

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 \$14,711; 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 June 30, 2015, in the amount of \$14,711; 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 \$14,711, 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 September, 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 Karyn 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**

**June 2015**  
**Village of Palmetto Bay**

Statement Period: **June 2015**  
Client: **Village of Palmetto Bay, Florida**

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

6/1	DL	Meeting of the Palmetto Bay Village Council; meeting with staff; preparation for meeting	7.3
6/2	DL	Attend Charter Revision Committee initial meeting; review Charter issues and Sunshine law; prepare for meeting	3.4
6/8	DL	Meet with Council Member regarding upcoming issues	1.1
6/10	DL	Confer with Village staff and Council Member	3.7
6/11	DL	Meet with Council Member regarding Manager contract issues; confer with Clerk on upcoming issues	2.8
6/11	CR	Research regarding Florida regulations concerning traffic roundabouts	2.2
6/14	DL	Draft memorandum regarding typical issues in a manager employment agreement.	4.3
6/15	DL	Continue draft and revision of memorandum regarding issues regarding manager employment agreement	2.9
6/15	CR	Draft/revise resolution creating Community Partnership; review Miami-Dade Charter	1.3
6/16	DL	Attend Special Council meeting for negotiation of manager employment agreement; present typical provision options for Council decision; amend memorandum on manager agreement; meet with Manager and Mayor	7.4

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

**June 2015/Village of Palmetto Bay**  
(continued – page two)

**General Government (continued)**

6/18	CR	Research liquor license law as applied to municipalities; e-mail and confer with DWL concerning same	1.2
6/18	CR	Draft/review Community Partnership ordinance	1.0
6/19	DL	Begin drafting final Manager Employment Agreement per Council and Manager conceptual agreement at last meeting	1.7
6/22	DL	Continue drafting final Manager Employment Agreement	2.3
6/23	DL	Finalize for distribution final proposed Manager Employment Agreement; revise per suggestions regarding technical wording and Council-Manager intent	1.9
6/24	DL	Special Council meeting to adopt final Manager Employment Agreement	1.0
6/25	DL	Prepare final document for signatures (Manager Employment Agreement) and deliver to Village Hall for signatures	1.2
6/29	DL	Attend meeting of Charter Revision Committee; review and preparation prior to meeting	2.1

**Zoning/Land Use**

6/11	CR	Call from DWL, Delsalle concerning release of covenant by Palmer Trinity; review same; e-mail to counsel for Palmer Trinity	1.6
6/11	DL	Meet with Planning regarding various zoning issues, including Palmer Trinity	1.1

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

**June 2015/Village of Palmetto Bay**  
(continued – page three)

**Zoning/Land Use (continued)**

6/12	CR	Meeting at Manager's office; meeting with Planning Director; e-mail regarding special events vendor application; review and e-mail regarding Palmer Trinity unity of title issue	4.5
6/12	DL	Meeting at Manager's office and with Planning re: various code issues	1.4
6/12	JC	Review questions from Palmer Trinity's counsel concerning covenant in lieu of unity of title and matters on opinion of title; respond to same	0.4
6/25	JC	Analyze draft of covenant in lieu of unity of title and respond to E. Ball regarding pendency of opinion of title	0.6

**Litigation**

6/1	CR	Call from attorney Robbins concerning depositions and settlement of cases; review file for certiorari action and Ch. 163 action	0.6
6/4	CR	Call co-counsel regarding scheduling of responsive briefs; review e-mails from co-counsel; e-mail to DWL concerning depositions of Passarellas	0.3
6/5	CR	Review various e-mails from opposing counsel concerning revised site plan; review revised site plan	0.5
6/13	CR	Confer with counsel regarding subpoenas for records custodian; (Miranda); confer with League of Cities representative concerning pending suits; confer with DWL on various issues; review pending cases	2.6
6/5	CR	Confer with C. Hamrick of League of Cities concerning Dorsey case; visit court to review and copy parts of Dorsey case; confer with M. Arocha re: response to Miranda case subpoena; confer with requesting counsel regarding Miranda subpoena	2.3

**Lehtinen Schultz Riedi Catalano Fuente  
1111 Brickell Avenue, Suite 2200  
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**June 2015/Village of Palmetto Bay  
(continued – page four)**

**Litigation (continued)**

6/9	CR	Wachovia v. Pileggi trial preparation; research priority of municipal liens	1.5
6/10	CR	Attend trial in Pileggi foreclosure case; confer with DWL and Finance Director concerning settlement; negotiate settlement with opposing counsel	1.9
6/25	DL	Meeting with Manager and Planning regarding possible requests for resolution amendments regarding specific site usage for land covered by resolution (connected to litigation)	2.2

**Human Resources**

6/16	CR	Review/edit Human Resources policy on use of vehicles by Village employees; e-mail to O. Cadaval; research Fla. Stat. Ch. 163 and Ch. 166; e-mail to DWL	3.7
6/22	CR	Review driving policy revisions; confer with O. Cadaval concerning same	1.5

**Total Fees**

Monthly total hours.....	75.5
Total fees due (@ \$190/hour.....)	\$ 14,345

**Reimbursable Expenses**

WestLaw computer research charge (at cost) (January).....	\$ 356
Parking at courthouse (Pileggi case).....	\$ 10
Total Reimbursable Expenses.....	\$ 366

**Total amount due (fees and expenses).....\$ 14,711**

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

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 \$13,866; 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 July 31, 2015, in the amount of \$13,866; 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 \$13,866, 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 September, 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

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6 FINAL VOTE AT ADOPTION:  
7

8 Council Member Karyn 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**

**July 2015**  
**Village of Palmetto Bay**

Statement Period: **July 2015**  
Client: **Village of Palmetto Bay, Florida**

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

7/1	DL	Analyze Green Corridor PACE documents; research state law regarding PACE Districts	2.7
7/2	DL	Continue Green Corridor analysis and research; begin draft of resolution to withdraw Palmetto Bay from District	1.9
7/6	DL	Preparation and review of agenda items for upcoming Council meeting (resolutions and ordinances)	4.8
7/6	BF	Review Procurement Code and sample and sample RFPs; confer with CR re: same	0.4
7/6	CR	Confer with BF regarding Procurement Code and RFPs	0.4
7/7	BF	Discuss procurement ordinance issues with CR	0.5
7/7	CR	Review current procurement ordinance; confer with BF; call client	0.5
7/9	DL	Complete resolution to withdraw Palmetto Bay from Green Corridor PACE District	1.2
7/9	BF	Research on municipal marijuana ordinance and authority thereof (at request of DWL)	
7/13	DL	Regular meeting of the Palmetto Bay Village Council; preparation for meeting; meet with staff	7.1

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

**July 2015/Village of Palmetto Bay**

(continued – page two)

**General Government (continued)**

7/22	DL	Attend Special Village Council meetings; prepare for meetings; meet with staff regarding various other issues	4.2
7/30	DL	Attend meeting of Charter Review Committee; prepare for meeting	2.6

**Zoning/Land Use**

7/1	JC	Confer with Palmer Trinity re: original covenant in lieu and review same; communicate with Delsalle	0.7
7/8	DL	Meeting with Manager, Planning, and Palmer Trinity representatives regarding possible requests for resolution amendments regarding specific site usage for land covered by resolution,(Palmer Trinity)	2.1
7/14	DL	Draft #2 of proposed Palmer Trinity land use resolution modification; discuss with Planning and opposing counsel	3.1
7/15	DL	Prepare #3 draft of proposed Palmer Trinity modified land use resolution and discuss	1.9
7/16	CR	Review Village Council on line regarding Green Corridor PACE; research applicable law regarding alternative legal structures and municipal authority; confer with DWL	6.3
7/17	BF	Conference call with DWL, Manager, and CR re: streamlining procurement procedures	0.3
7/17	CR	Continued review of PACE Green Corridor and applicable law; confer with DWL; meeting with Vice-Mayor and Manager on Green Corridor; meeting with Manager regarding procurement; meet with Clerk and Planning Director	3.7
7/17	DL	Meeting with Vice-Mayor and Manager re: Green Corridor; meet with staff and Manager on various issues	3.2

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

**July 2015/Village of Palmetto Bay**

(continued – page three)

**Zoning/Land Use (continued)**

7/19	DL	Draft #4 of proposed Palmer Trinity land use resolution modification	1.0
7/20	BF	Review Code and Charter re: procurement issues; research state statutes	0.5
7/20	DL	Meet with Manager, staff, and constituent regarding land use regulations and potential development	1.4
7/27	BF	Work on RFP simplification; begin revising form RFP document	1.5
7/28	BF	Draft suggested modifications to form RFP and attachments	2.0
7/29	CR	Review Twilight Run waiver of liability; e-mail to client; review Doral waiver and comment on same	1.3
7/30	DL	Meeting with Manager and representatives of Alexander School regarding prerequisites to approval of enrollment increase; review in preparation	1.4

**Litigation**

7/2	DL	Conference call regarding Fire Station II (east Old Cutler) settlement review	1.3
7/2	CR	Conference call regarding Fire Station II (east Old Cutler) settlement review	1.3
7/6	JC	Review and analyze instruments provided by Palmer Trinity's counsel regarding covenant release, new covenant in lieu of unity of title, and attorney's opinion of title; confer w/ Delsalle	1.5
7/7	DL	Draft #1 statement of possible terms of settlement of Palmer Trinity litigation	2.1

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

**July 2015/Village of Palmetto Bay**  
(continued – page four)

**Litigation (continued)**

7/8	DL	Meeting with Manager, Planning, and Palmer Trinity representatives regarding potential settlement of Palmer Trinity lawsuit; discuss possible settlement components	1.8
7/10	CR	E-mail all parties regarding depositions of Carolyn and Gary Passarella on July 15, 2015; coordinate with County and opposing counsel; confer with DWL	0.8
7/13	CR	Draft response to Passarella's motion for protective order in Ch. 163 action and motion for stay	1.6
7/13	DL	Draft #2 version of potential Palmer Trinity settlement; discuss with opposing counsel	2.3
7/15	CR	Review new foreclosure complaint, HSBC v. Malagon; draft answer and affirmative defenses; confer with Finance Director	1.2
7/29	JC	Review correspondence from E. Mehta regarding covenant in lieu and release; review same; coordinate with Delsalle re: finalizing documents	0.5

**Total Fees**

Monthly total hours.....	71.1
Total fees due (@ \$190/hour.....)	\$ 13,509

**Reimbursable Expenses**

WestLaw computer research charge (at cost) (January).....	\$ 357
Total Reimbursable Expenses.....	\$ 357

**Total amount due (fees and expenses).....\$ 13x866**

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

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING THE DEERING ESTATE FOUNDATION AND THE USE OF PROPERTIES WITHIN THE PARK; PROVIDING FOR TRANSMITTAL TO THE STATE; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Eugene Flinn].**

**WHEREAS**, within the municipal boundaries of the Village of Palmetto Bay, along the edge of Biscayne Bay, lies the 444-acre Deering Estate at Cutler, an environmental, archaeological, and historic preserve that offers unique opportunities to experience Florida's natural resources. The Deering Estate is managed by Miami-Dade County Parks, Recreation, and Open Spaces on behalf of the State of Florida; and

**WHEREAS**, for over 25 years, the Deering Estate Foundation ("Foundation") has served as the philanthropic arm of the Deering Estate and, in this capacity, the Foundation serves as the steward of the property and assists with development and operational matters at the Deering Estate; and

**WHEREAS**, in August of 2014, Marta Weeks-Wulf affirmed the gift of her Palmetto Bay homestead to the Deering Estate Foundation. The 8.75 acre multi-million dollar property, located on the west edge of Old Cutler Road between SW 162 and 164 Streets adjacent to the Deering Estate, includes more than seven acres of pristine native tropical hardwood hammock that Weeks-Wulf has managed and maintained under an Environmentally Endangered Lands (EEL) covenant. In addition, the property includes a 10,500 square foot energy efficient home that was custom built by Ms. Weeks and her late husband L. Austin Weeks, petroleum geologist and former director of Weeks Petroleum; and

**WHEREAS**, the perpetuation of the Weeks' legacy of environmental responsibility, appreciation for higher learning, and caring for our natural resources should continue to provide an outstanding environment to further the Village's landscape for teaching and learning, further supporting the Estate's conservation efforts and hands-on environmental education programs; and

**WHEREAS**, this gift to the Deering Estate Foundation will provide a field station to offer scientists and environmentalists a center of research, conversation, education, and public outreach, which, in turn, provides an economic driver to the Village of Palmetto Bay and surrounding South Dade communities; and

**WHEREAS**, the Village of Palmetto Bay and the Deering Estate Foundation have been great partners in working together to maintain the outstanding natural preserve that is The Deering Estate and this Resolution is in the best interest and welfare of the residents of the Village of Palmetto Bay, and all of Miami-Dade County, Florida.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

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

**Section 2.** The Village of Palmetto Bay remains supportive of the 2016 legislative funding requests (exhibit A to this resolution) and the efforts of the Deering Estate Foundation to continue the planning and improvements to the properties within the Deering Estate.

**Section 3.** The Village Clerk is authorized on behalf of the Village to provide executed copies of this resolution to the Clerks of the Florida Senate and Florida House of Representatives, the Mayor of Miami-Dade County, each member of the Miami-Dade Board of County Commissioners, as well as each municipal clerk in Miami-Dade County for the purpose of distributing copies to members of their respective governing councils.

**Section 4.** This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this \_\_\_\_ day of September, 2015.

Attest: \_\_\_\_\_  
Meighan Alexander,  
Village Clerk

\_\_\_\_\_  
Eugene Flinn,  
Mayor

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

\_\_\_\_\_  
Dexter W. Lehtinen  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Karyn Cunningham \_\_\_\_\_

Council Member Tim Schaffer \_\_\_\_\_

Council Member Larissa Siegel Lara \_\_\_\_\_

Vice-Mayor John DuBois \_\_\_\_\_

Mayor Eugene Flinn \_\_\_\_\_



# DEERING ESTATE AT CUTLER

## Cultural & Ecological Field Station, Enhanced Access to Public Land

State Funding Request: \$1,450,000, one-time, non-recurring

Project Cost Estimate: \$8,500,000



Entity: *Deering Estate*  
Owned by the State of Florida,  
Managed by Miami Dade County

Contact: *Mary Pettit*  
Executive Director, The Deering  
Estate Foundation, Inc.

[PettitMary@bellsouth.net](mailto:PettitMary@bellsouth.net)

*Public Match includes Miami Dade County General Obligation Bond Funds and community funds raised through a Deering Estate Foundation Capital Campaign*

**Background:** The Deering Estate, owned by the State of Florida and managed by Miami-Dade County Parks Department, was purchased with CARL Trust funds in 1985. The 450+ acre coastal public park and Florida heritage site recently completed an archeological survey & assessment showing 11 new Paleo Indian, Tequesta and early Pioneer sites for further investigation. The 10+ acre Biscayne Bay Coastal Wetlands/Cutler Slough Rehydration Project located on site is part of the statewide CERP projects and is **the only Everglades Restoration site accessible to the general public – punctuating its value as an ecological scale model of Everglades restoration, public awareness and support of overall Everglades restoration efforts in local voting communities.** The Deering Estate also contains 119 acres of globally endangered pine rockland (amongst 8 other South Florida natural habitats), shares management of submerged resources of Biscayne Bay Aquatic Preserve, is designated as an Important Bird Area/Atlantic Flyway, & was designated as a historic district in 1986 with 5 historic buildings listed on the National Register of Historic Places. It is located in a residential community & contributes culturally, environmentally, and economically to the region as an attraction and highly diverse conservation & archeological site. *Component projects are “shovel ready” and have not received state budget funds. The requested funding is non-recurring.*

**\$1,450,000 Request; \$8,500,000 Total Project Cost (83% Public Match)**- Public funds raised by the Deering Estate Foundation include \$5 million investment in the Deering Estate’s Institute for Conservation Research & Learning so the Deering Estate’s cultural and ecological resources and rich habitats can be used as an ecological and archeological field study site and living classroom/outdoor “field school” by public universities including Florida International University and University of Florida.

- **(\$400,000) Fixed capital outlay researcher/academic housing and research archive access point- site access enhancements for visiting faculty, researchers, and students.**
- **(\$1,050,000) Fixed capital outlay for wetland observation platform, soil/water quality monitoring lab, public access enhancements**
- **(\$2,050,000) Additional Public Match - Operating funds for expanded staffing for resource monitoring & research, wildlife protection barriers, recreation trails, & public access areas.**

**ROI/Broader Statewide Impact:** The Cutler Slough Rehydration Project provides an opportunity for broad public engagement in environmental decision making and an opportunity to study environmental feedback from the effects of urbanization and management decisions regarding hydrology in Central/South Florida. The project is linked to other communities statewide through shared research, ecological monitoring, student/faculty training, best land management practices, and collaborative K-12 environmental education programs. Collaborations like those the Deering Estate has with Archbold Biological Field Station, connect rural communities at the headwaters of Everglades restoration in Venus, Florida to the many coastal communities of South Florida. The project additionally provides student and faculty training to public universities, enhancing interest and career pathing in STEM related professions, while improving the public’s understanding, access to, and support of wetland restoration projects and these sites’ sense of place - essential to local communities’ long term sustainability, public land preservation efforts, and ability to maintain quality of life ideals for residents and visitors.





# DEERING ESTATE AT CUTLER

*LocalMatch*: Balance of Project Paid for with Miami Dade County General Obligation Bond Funds and Deering Estate Foundation Capital Campaign

PettitMary@bellsouth.net - T. 305.235.1668 x266; F. 305.233.5074 - 16701 SW72 Avenue, Palmetto Bay, FL 33157

