE AMOUNT OF \$15,417; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Palmetto Bay engaged the law firm of Lehtinen Schultz Riedi Catalano Fuente, PLLC to provide Village Attorney legal services for the Village; and,

WHEREAS, Lehtinen Schultz Riedi Catalano Fuente, PLLC, submitted its statements to the Village for legal services rendered, and costs advanced, for the period ending December 31, 2015, in the amount of \$15,417; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

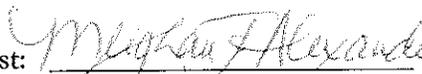
**Section 1. Recitals.** The above recitals are true and correct and incorporated herein by this reference.

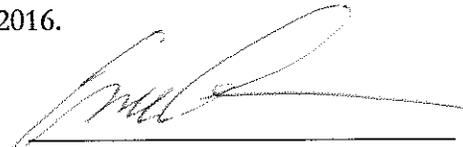
**Section 2. Approval.** The statements for attorneys' fees and costs received from Lehtinen Schultz Riedi Catalano Fuente, PLLC, in the total amount of \$15,417, copies of which are attached, are approved for payment.

**Section 3. Effective Date.** This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 1<sup>st</sup> day of February, 2016.

Attest:

  
Meighan J. Alexander  
Village Clerk

  
Eugene Flinn  
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

  
Dexter W. Lehtinen  
Village Attorney

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FINAL VOTE AT ADOPTION:

- Council Member Karyn Cunningham      YES
- Council Member Tim Schaffer            YES
- Council Member Larissa Siegel Lara      YES
- Vice-Mayor John DuBois                  YES
- Mayor Eugene Flinn                        YES

# Lehtinen Schultz Riedi Catalano Fuente

1111 Brickell Avenue, Suite 2200

Miami, Florida 33131

December 2015

Village of Palmetto Bay

Statement Period: **December 2015**

Client: **Village of Palmetto Bay, Florida**

Date Individual Subject Time

## General Government

12/1	DL	Meeting with Manager, Finance Director, Planning Director, etc regarding P3 (Public-Private Partnerships); discuss potential for Palmetto Bay; prepare for meeting by researching law	3.8
12/2	CR	Review home page production and hosting agreement; e-mail to PB re: missing portions for review	0.8
12/3	CR	Draft indemnification clause for web page agreement; e-mail to PB re: same	0.7
12/4	DL	Analyze and review proposed ordinance and comprehensive plan amendment for Downtown Urban Village	2.8
12/7	DL	Meeting of Palmetto Bay Local Planning Agency and of Palmetto Bay Village Council; prepare for meetings with staff	7.4
12/14	DL	Prepare for upcoming meetings; meet with staff regarding all issues; meeting of Palmetto Bay Village Council re: strategic plan	6.4
12/14	CR	Research Florida law on referenda on decisions of council by popular vote; research F.S. Chaps. 163 and 166; e-mail same to DL and Clerk	1.8
12/15	DL	Review materials and research jurisdiction and scope of Miami-Dade Commission on Ethics and Public Trust (CEPT); research Florida Sunshine Law (public meetings and public records)	3.1

**Lehtinen Schultz Riedi Catalano Fuente  
1111 Brickell Avenue, Suite 2200  
Miami, Florida 33131**

**December 2015/Village of Palmetto Bay**

**General Government (continued)**

12/16	DL	Conference with representative of Miami-Dade CEPT with Village Clerk	1.2
12/16	CR	Draft letter to attorney regarding alarm fines	0.8
12/17	DL	Work with Village staff on pending matters, incl. Planning Director regarding flood plain/free board and other proposed ordinances, and Clerk to sign various items	4.3
12/17	CR	Review Village of Palmetto Bay Code; prepare e-mail to Ms. Herman concerning definition of false burglar alarm and criminal activity pursuant to VPB Code 14-20	0.8
12/21	DL	Agenda review meeting at Village Hall; review contract, resolutions, etc, for upcoming meeting	2.3
12/22	DL	Review contracts and ordinances at Village Hall	3.9
12/23	DL	Meeting with Manager; continue review of contracts, resolutions and ordinances	1.0
12/18	DL	Conferences with Manager and staff regarding ordinances, pending issues, employment issues	1.6
12/29	DL	Meeting with Mayor and Manager regarding use of certain private religious facilities for public purposes	1.4

**Human Resources (Personnel)**

none

**Zoning/Land Use**

12/2	JC	Review issues relating to finalizing easement; telephone conference with Simon Ferro to discuss additional changes; follow-up; review matters relating to opinion of title; review matters relating to release of unity of title in connection with Van Orsdel right of way	2.5
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**Lehtinen Schultz Riedi Catalano Fuente**  
**1111 Brickell Avenue, Suite 2200**  
**Miami, Florida 33131**

**December 2015/Village of Palmetto Bay**

**Zoning/Land Use (continued)**

12/2	BF	Review easement issues and opinion of title issues; conference call with JC	0.2
12/3	JC	Review correspondence and proposed changes from Juan Louimet (South Motors); attend to issues re: proposed modifications to easement; review title exceptions on Van Orsdel property; prepare revised draft of covenant to convey; prepare summary for PB Public Works and transmit; respond to counsel for Van Orsdel	3.2
12/3	BF	Review potential additional conditions for covenant to convey; revise same (Van Orsdel)	0.4
12/7	JC	Telephone conference with attorney for Van Orsdel with respect to negotiating provisions for occupancy follow-up	1.2
12/8	JC	Analyze pending issues in connection with ROW (Van Orsdel); telephone conference with attorney for Van Orsdel; follow-up review; attend to issues re: finalizing South Motors easement agreement; communication with Simon Ferro regarding same and follow-up	2.9
12/10	JC	Attend to issues re: Bank of America mortgage Consent to Easement Agreement; follow-up with S. Ferro re: same (South Motors); review requirements in connection with Van Orsdel Conveyance Agreement draft and correspondence from Corrice Patterson; finalize draft and transmit to Van Orsdel counsel J. Admire for review	3.2
12/14	DL	Meeting of Palmetto Bay Village Council for zoning issues; prepare for meeting	3.7
12/14	JC	Review correspondence from counsel to South Motors regarding finalizing easement; review final documents in connection with same; attend to issues re: release of restriction in connection with Van Orsdel matter and review requirement from PB P&Z re: same	1.3

**Lehtinen Schultz Riedi Catalano Fuente  
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Miami, Florida 33131**

**December 2015/Village of Palmetto Bay**

**Zoning/Land Use (continued)**

12/17	JC	Research various issues related to title matters; review Water and Sewer Department correspondence; follow-up with attorney for Van Orsdel	2.3
12/18	BF	Review unity of title (Van Orsdel); review WASD unity of title; review and research plat requirement; correspondence re: same	0.7
12/21	BF	Review covenant issues (Van Orsdel)	0.2
12/21	JC	Telephone conference with J. Admire Re: various matters relating to covenant; research title matters, including existing covenants and unity of title; negotiate modifications to agreement; finalize same and transmit to J. Admire for owner's signature	3.2
12/22	JC	Further review of matters relating to covenant; research issues relating to plat and County requirements	1.2
12/23	JC	Review correspondence from J. Admire, owner's counsel, regarding Van Orsdel lien release; prepare correspondence to D. Delsalle and C. Patterson regarding Covenant Agreement; Follow-up regarding same	0.9
12/24	JC	Follow-up with J. Admire regarding Covenant and issues re: recordation and temporary certificate of occupancy	0.5
12/29	JC	Analyze pending issues relation to agreement to convey; telephone conference with counsel for Total Bank to discuss same; follow-up communication regarding conveyance agreement	1.1

**Litigation**

12/4	DL	Research and review cases on constitutional delegation of legislative powers, decision-making in quasi-judicial proceedings, and conditions to application for zoning action (M. Alexander School litigation)	4.9
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**Lehtinen Schultz Riedi Catalano Fuente  
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**December 2015/Village of Palmetto Bay**

**Litigation (continued)**

12/11 DL Review and analyze Attorney General opinions regarding  
citizen-approval prerequisites to land use applications 2.6

**Lehtinen Schultz Riedi Catalano Fuente  
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Miami, Florida 33131**

**Total Fees**

Monthly total hours..... 80.3  
Total fees due (@ \$190/hour.....\$ 15,257

**Reimbursable Expenses**

WestLaw computer research charge.....\$ 160  
Total Reimbursable Expenses.....\$ 160

**Total amount due (fees and expenses).....\$ 15,417**

DL = Dexter Lehtinen      CR = Claudio Riedi      JC = John Catalano  
BF = Bob de la Fuente      TS = Tom Schultz