



**PASSED and ADOPTED** this 1<sup>st</sup> day of April 2019.

Attest: DocuSigned by:  
*Missy Arocha*  
Missy Arocha  
Village Clerk

DocuSigned by:  
*Karyn Cunningham*  
Karyn Cunningham  
Mayor

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

DocuSigned by:  
*Dexter W. Lehtinen*  
Dexter W. Lehtinen  
Village Attorney

**FINAL VOTE AT ADOPTION:**

- Council Member Patrick Fiore YES
- Council Member David Singer YES
- Council Member Marsha Matson YES
- Vice-Mayor John DuBois ABSENT
- Mayor Karyn Cunningham YES

**Lehtinen- Schultz, LLC**  
**1111 Brickell Avenue, Suite 2200**  
**Miami, Florida 33131**

**February 2019**  
**Village of Palmetto Bay**

Statement Period: February 2019

Client: Village of Palmetto Bay, Florida

Date   Individual   Subject \_\_\_\_\_ Time

**General Government**

2/4	CR	Attend Council meeting briefing with Mayor and Manager; research lobbyist issue; research ethical issues raised by Councilmember Matson; confer with DL concerning various issues; attend Council meeting	9.8
2/4	AH	Conversation with DL and research and correspondence re lobbyists	0.6
2/8	DL	Meeting at Village Hall with Mayor, Manager, staff re pas and future items; meeting with staff re issues	2.1
2/14	BF	Review issues for Council meeting	0.6
2/14	DL	Conference with Manager, Mayor, staff regarding Council procedures, upcoming issues	1.9
2/15	DL	Meeting in preparation for Council meeting; review issues	1.8
2/19	BF	Attend preparation meeting for Council meeting; prepare for Council meeting; attend Council meeting	6.1
2/19	CR	Confer with Olga Cadaval and School Board attorney regarding agreement to be signed	0.3
2/25	BF	Review Robert's Rules of Order issue	0.4

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**General Government (continued)**

2/25	CR	Attend Special Council meeting; attend regular Council meeting; confer with Manager on various items; review reconsideration of previous motions; and other parliamentary issues; review addendum to Deering Bay parking agreement; email to counsel for County; forward agreement to Manager	4.7
2/25	DL	Analyze Robert's Rules of Order and Village code re reconsideration of defeated motion	1.0
2/26	CR	Conference call with Ethics Commission and former Mayor regarding public records request and email address lists	0.6
2/27	DL	Meeting at Village Hall with Councilmember on all issues; meet with staff thereafter re all issues	2.4
2/28	CR	Draft/revise memorandum concerning representation of Councilmember Matson	0.8
2/28	AH	Review M. Matson representation issue with CR	0.3

**Human Resources (Personnel)**

2/1-2/281    No activity

**Zoning and Land Use**

2/4	BF	Follow-up on easement issues (Shores); review documents; correspondence re same ay	1.1
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**Zoning and Land Use (continued)**

2/5	BF	Franjo Road – prepare for conference call; conference call with T. Sonn, S. Ferrera re easement and dedication issues; ethics conference call w/ J. Arroja	1.3
2/6	BF	Review easement and dedication issues (Shores at Palmetto Bay)	0.4
2/7	BF	Easement/dedication (Shores): follow-up with Village	0.3
2/8	BF	Review dedication issues; review easement issues; confer with Manager Silva; , DL, M. Pineda re same (Shores)	0.8
2/8	DL	Meeting with planning staff, Manager re various land use Issues (including easements and DUV, VMU, and old FPL Property)	2.3
2/12	BF	Multiple correspondence with Village and T. Sonn re easement/dedication (Shores)	0.4
2/14	CR	Review various issues re DUV with DL and BF; review DUV ordinance; begin drafting begin drafting memorandum re potential claims re amendments to DUV code (Bert Harris Act); email to V. Bencomo re outstanding liens	3.3
2/14	DL	Draft procedures guidelines for Council development of DUV amendments; confer with attorneys re Bert Harris Act review; study Bert Harris Act issues	3.6
2/15	CR	Attend telephonic conference re procedures to be used for DUV discussion meetings by Council for DUV amendment development; continue researching and drafting memorandum re Bert Harris Act claims; email same to DL and BF	6.7

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**Zoning and Land Use (continued)**

2/15	DL	Analyze potential Bert Harris Act claims; review preliminary draft re same; study Bert Harris Act; attend meeting re methods of Council DUV amendment development	3.7
2/15	AH	Review and correspond re DUV amendment procedure	0.2
2/15	BF	Conference call with DL, Mayor, Manager re Council meeting preparation; prepare for call (DUV amendment development procedures)	2.2
2/16	DL	Draft procedures document to be adopted by Council re methods of conducting Council development of DUV amendments; continue analysis of potential Bert Harris Act claims (DUV)	2.9
2/18	CR	Continue drafting Bert Harris Act potential claims memorandum (DUV)	1.1
2/19	BF	Review Bert Harris Act matters (DUV); review draft memorandum and research issues	3.1
2/21	DL	Review and analyze potential DUV amendments and possible adverse claims (Bert Harris Act; research claims procedure	2.4
2/19	CR	Review draft memorandum re Bert Harris Act potential claims (DUV)	0.4
2/21	BF	Follow-up re dedication documents (Shores); review meeting guidelines for DUV amendment development	0.7

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**Zoning and Land Use (continued)**

2/22	BF	Research dedication and plat issues; correspondence re same; review/revise right-of-way deed matters (Shores); correspondence re same	2.5
2/26	CR	Review Bert Harris potential claims memorandum; email M. Alvarez re information for memo; email to Clerk re moratorium language; email and call from W. Maltby concerning condemned property; confer with assistant re lien payoff letters	3.1
2/27	CR	Continue review and drafting of Bert Harris/DUV memorandum	4.4
2/28	CR	Draft/revise Bert Harris Act/DUV memorandum	1.9
2/28	AH	Review Matson memo, conversation w/CR re Bert Harris Act; review and revise Bert Harris DUV memorandum; review vested rights procedures	2.2

**Litigation**

2/5	CR	Email to D. Chin re payoff lien Pineda property; review new trial order Kraich case; forward John Lee case (slip/fall at Coral Reef Park to Fla League of Cities for defense	1.0
2/8	CR	Travel to Village and review response to subpoena (Rosen lawsuit); review for privilege; confer with DL re Shores property	3.0
2/11	CR	Review CG Properties lien payoff; email to D. Chin re same	0.2

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**Litigation (continued)**

2/13	CR	Email to closing agent re payoff of liens sent by V. Bencomo (Javetch); email to J. Proctor	0.5
2/15	CR	Revise memorandum re representation of Councilmember Matson in Rosen lawsuit; email same to DL	0.6
2/18	CR	Meeting with Manager and Councilmember re production of documents in Rosen litigation in response to third-party subpoena; review emails for responsiveness and privilege	1.6
2/22	CR	Call from DL re review of Councilmember documents in response to third-party subpoena (Rosen lawsuit); review rules of civil procedure; email attorney Leary; confer with DL re same	1.6
2/27	CR	Call from J. Proctor concerning unsafe structures litigation; email to V. Bencomo re lien payoff acall to Johnson Anselmo re representation of VM Dubois in Rosen litigation; mount; telephone call w/ DL and Councilmember Matson; draft and revise memo re representation of Matson related to injuries on way to Village Hall before swearing-in; review Rosen lawsuit and and research potential similar claims; draft/.revise memo re representation of Matson in Rosen lawsuit; research representation issues	4.2
2/28	CR	Confer with DL concerning Rosen lawsuit discovery by Village and Councilmembers; email vaious documents	0.5



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**Total Fees and Expenses**

**Total Fees**

Monthly total hours.....	95.2
<b>Total fees due (@ \$220/hour).....</b>	<b>\$ 20,944</b>

**Reimbursable Expenses**

WestLaw computer research charge, at .....	\$ 110
<b>Total Reimbursable Expenses.....</b>	<b>\$ 110</b>

**Total amount due (fees and expenses).....\$ 21,054**

DL/Dexter Lehtinen CR/Claudio Riedi BF/Bob de la Fuente; AH/Amanda Hand