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RESOLUTION NO. 2016-23

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 \$20,448; AND 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 February, 2016, in the amount of \$20,448; 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:

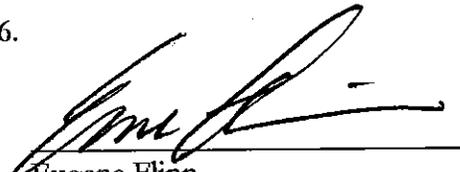
Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Approval. The statements for attorneys' fees and costs received from Lehtinen Schultz Riedi Catalano Fuente, PLLC, in the total amount of \$20,448, 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 4th day of April, 2016.

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:


Dexter W. Lehtinen
Village Attorney

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3 FINAL VOTE AT ADOPTION:
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5 Council Member Katyn Cunningham YES
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7 Council Member Tim Schaffer YES
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9 Council Member Larissa Siegel Lara YES
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11 Vice-Mayor John DuBois YES
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13 Mayor Eugene Flinn YES
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Lehtinen Schultz Riedi Catalano Fuente
1111 Brickell Avenue, Suite 2200
Miami, Florida 33131

February 2016
Village of Palmetto Bay

Statement Period: **February 2016**

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

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

2/1	DL	Conferences with Council Member; thereafter with Planning Director; thereafter with Council Member and Manager; confer w/ CR re: sunshine public records; preparation for Council meeting; attend meeting of Village Council	7.8
2/1	CR	Confer with DL regarding public records issues; research Attorney General opinion and corresponding case law; telephone, conference and e-mails with DL regarding same	2.5
2/2	DL	Post-Council meeting follow-up with staff; research pending issues with County; meeting with Clerk and Planning Director; e-mail to/from CR re: county jurisdiction	4.3
2/2	BF	Further revised draft Vacation Rental Ordinance; correspondence to Planning Director re: same	1.3
2/2	CR	Review Miami-Dade County ethics code; research case law regarding jurisdiction; e-mail to/from DL re: same	2.6
2/3	DL	Prepare for Charter Revision Commission meeting; conference with County staff on pending issues; attend meeting of Charter Revision Commission	6.7
2/3	BF	Review modifications to Vacation Rental Ordinance; correspondence re: same; follow-up w/ Pittser re: unsolicited proposals; review public records rules for same; research state statute re: unsolicited proposals; review sequence/requirements of same	2.1

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February 2016/Village of Palmetto Bay

General Government (continued)

2/3	CR	Confer with DL rer: public records issues; attend county meeting w/ DL re: public records issue	1.8
2/4	BF	Follow-up re: vacation rental ordinance issues; follow-up on procurement matters; further review unsolicited proposals, cone of silence, public records requirements	1.1
2/5	BF	Receive and review revised short-term rental ordinance; propose further amendments to same; follow-up Pittser re: unsolicited proposals	0.5
2/8	DL	Confer with staff regarding pending issues (Planning, procurement, contracts)	1.6
2/8	BF	Follow-up re: unsolicited proposal matters	0.2
2/9	DL	Coordinate with Manager and staff regarding zoning (village mixed use/VMU) and procurement	2.9
2/9	BF	Receive add. information re: unsolicited proposals; follow-up w/ Pittser re: unsolicited proposals and cooperative purchasing	0.3
2/10	DL	Attend County meeting on pending matter; confer with staff re: VMU	3.2
2/10	CR	Review e-mail from Dependable Title concerning property at 15845 SW 82 Court; e-mail Finance Director; e-mail closing agent re: payoff of second lien	0.6
2/12	DL	Discuss Coral Gables mosquito ordinance with Palmetto Bay officials and CR; confer w/ CR re: municipal liens; research municipal powers	3.3
2/12	CR	Review mosquito action of City of Coral Gables; research law of extraterritorial application of police power by municipality; e-mail DL concerning same; various e-mails from Finance Dept re: municipal liens; confer w/ DL re: same	4.5

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February 2016/Village of Palmetto Bay

General Government (continued)

2/15	DL	Research municipal extraterritorial powers under Fla Constitution Article VIII and statutes	2.0
2/15	CR	Research conflict resolution requirements in Fla statutes (government v. government suits); e-mail DL; research extra-territorial application of municipal zoning; ; draft notice of initiation of dispute resolution process; draft resolution authorizing initiation of dispute resolution process; e-mail to DL re: same	6.5
2/16	DL	Meet with staff re: zoning, contracts, Council agenda items; draft memorandum, "Extraterritorial Aspects of C.G. Mosquito Ordinance"; attend Special Council meeting	8.8
2/16	CR	Research background information on Coral Gables Code; Attend Village Council meeting re: mosquito issue	2.2
2/17	DL	Attend agenda review meeting; post-meeting with staff; review memo from Coral Gables City Attorney re: mosquito ordinance	3.4
2/18	DL	Confer with Manager and staff on pending issues, including preparation for upcoming meeting with Coral Gables Manager and City Attorney; further research	4.3
2/18	CR	Call from DL concerning legal issues relating to Coral Gables mosquito control ordinance; research extraterritoriality; e-mail to DL w/ case law	1.8
2/19	DL	Meeting with Village Manager, Coral Gables Manager and C.G. City Attorney at C.G. City Hall re: mosquito ordinance; follow-up with City Attorney; follow-up research	3.8
2/22	DL	Tour of FPL Cutler Power Plant with Coral Gables Commissioners, Manager and Attorney and with Palmetto Bay Council Members and Manager; prepare for upcoming Coral Gables Commission meeting	3.5

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February 2016/Village of Palmetto Bay

General Government (continued)

2/23	BF	Procurement: receive and review correspondence from PB re: rope design playground sole source matter; review issues	0.3
2/23	DL	Appear before Coral Gables Commission meeting with Village Manager on behalf of Palmetto Bay re: request to abate or repeal extraterritorial aspects of C.G. mosquito ordinance; follow-up with City Attorney	2.9
2/25	BF	Review sole source procurement re: playground contract; correspondence with Pittser	
2/25	DL	Discussion with Coral Gables City Attorney re: possible approaches to resolve mosquito ordinance dispute; review drafts possibilities	1.8

Zoning/Land Use

2/9	JC	Review Village comments to covenant and prepare changes to same; transmit to attorney for Van Orsdel for comment and execution	1.2
2/10	BF	Review draft vacation rental ordinance staff report; revise0 same; correspondence and follow-up w/ Planning Director re: revisions	1.0
2/10	JC	Attend to questions and comments from J. Admire Re: covenant to convey (Van Orsdel); review issues on release of covenant and follow-up	0.8
2/11	DL	Meeting at Village Hall with Manager and Planning Director; conference call with Manager, Director, attorney regarding transfer of development rights (TDRs) and VMU	2.8
2/12	JC	Additional follow-up w/ attorney for Van Orsdel in connection with covenant and execution and zoning issues; prepare red-line and transmit same	1.3

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February 2016/Village of Palmetto Bay

Human Resources (Personnel)

2/1-2/29 none

Litigation

2/1	CR	Draft interrogatory responses from Montessori School; serve with court and opposing counsel	1.0
2/11	CR	Review and respond to e-mails from PB concerning the legal status of municipal liens in foreclosure and bankruptcy	1.0
2/12	CR	Various e-mails from Finance Dept re: municipal liens (foreclosure); confer with DL re: same; e-mail from/to Idalmy Vidaurre concerning Tapia foreclosure and three false alarm fines	0.9
2/22	CR	Draft complaint for declaratory and injunctive relief (mosquito issue); research various issues; e-mail to DL; draft motion for temporary injunction	7.6

Total Fees

Monthly total hours.....	106.2
Total fees due (@ \$190/hour.....)	\$ 20,178

Reimbursable Expenses

WestLaw computer research charge.....	\$ 254
Parking for Village business.....	\$ 16
Total Reimbursable Expenses.....	\$ 270

Total amount due (fees and expenses).....\$ 20,448

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