



category. The amount billed to the Village for fees and costs was \$3,401.60. For fiscal 2013-2014, the amount billed to the Village in this category is \$4,900.10.

## II. Zoning.

This category covers the review of all land use issues, including comprehensive plan amendments (map & text), handling quasi-judicial matters, and drafting or revising land development regulations. It includes as well, preparation and attendance at LPA and Council zoning meetings and general advice to the Village's building and planning departments.

Significant work for the month of December included:

- Reviewing and revising the proposed variance Ordinances
- Meeting with Mr. Delsalle to finalize the South Motors BMW agenda documents.
- Confer with Mr. Ferro and representatives of South Motors BMW to finalize documents.
- Researching EAR requirements and revise corresponding Resolution.
- Attended Village Council Zoning meeting.

For the month of December approximately 22.7 hours of work were expended under this category. The amount billed to the City for fees and costs was \$4,199.50. For fiscal year 2013-2014, the amount billed to the City in this category is \$6,160.50.

## III. Code Enforcement.

This category includes the review of pending code enforcement matters and representation of staff before the Code Enforcement Special Magistrate.

December saw no activity in this category. For fiscal year 2013-2014, the amount billed to the City in this category is \$0.<sup>1</sup>

## IV. Litigation.

This category includes all pending administrative and civil litigation. The City is the defendant in all pending litigation matters. Furthermore, in some pending litigation matters the City is represented by outside legal counsel appointed by the City's insurance carrier – the Florida League of Cities through the Florida Municipal Insurance Trust.

December saw a spike in activity in this category in comparison to the month of November (\$0). This increase in activity is a one-time occurrence and almost exclusively attributable to the significant amount of court paperwork involved in the transition from the previous Village Attorney to our firm (particularly with the foreclosures)

*City Electric Supply vs. Village of Palmetto Bay* – Subcontractor Pay Dispute: \$277.50 (review lawsuit, file Notice of Appearance and confer with Village staff and opposing counsel)

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<sup>1/</sup> Please note this figure does not include the services of the Special Magistrate, which is separately budgeted.

*Miscellaneous Litigation* – Various Minor Claims Involving the Village: \$785.50 (work on Tip Top garnishment matter and Kross bankruptcy)

*Palmetto Bay Foreclosures* – Code Enforcement and Special Assessment Liens Filed against Properties that are Being Foreclosed: \$5,402.80 (the City is a named co-defendant in almost two dozen foreclosure suits. Each file was reviewed, appropriate follow up with opposing counsel was taken and a Notice of Appearance and Answer – where appropriate – was filed with the court. This is a one-time expenditure for all of the existing foreclosure cases)

*Palmer Trinity vs. Village of Palmetto Bay* – Development Order Dispute: \$129.50 (file Notice of Appearance)

*Recall Palmetto Bay vs. Village of Palmetto Bay* – Political Activity on Village Property Claim: \$185.00 (review lawsuit and file Notice of Appearance)

*Shores at Palmetto Bay, LLC vs. Village of Palmetto Bay* – Development Order Dispute: \$129.50 (review file & pleadings, prepare and file Notice of Appearance)

For the month of December approximately 37.2 hours of work were expended under this category. The amount billed to the City for fees and costs was \$6,909.80. For fiscal year 2013-2014, the amount billed to the City in this category is \$6,909.80.

## VI. Conclusion.

Based upon historical data the legal expenditures for the first several months of FY 2013-2014 are below previous years' expenditures. Set forth below is a chart of the proposed and actual YTD budget numbers, and a comparison to the previous two years.

Legal Budget Category	Fiscal Year 2011-12 Actual Budget	Fiscal Year 2012-13 Actual Budget	Adopted Budget Fiscal Year 2013-14	Fiscal Year 2013-14 Year-to-Date
General	\$185,016.00	\$140,895.00	\$180,000.00	\$4,900.10
Zoning Applications	\$21,832.00	\$37,936.00	\$30,000.00	\$4,199.50
Code Enforcement	\$1,981.00	\$9,619.00	\$5,000.00	\$0
Litigation	\$181,499.00	\$84,640.00	\$158,800.00	\$6,909.800
<b>TOTAL</b>	<b>\$390,328.00</b>	<b>\$273,090.00</b>	<b>\$373,800.00</b>	<b>\$16,009.40</b>