

PASSED and ADOPTED this 23rd day of September 2019.

Attest: DocuSigned by:
Missy Arocha

6FDC211E5F8C48C
Missy Arocha
Village Clerk

DocuSigned by:
Karyn Cunningham

35B93CD2D0CB470...
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

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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 YES
- Mayor Karyn Cunningham YES

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

June 2019
Village of Palmetto Bay

<u>Date</u>	<u>Individual</u>	<u>Subject</u>	<u>Time</u>
<u>General Government</u>			
6/3	CR	Attend Tree Board meeting; confer with DL and Council-member re various attorneys fees issues (collateral litigation); assist DL in preparation for Council meeting	2.1
6/3	DL	Attend regular Village Council meeting; prepare for meeting; meet with staff prior to meeting	5.9
6/4	CR	Review ethics complaint against Councilmember; call to Councilmember re same; draft letter to Florida Commission on Ethics	1.5
6/4	CR	Draft of new Palmetto Bay tree ordinance; draft resolution for weekly special council meetings for of DUV code revisions; email to Councilmember concerning same	4.8
6/5	CR	Draft resolution concerning Tree Board meetings; forward same to Councilmember for review	0.7
6/6	CR	Telephone calls and emails from Councilmember concerning assistance with drafting of proposed resolutions/ordinances	1.3
6/7	DL	Attend meeting of charter officers, reviewing all prior and upcoming issues; confer thereafter with staff	2.6
6/7	CR	Meeting with Councilmember and H. Clifford concerning new Tree Ordinance; review ordinances of Miami Lakes, Pinecrest, and South Miami; review draft ordinance; confer with DL regarding process	3.3

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General Government (continued)

6/10	CR	Review tress ordinances from Miami Beach, Pinecrest, South Miami, Miami Lakes; review M-D County and Miami Lakes lists of prohibited trees; review proposed Tree ordinance as per conversations with Councilmember; prepare proposed prohibited tree list for Village	3.5
6/12	CR	Telephone call from Councilmember related to Village Tree surveys; review Sunshine Law requirements as related to drafting tree ordinance and call Councilmember; discuss drafting of sea-level rise ordinance	1.4
8/13	CR	Email to Mayor concerning Alumuina personal injury lawsuit; call from County concerning parking space agreement; email to Bencomo (code enforcement) concerning mitigation of code enforcement; review VPB code re mitigation	1.5
6/14	CR	Call to attorney for Miami-Dade County re parking agreement along 168 Street; review documents	0.4
6/23	DL	Draft items for upcoming Council meeting	2.6
6/26	DL	Confer with staff re upcoming agenda items, prepare agenda Materials	1.8
6/27	DL	Study/analyze ethics complaints against Councilmember; prepare for discussion with ethics investigators	1.9
6/28	DL	Meeting of charter officers to review/discuss all pending issues; meet with Councilmeber re State Ethics Commission investigation; speak with State Ethics Commission investigators; confer with and relevant employees and place such employees in contact with investigators	4.7

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6/28	AH	Discussion with DL re state ethics procedures; review Fla Ethics Commission rules and procedures	0.5
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Human Resources (Personnel)

6/1-6/30		No activity	0.0
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Zoning and Land Use

6/10	DL	Meeting at Village Hall re om comprehensive plan amendment and zoning amendment on old FPL property (now Luxcom ownership); review all issues therein	2.1
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6/11	DL	Study and analyze comprehensive plan and zoning issues raised in earlier meeting with staff; review documents/laws	1.9
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6/14	CR	Draft follow-up letter to Council regarding potential Bert Harris Act claims in DUV; confer with and forward to DL; Call M-D County attorney regarding parking agreement	1.5
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6/20	BF	Receive/review information re church/school matter (continuing validity of County land use decision)	0.4
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6/21	BF	St. Johns School: review multiple documents/correspondence; call with Indigo attorney; review unity of title and opinion of title; correspondence re same	1.5
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6/24	BF	Unity of Title: review revisions from attorney; correspondence re same	0.4
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6/25	BF	Follow-up on Unity of Title issues (Indigo)	0.2
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6/28	BF	Indigo: follow-up with Clerk	0.2
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Litigation

6/4	DL	Study/research feasibility of suing SFWMD for canal bank erosion (esp. federal and state takings, and legal standing of municipal corporations)	3.7
6/11	DL	Outline defendant's response (Luxcom) to Village motion to dismiss	2.3
6/14	AH	Luxcom: check service and correspondence re Judge Eig's motion to dismiss hearing	0.2
6/14	CR	Wen Liu enforcement action: motions and related filings by Liu; confer with DL concerning call from SFWMD attorney	0.7
6/17	DL	Luxcom: review Village reply to and plaintiff's response to motion to dismiss; research cases cited and derivative cases	2.8
6/17	AH	Luxcom: package to Judge Eig upcoming re motion to Dismiss hearing	0.6
6/18	AH	Correspondence to Judge Eig (Luxcom) re motion to dismiss hearing	0.3
6/18	DL	Luxcom: research and analyze F.S. Chapter 163 issues on comprehensive plan amendments; analyze plaintiff's arguments therein	2.9
6/19	AH	Luxcom: preparation meeting for motion to dismiss with DL; review cases re pleading with particularity	1.6

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Litigation (continued)

6/19	DL	Luxcom: meet with AH to analyze and prepare all arguments re Village motion to dismiss; review poleading rules; analyze lack of present injury and uniqueness in standing; darft oral argument	3.2
6/20	AH	Luxcom: prepare for, confer with DL, and attend motion to dismiss hearing (Judge Eig)	3.5
6/20	DL	Attend hearing and present oral argument to Judge Eig (Judge rules in favor of Village); ; prepare prior to hearing	6.8
6/21	AH	Draft order for Judge Eig, granting Village motion to Dismiss with prejudice	0.3
6/25	AH	Luxcom: proposed order granting Village motion; discuss with DL (esp. re effect on later litigation); conv. with Clerk	0.5
6/27	AH	Follow-up with Luxcom counsel (Ed Ramos) re order and submit order to Judge Eig	0.4

Total Fees

Monthly total hours.....		76.5
Total fees due (@ \$220/hour).....	\$	16,830

Reimbursable Expenses

WestLaw computer research charge, at		\$ 121
Total Reimbursable Expenses.....	\$	121

Total amount due (fees and expenses).....\$ 16,951

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