

## RESOLUTION NO. 2015-\_\_

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 \$11,107; 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, 2014, in the amount of \$11,107; 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 \$11,107, 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 \_\_ day of February, 2015.

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:

1 \_\_\_\_\_  
2 Dexter W. Lehtinen  
3 Village Attorney  
4

5  
6 FINAL VOTE AT ADOPTION:  
7

8 Council Member Katyn Cunningham \_\_\_\_\_  
9

10 Council Member Tim Schaffer \_\_\_\_\_  
11

12 Council Member Larissa Siegel Lara \_\_\_\_\_  
13

14 Vice-Mayor John DuBois \_\_\_\_\_  
15

16 Mayor Eugene Flinn \_\_\_\_\_  
17  
18

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

**December 2014**  
**Village of Palmetto Bay**

Statement Period: **December 2014**  
Client: **Village of Palmetto Bay, Florida**

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

12/1	DL	Meeting of Palmetto Bay Village Council; preparation for meeting; meeting with Village staff	3.4
12/3	DL	Conference with Alexander Montessori School representatives regarding legal issues in connection with possible increase in school enrollment; preparation for conference; meeting with newly-elected/sworn-in Councilperson regarding discussion of Council and Village procedures, Sunshine Law, quasi-judicial proceedings, etc	4.6
12/15	DL	Agenda review meeting with Village staff; meet with Village staff following meeting regarding various issues; Committee of the Whole meeting of the Village Council	2.9

**Zoning**

12/11	DL	Review and analyze issues in connection with upcoming Zoning regarding release of restrictive covenants (two-story requirement) and relevance of Environmental Appeals Board (EAB) determinations regarding sewer requirements	2.8
12/15	DL	Zoning hearing of the Palmetto Bay Village Council regarding release of restrictive covenants; meet with staff to prepare and review issues	3.8

(continued)

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**November 2014/Village of Palmetto Bay**  
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**Litigation**

12/2	CR	Call to opposing counsel concerning filing and numbering of action; research proper legal standard on appeal; confer with Lehtinen regarding numerous issues on appeal (fire station #I, northwest of Old Cutler)	1.4
12/2	DL	Confer with Riedi regarding fire station #I (NW of Old Cutler); Review law and issues in connection therewith	1.2
12/4	CR	Fire station #I (NW/Old Cutler): draft response to petition for certiorari; calls to Lehtinen regarding response; review Village ordinances	
		6.1	
12/4	CR	Confer with Delsalle regarding possible settlement of Ben Tov/Goodman foreclosure case; e-mails to opposing counsel	0.3
12/4	DL	Fire station #I (NW/Old Cutler): discuss with Riedi various issues in drafting response to petition for certiorari; analyze issues	1.3
12/5	CR	Fire station #I (NW/Old Cutler): research various legal issues raised in petition for certiorari; continue drafting response to petition for certiorari	7.8
12/8	CR	Fire station #I (NW/Old Cutler): Revise response to petition for certiorari; draft notice of appearance	1.9
12/10	DL	Fire station #I (NW/Old Cutler): Review draft response to petition and analyze potential issues	1.7
12/10	CR	Call from counsel for seller; e-mail from counsel for seller; review pending petition and record on appeal (fire station #II, southeast of Old Cutler Road)	1.8
12/11	CR	Fire station #I (NW/Old Cutler): review/edit/revise response brief to petition for certiorari; confer with Lehtinen concerning same; review all filings and appendix to petition	5.0

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**November 2014/Village of Palmetto Bay**  
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**Litigation (continued)**

12/11	CR	Attend mediation in Ben Tov/Goodman foreclosure case	2.0
12/11	DL	Fire station #I (NW/Old Cutler): review and confer with Riedi regarding draft response brief	1.1
12/12	CR	Fire station #II (SE/Old Cutler): Review staff report; review transcript of quasi-judicial hearing; research comprehensive plan issues	1,3
12/15	CR	Fire station #II (SE/Old Cutler): review background materials in Lehtinen's binder in preparation for response; confer with Lehtinen and Delsalle regarding pending appeals and expected rule to show cause	1.7
12/15	DL	Fire station #II (SE/Old Cutler): confer with Riedi and review Issues regarding fire station s/e of Old Cutler	1.0
12/16	CR	Fire station #II (SE/Old Cutler):Organize and review entire record; prepare outline of response; prepare notice of appearance; call from opposing counsel	2.7
12/19	CR	Fire station #II (SE/Old Cutler): begin drafting response to petition for certiorari	2.4
12/19	CR	Attend trial in Pileggi foreclosure matter; discuss cancellation of trial due to bankruptcy filing w/ plaintiff's counsel	1.0

**Personnel Matters**

12/17	CR	Meeting with Olga Cadaval concerning employee manual; review Florida law concerning drug testing and drug-free workplace	2.1
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**November 2014/Village of Palmetto Bay**  
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**Personnel Matters (continued)**

12/11	CR	Review Florida law concerning drug testing by municipal employers; review law concerning at-will employment; with grievance procedure in manual; e-mail analysis to client	1.0
12/29	CR	Review and revise Human Resources Policy Manual	1.4

**Total Fees**

Monthly total hours.....	57.67
Total fees due (@ \$190/hour.....)	\$ 10,944

**Reimbursable Expenses**

WestLaw computer research charge (at cost) (December).....	\$ 149
Parking for Ben Tov mediation (12/11).....	\$ 6
Parking at courthouse for Pileggi foreclosure trial (12/19).....	\$ 8
Total Reimbursable Expenses.....	\$ 163

**Total amount due (fees and expenses).....\$ 11,107**

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