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RESOLUTION NO. 2016-19

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 \$15,505; AND PROVIDING FOR 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 January 31, 2016, in the amount of \$15,505; and

WHEREAS, the amounts are reasonable and were necessarily incurred.

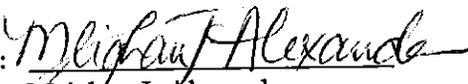
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

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 \$15,505, 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 7th day of March, 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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3 FINAL VOTE AT ADOPTION:
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5 Council Member Karyn Cunningham YES
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7 Council Member Tim Schaffer YES
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9 Council Member Larissa Siegel Lara YES
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11 Vice-Mayor John DuBois YES
12
13 Mayor Eugene Flinn YES

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

January 2016
Village of Palmetto Bay

Statement Period: **January 2016**

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

<u>Date</u>	<u>Individual</u>	<u>Subject</u>	<u>Time</u>
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General Government

1/4	DL	Review contracts and right-of-way issues; meet with staff; agenda review meeting; meeting of Local Planning Agency and regular Village Council meeting	6.7
1/4	BF	Research/due diligence re: marijuana ordinance	0.3
1/5	DL	confer with staff regarding contract and procurement issues; Review pending materials for upcoming Council meetings	2.8
1/5	BF	Research re: current status of vacation rental legislation and ordinances; review issues re: modification/release of covenants and unities of title	2.8
1/6	DL	Review proposed ordinances and resolutions; meeting of Palmetto Bay Partnership; brief on Florida Sunshine laws; prepare for meeting	4.2
1/6	JC	Attend to questions re: procurement, and telephone conference with South Motors re: same	
1/6	BF	Review correspondence from VPB Manager re: short term rental ion Miami Beach; review ordinance draft; research re: Ft. Lauderdale ordinance; drafting and specific issues/needs	0.9
1/7	BF	Due diligence re: county marijuana ordinance; correspondence re: same	0.4
1/8	BF	Review RFP (Request for Proposal) format matters and potential changes	0.3

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January 2016/Village of Palmetto Bay

General Government (continued)

1/11	DL	Meet with Manager on various issues; meeting with Miami-Dade Ethics Commission investigator at VPB Hall; prepare for meeting review materials	2.2
1/11	BF	Review RFP format/content issues; prepare for meeting; conference with DL and Manager; review unity of title re: Van Orsdel and termination of same	2.6
1/12	DL	Meet with Manager and Manager Assistant on review of pending matters	1.5
1/12	BF	Research piggy-backing issues in procurement; correspondence re: same	1.6
1/13	BF	Correspondence to L. Pitser re: procurement matters; follow-up re: various procurement issues	0.4
1/13	DL	Review pending issues, contracts, etc at Village Hall	2.4
1/14	BF	Research procurement process; research re: unsolicited proposals; follow-up with L. Pitser	1.1
1/15	DL	Conference with Miami-Dade Ethics Commission at Commission offices downtown; prepare for meeting	2.1
1/15	BF	Review unsolicited proposal issues; conference call with L. Pitser; correspondence to L. Pitser	0.4
1/20	DL	Review resolutions and contracts at VPB Hall with Manager Assistant and various staff and Department Directors	5.8
1/20	BF	Receipt and review of revisions for ordinance re: short-term rentals; follow-up with L. Pitser re: procurement; conference call re: piggybacking issues; review draft agenda item re: piggybacking for trucks; correspondence to client re: same; research re: cooperative purchasing agreements	1.7

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January 2016/Village of Palmetto Bay

General Government (continued)

1/21	DL	Confer with VPB staff regarding pending issues, contracts, resolutions. procurement; attend Special Council meeting; prepare for meeting	5.5
1/21	BF	Review procurement issues vis-a-vis Ricoh/USF; review draft legislation re: vacation rentals; revise unsolicited bid issues/process; conference call with L. Pitser; revise draft vacation rental ordinance	1.9
1/25	BF	Research re: cooperative purchasing agreements; research/due diligence re P3 notices (public private partnerships)	0.5
1/26	BF	Review modifications to draft vacation rental ordinance; revise same; correspondence to client re: same; due diligence research re: cooperative purchasing	1.0
1/22	DL	Meet with VPB staff on pending issues	2.3
1/24	DL	Prepare resolution regarding Village Council member liaison representatives to advisory committees, so as to exclude Council liaison from coverage under Florida Sunshine Law; research <i>ex officio</i> status under Sunshine Law	3.6
1/25	DL	Attend Special Council meeting and Council zoning meeting; meet with staff regarding meeting issues; prepare for meetings	3.8
1/27	DL	Confer regarding strategic plan resolution, other pending issues	1.2
1/28	CR	Research concerning public records	

Zoning/Land Use

1/5	JC	Research matters relating to release of covenants and review restrictions relating to same; review correspondence from Water and Sewer Authority; follow-up with J. Admire, counsel to Van Orsdel re: Total Bank occupancy; further follow-up with Total Bank counsel	1.9
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January 2016/Village of Palmetto Bay

Zoning/Land Use (continued)

1/7	JC	Review issues relating to Van Orsdel property; further follow-up with Total Bank attorney re; modification of various instruments pertaining to property and conveyance	0.9
1/8	JC	Communication with attorney for Van Orsdel and attorney for Total Bank re: various questions re: easements and covenants; finalize initial draft to amendment to covenants and termination of unity of title	2.2
1/11	DL	Meeting regarding land use/zoning issues in VMU (Village Mixed Use) zoning district; analyze TDRs (Transfer Development Rights in connection with VMU	2.1
1/11	JC	Research issues re: covenant in lieu of unity of title; prepare correspondence to Planning Director re: same	0.9
1/12	DL	Meet with Planning Director regarding pending land use, issues, including VMU and TDRs	1.0
1/20	JC	Attend to issues re: amendment to restrictive covenant; termination of unity of title; and covenant to convey; prepare summary and follow-up to Planning Director	0.9
1/22	JC	Review open items for covenant to convey; follow-up with Planning Director re: same	0.3

Human Resources (Personnel)

1/12	CR	Review entire file for Ms. Grant; review letter to attorney Witlin	1.3
1/25	JC	Analyze acknowledgement, waiver and release agreement; review issues relating to EEOC waiver	1.2
1/27	DL	Review employees resignation agreement; review applicable employment law	1.0

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January 2016/Village of Palmetto Bay

Litigation

1/5	CR	Renew renewed claim by Hencile Dorsey for civil rights violation due to code enforcement action; confer with DL	0.7
1/11	CR	Prepare answers and affirm. defenses for Deutsche Bank v. West; pull copies of recorded lien from records office; e-mail to opposing counsel in Tapia case	1.3
1/15	DL	Appear in Circuit Court on behalf of Palmetto Bay to protect VPB lien in mortgage foreclosure case	2.3
1/22	CR	Confer with Village Attorney DL concerning proper interrogatory responses; research interrogatories of pure questions of law	1.3
1/22	DL	Confer with CR regarding Montessori interrogatories; discuss and review discovery on pure questions of law	1.0.
1/26	CR	Review production pursuant to subpoena (Lopez v. Citizens Insurance); e-mail to opposing counsel with production	0.3

Total Fees

Monthly total hours.....	80.6
Total fees due (@ \$190/hour.....)	\$ 15,314

Reimbursable Expenses

WestLaw computer research charge.....	\$ 159
Parking for Village business.....	\$ 32
Total Reimbursable Expenses.....	\$ 191

Total amount due (fees and expenses).....\$ 15,505

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