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RESOLUTION NO. 2014-76

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 \$7,636; 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 September 30, 2014, in the amount of \$7,636.00; 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 \$7,636.00, copies of which are attached, are approved for payment.

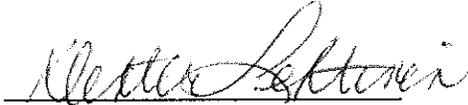
Section 3. Effective Date. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 3rd day of November, 2014.

Attest: 
Meighan Alexander
Village Clerk


Shelley Stanczyk
Mayor

1 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
2 AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:
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6 Dexter W. Lehtinen
7 Village Attorney
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10 FINAL VOTE AT ADOPTION:

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12 Council Member Patrick Fiore YES

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14 Council Member Tim Schaffer YES

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16 Council Member Joan Lindsay YES

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18 Vice-Mayor John DuBois YES

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20 Mayor Shelley Stanczyk YES

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

September 2014
Village of Palmetto Bay

Statement Period: September 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

9-3	DL	Research and review of state laws regarding municipal taxation and budgeting procedures, including Truth-in-Millage (TRIM) statute; review proposed action for compliance with state law	3.7
9-8	DL	Preparation for and attendance at Village Council meeting on first budget meeting on final property tax millage rate and final Village budget; attendance at regular Village Council meeting	6.6
9-22	DL	Review Village Manager contract and appropriate method for extension without unanticipated collateral effects; analyze charter with respect to charter officer positions; draft extension	0.9
9-23	DL	Meeting for agenda review; meet with Personnel Department regarding legality of releasing sensitive information to state in connection with unemployment compensation claim; review various materials with Clerk	2.3

Zoning

9-11	DL	Consider all issues regarding expected upcoming zoning issues, especially conditions applicable to Palmer Trinity School site plan conditions	2.8
9-12	DL	Analyze prior development order and conditions therein; compare to existing code for duplication or difference; consider fulfilled conditions	1.9

(continued)

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

September 2014
Village of Palmetto Bay
(continued – page two)

Zoning (continued)

9-16	DL	Review all applications for zoning changes, Village staff reports in connection therewith, and applicable law; analyze Palmer Trinity School conditions	3.2
9-19	DL	Continued review and analysis of zoning applications and staff reports for upcoming zoning hearing	2.4
9-22	DL	Prepare for various zoning quasi-judicial hearings; meeting of the Village Council for zoning matters, including application of Palmer Trinity School to remove various land use conditions, application of Village for approval of a fire station location, application of land owner to remove certain two-story conditions, and application of Village to revise Comprehensive Plan, Future Land Use Map (FLUM), and zoning on property contiguous to Old Cutler Road	6.7

Litigation

9-2	CR	Norman Silverstein foreclosure matter: draft witness and exhibit list in preparation for final hearing	1.1
9-12	CR	Silverstein foreclosure matter: trial preparation with opposing Counsel; confer with Lehtinen regarding trial	1.0
9-12	DL	Discussion with attorney Riedi regarding Silverstein matter and methods regarding all foreclosure cases	0.6
9-15	CR	Attend final foreclosure hearing in Silverstein matter; trial preparation; calculate interest	2.3
9-15	CR	Prepare notice of appearance in James and Malagon case; e-mail to opposing counsel regarding Pileggi foreclosure	1.2

(continued)

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

September 2014
Village of Palmetto Bay
(continued -- page three)

Litigation (continued)

9-17	CR	Review new Tapia foreclosure complaint; calendar responses; Prepare answer and affirmative defenses to complaint; review Mendizabal bankruptcy	1.7
9-18	CR	Malagon foreclosure matter; e-mail to attorney Hearne to determine if final judgment can be stipulated for Oct 2 trial	0.2
9-22	CR	Contact Darby Desalle and other Village representatives Concerning various litigation issues; review various foreclosure Files	1.2
9-23	CR	Review affidavit in Malagon foreclosure; e-mail opposing Regarding stipulation	0.3

Total Fees

Monthly total hours.....	40.1
Total fees due (@ \$190/hour.....)	\$ 7,619

Reimbursable Expenses

9-3	DL	Postage foreclosure Silverstein	\$ 1.92
9-15	CR	Parking for final foreclosure hearing Silverstein	\$ 15.00
Total Reimbursable Expenses.....			\$ 17.00

Total Amount Due (Fees and Expenses)

Total Fees.....	\$ 7,619
Expenses (rounded to nearest dollar).....	\$ 17

Total amount due (fees and expenses).....\$7,636

DL = Dexter Lehtinen
CR = Claudio Riedi
JC = John Catalano

BF = Bob de la Fuente
TS = Tom Schultz