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RESOLUTION NO. 2017-59

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 \$25,511 FOR PERIOD ENDING MARCH 31, 2017; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)

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 March 31, 2017, in the amount of \$25,511; 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 \$25,511, copies of which are attached, are approved for payment.

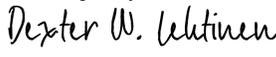
Section 3. Effective Date. This Resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 1st day of May, 2017.

Attest: 
Missy Arocha
Village Clerk


Eugene Flinn
Mayor

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

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6 DocuSigned by:
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8 _____
9 Dexter W. Lehtinen
10 Village Attorney

11 FINAL VOTE AT ADOPTION:

- 12
13 Council Member Karyn Cunningham YES
14
15 Council Member David Singer YES
16
17 Council Member Larissa Siegel Lara YES
18
19 Vice-Mayor John DuBois YES
20
21 Mayor Eugene Flinn YES
22

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

March 2017
Village of Palmetto Bay

Statement Period: March 2017

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

Date	Individual	Subject	Time
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General Government

3/1	DL	Meeting with Manager and staff at Village Hall; meeting with Councilmember; draft and edit proposals by Councilmembers	8.4
3/2	DL	Correct agenda for upcoming regular Council meeting; prepare/finalize proposal to repeal VMU zoning and comprehensive plan actions of May 2016; assure proper publication of VMU repeal proposals; draft additional agenda items for second Councilmember	5.6
3/5	DL	Preparation for upcoming Village Council meeting; analyze legal issues involved	3.3
3/6	DL	Meetings at Village Hall in preparation for Special Council meeting and regular Council meeting; review and prepare; attend special council meeting and regular Council meeting	8.6
3/8	CR	Email from Clerk Arocha regarding public records	0.2
3/8	DL	Discussion with Councilmember; ; explain upcoming agenda; review agenda items, research legal issues regarding upcoming agenda items/meetings	2.8
3/10	BF	Research towing regulations; conference with DL; research regarding medical marijuana regulations	1.7
3/13	BF	Procurement - follow-up with L. Pitser	0.2
3/13	CR	Research regarding conflict of interest issue raised by Councilmember, recusals, quorum requirement	0.7

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March 2017/Village of Palmetto Bay

General Government (continued)

3/14	BF	Follow-up with Pitser (procurement); conference call with Pitser; review procurement documents	1.4
3/15	BF	Research re: RFP (request for proposal) negotiations and limits thereto	1.9
3/16	BF	Further reviewed/analyzed RFP negotiations (procurement); email to client re: same	1.3
3/17	CR	Telephone call with DL regarding potential conflict of interest question raised by Councilmember Singer	1.3
3/17	BF	Review conflict of interest and bias matters referred from Councilmember question; memo re: same; conference calls with DL	1.9
3/17	DL	Review conflict and bias issues referred by Councilmember; conference call	1.2
3/20	CR	Various calls from DL; research severance agreement statute; research issue of road easements	1.7
3/21	BF	Follow-up re: lobbyist questions for Clerk	0.2
3/23	DL	Begin to draft resolutions and ordinances for upcoming regular Council meeting	3.4
3/24	BF	Follow-up with Clerk Arocha re: lobbyist questions	0.2
3/24	DL	Meet with Councilmember re: other municipal ordinances regulating special events; continue drafting eleven resolutions and three ordinances for upcoming regular Council meeting	5.9
3/25	DL	Research/review provisions of other municipal towing ordinances; continue work on drafting proposed resolutions and ordinances	6.5

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March 2017/Village of Palmetto Bay

General Government (continued)

3/26	DL	Continue drafting eleven proposed resolutions and three proposed ordinances for next Council meeting; create new proposed special events ordinance based on other municipality	8,1
3/27	DL	Meet with Councilmember regarding draft special events ordinance; finish all drafts of eleven resolutions and three ordinances; assist Clerk in finalizing agenda	9.3
3/29	BF	Follow-up re: lobby registration issues	0.3
3/28	DL	Continued assistance with future Council agenda	1.8
3/30	DL	Consideration of potential amendments to resolutions and ordinances for upcoming Council meeting	1.7

Human Resources (Personnel)

3/6	CR	Review and revise new parental leave policy; email to Olga Cadaval	1.0
3/23	CR	Call from Manager Silva; review modifications to employee policy; email to O. Cadaval with modifications	0.6
3/27	CR	Review employee revised policy; email to client	0.8

Zoning and Land Use

3/1	JC	Analyze final title options and survey; prepare modifications to and final of Covenant to Convey; communication with attorney for Van Orsdel and transmit same; telephone conference with J. Admire regarding various requirements; further prepare modifications;	3.4
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March 2017/Village of Palmetto Bay

Zoning and Land Use (continued)

3/13	JC	Communication with attorney for Van Orsdel; revise and modify the covenant to convey; review legal description and survey for conveyance; prepare form of right-of-way deed; prepare redline and transmit same to J. Admire for execution by owner	3.1
3/14	DL	Research/begin draft of internal summary memo regarding legal principles applicable to land use decisions	2.9
3/15	DL	Continue research and drafting of internal memo re: legal principles applicable to land use decisions	2.6
3/16	DL	Meet with staff regarding provisions of Downtown Urban Village (DUV) zoning code and application to specific circumstances; analyze issues	3.7
3/19	DL	Review and analyze upcoming zoning hearing applications and legal implications; review Downtown Urban Village Code	4.2
3/20	JC	Review and analyze covenant to convey; review deed; prepare communication with J. Admire regarding plans for improvements at property and open issues for completion of instrument	1.4
3/20	DL	Prepare for Council zoning hearing; confer with Council-member and staff; review legal issues for pending items; attend Council zoning hearing	9.4

Litigation

3/2	CR	Draft/revise motion to dismiss amended complaint; research declaratory judgments and advisory opinions; discuss with DL (VMU declaratory action)	2.3
3/2	DL	Review amended complaint in VMU declaratory action; discuss with CR	1.7

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March 2017/Village of Palmetto Bay

Litigation (continued)

3/6	CR	Katherine Lee case: prepare answer; email to DL concerning same	1.1
3/9	CR	Liu: finalize/file complaint for injunction	2.2
3/13	CR	Email concerning release of lien for Frammer Road property;	0.5
3/15	DL	Analyze/review 3DCA appellate opinion (Alexander School); discuss with CR	1.1
3/15	CR	Alexander School appeal: review appellate opinion; discuss with DL	0.9
3/16	CR	Confer with attorney Herin concerning VMU certiorari case; confer with DL concerning same; review record	0.7
3/17	CR	HSBC v. Malone foreclosure; attend mediation session.	0.7
\3/30	CR	Review pleadings and forward response in VMU certiorari case to attorney Herin. Seal case: review stipulation of settlement; file stipulation, letter to court	0.8
3/31	CR	Email and calls from attorney Herin (Gray Robinson); emails to DL concerning certiorari proceeding	0.2

Total Fees

Monthly total hours.....	124.9
Total fees due (@ \$200/hour).....	\$ 24,980

Reimbursable Expenses

WestLaw computer research charge, at cost.....	\$ 105
Filing fee, complaint, Village v. Liu.....	\$ 426
Total Reimbursable Expenses.....	\$ 531

Total amount due (fees and expenses).....\$ 25,511

DL/Dexter Lehtinen CR/Claudio Riedi JC/John Catalano BF/Bob de la Fuente