

**RESOLUTION NO. 2017-141**

**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 \$17,865 FOR PERIOD ENDING OCTOBER 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 October 31, 2017, in the amount of \$17,865; 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 \$17,865, 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 18<sup>th</sup> day of December, 2017.

Attest:

DocuSigned by:  
*Missy Arocha*  
6EDC211E5E8C48C...  
Missy Arocha  
Village Clerk

DocuSigned by:  
*Eugene Flinn*  
3B8854AD509F494...  
Eugene Flinn  
Mayor

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

DocuSigned by:  
*Dexter W. Lehtinen*  
1B1D06E71321445...  
Dexter W. Lehtinen  
Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Karyn Cunningham YES
- Council Member David Singer YES
- Council Member Larissa Siegel Lara YES
- Vice-Mayor John DuBois YES
- Mayor Eugene Flinn YES

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

**October 2017**  
**Village of Palmetto Bay**

Statement Period: **October 2017**                      Client: **Village of Palmetto Bay, Florida**

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

10/1	DL	Review agenda and issues for upcoming regular Village Council meeting	2.3
10/2	DL	Attend regular Village Council meeting; meet with Manager and staff regarding meeting issues; confer with Clerk; prepare for meeting	9.7
10/3	DL	Follow-up to regular Council meeting	1.3
10/4	DL	Attend Village Council Second Budget meeting; meet with staff; prepare for meeting	3.8
10/6	CR	Research issue of pulling agenda item between first and second reading; research Florida statute 166.041(a) concerning dual reading requirement; research Attorney General opinion; confer with DL concerning same	2.4
10/6	DL	Review legislative procedures for local government; confer with CR re: same;	1.9
10/9	DL	Research state law re: land purchases by local government bodies, including appraisal requirements; discussion with staff regarding various issues	2.5
10/13	CR	Review agenda of the upcoming Committee of the Whole meeting	0.6
10/13	DL	Meeting with Manager and staff regarding various issues, including purchase of property, financing, terms, etc;.	4.6
10/17	CR	Review meeting agenda and materials; attend Committee of the Whole Meeting	2.3

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**October 2017/Village of Palmetto Bay**

**General Government (continued)**

10/26	CR	Review of agenda; correspondence concerning meeting at Manager's Office; confer with DL regarding same	0.5
10/27	CR	Attend meeting at Village Hall concerning traffic issues; attend meeting with E. Silva and C. Patterson concerning contract issues; review contract for St. Andrews parking license	4.2
10/29	DL	Prepare and draft agenda items for regular Village Council meeting next week	2.8
10/30	DL	Attend two Special Village Council meetings regarding DUV and other items; meet with Manager and staff regarding all issues; draft and prepare agenda items for regular Council meeting on following week; confer with and assist Clerk in preparing agenda	11.8
10/31	DL	Confer with and continue assisting Clerk in preparation of upcoming regular Council meeting agenda	2.1

**Human Resources (Personnel)**

10/10-30      none

**Zoning and Land Use**

10/6	AH	Conference call re: FCI right-of-way agreement	0.4
10/6	DL	Work on FCI right-of-way issues; phone conversation with FCI counsel and with Planner meeting with Planner and joint call with FCI counsel	3.1
10/8	AH	Review FCI right-of-way agreement and draft resolution	1.0
10/9	AH	Conversation and correspondence with M. Lopez (Planner); review FCI agreement and review exhibits	0.4
10/15	DL	Review and preparation for upcoming zoning hearing	2.8

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**October 2017/Village of Palmetto Bay**

**Zoning and Land Use (continued)**

10/16	DL	Attend Village Council zoning meeting; meet with Manager and Planner to review all zoning issues; discuss VMU issues FPL issues	7.9
10/17	DL	Follow-up to prior zoning meeting	1.1
10/19	DL	Research interim zoning status, trend of development and contiguous law; research comprehensive plan change effect on interim zoning and existing residential zoning; research elimination of inconsistent interim zoning (inconsistent with comprehensive plan)	5.7
10/22	DL	Continue research on comprehensive plan and interim zoning inconsistency; analysis of surrounding uses	2.4

**Litigation**

10/3	CR	Florida Kalantit770: call to attorney Spoilansky concerning release of cross-attached lien; review and execute resolution concerning hurricane cleanup costs; email with M. Acosta	0.7
10/5	CR	Email re: Lee case; review pleading concerning location of incident; call to DL concerning proper department; review internet	1.2
10/10	CR	Katherine Lee case: email from Corrice Patterson; email to Manager E. Silva; email to PI attorney defending Village	0.6
10/10	DL	Review possibilities for prompting action in VMU declaratory judgment case and VMU certiorari case; consider discovery options and motion for oral argument; review issues in cases	3.8
10/12	CR	Email to/from Village concerning release of lien; research earlier lien release	0.3
10/13	CR	Friedman case: follow-up to make sure League of Cities defends case	0.6

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**Litigation (continued)**

10/18	CR	Acosta foreclosure: review law regarding priority of liens; various emails to to client Village; affidavit for Katherine Lee case; email to DL concerning lien priority; Epiano Suarez subpoena; draft letter to opposing counsel concerning search for records	2.1
10/30	CR	Confer with title attorney concerning title option for Perrine Park; various emails concerning Deutsche Bank v, Acosta trial	1.3

**Total Fees**

Monthly total hours.....	88.2
<b>Total fees due (@ \$200/hour).....</b>	<b>\$ 17,640</b>

**Reimbursable Expenses**

WestLaw computer research charge, at cost.....	\$ 225
<b>Total Reimbursable Expenses.....</b>	<b>\$ 225</b>

**Total amount due (fees and expenses).....\$ 17,865**

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