

RESOLUTION NO. 2015-49

**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 \$10,607; 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 April 30, 2015, in the amount of \$10,607; 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 \$10,607, 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 1<sup>st</sup> day of June, 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:

  
Dexter W. Lehtinen  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Karyn Cunningham	<u>YES</u>
Council Member Tim Schaffer	<u>YES</u>
Council Member Larissa Siegel Lara	<u>YES</u>
Vice-Mayor John DuBois	<u>YES</u>
Mayor Eugene Flinn	<u>YES</u>

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

**April 2015**  
**Village of Palmetto Bay**

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

<u>Date</u>	<u>Individual</u>	<u>Subject</u>	<u>Time</u>
<u><i>General Government</i></u>			
4/1	DL	Meeting with Village Manager and Village Clerk regarding upcoming agenda items; discussion regarding organization of Palmetto Bay Foundation	4.1
4/3	DL	Conference with Councilperson and Village Manager; review issues regarding RFP for parks; meeting with Village Clerk	3.4
4/6	DL	Meet with Manager and Clerk regarding issues; Palmetto Bay Village Council meeting; preparation for meeting	4.2
4/6	CR	Research Florida "resign to run" law; review same	0.5
4/7	DL	Meeting with Village Manager and Planning Dept (with Riedi); review proposed parking ordinance; meeting with Village Clerk (with Riedi)	2.2
4/7	CR	Meet with client to discuss parking ordinance; banner ordinance; confer with Manager, Planning Dept, Clerk (with Lehtinen)	1.2
4/15	DL	Review various e-mails from Planning Dept, proposed agenda items	2.4
4/15	CR	Review and edit various draft resolutions; e-mails to Lehtinen concerning same	0.8
4/20	DL	Agenda review meeting; subsequent meeting with Village Manager and Village Clerk; attend Village Council zoning meeting (preparation prior to meeting)	4.1

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**April 2015/Village of Palmetto Bay**  
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**General Government (continued)**

4/22	DL	Analysis and discussion regarding Village Charter and various personnel matters under Village code and state law; meet with Councilperson	2.3
4/23	DL	Meeting with Village Clerk; telephonic conference call regarding Montessori School election; agenda preparation; review and revise building fee ordinance	2.7
4/24	DL	Meet with Councilperson to discuss upcoming agenda items; meet with Clerk to review upcoming agenda items; review building permit fees proposal	2.4
4/29	DL	Meeting with Clerk and Public Works regarding storm-water system contract; review and revise contract; review other matters	1.8

**Zoning/Land Use**

4/7	DL	Confer with Planning Dept regarding possible amendments to downtown redevelopment area zoning code and application of existing code to land owners during pending zoning amendments (zoning in progress) (with Riedi)	0.5
4/7	CR	Met with Planning Dept regarding zoning in progress issues (with Lehtinen)	0.5
4/17	DL	Confer with Riedi regarding zoning amendment procedures; research zoning moratoria	0.7
4/17	CR	Confer with Lehtinen regarding zoning in progress ordinances; research propriety of moratoria by resolution; review proposed zip resolution	2.8
4/21	DL	Research state law and cases regarding applicable land use codes and land owner rights while code amendments are under review (a/k/a "zoning-in-progress")	1.7

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**April 2015/Village of Palmetto Bay**  
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**Zoning/Land Use (continued)**

4/22	DL	Review zoning-in-progress (ZIP) proposal; meet with Planning Dept	1.9
4/24	CR	Review guest house ordinance; e-mail to Lehtinen	0.4
4/29	DL	Review proposed "guest house" ordinance; meeting with Planning Dept	1.1
4/29	CR	Confer with Lehtinen and Catalano regarding covenant in lieu of unity of title (Palmer Trinity)	0.2
4/30	JC	Review covenant in lieu of unity of title (Palmer Trinity School); attend to question regarding legal opinion; follow-up with Lehtinen	1.5

**Litigation**

4/2	CR	Various telephone calls and e-mails with opposing counsel; call from Delsalle; review VPB code regarding notice requirements; review F.S. Ch. 163 for compliance issues; additional e-mail opposing counsel re: public records request	2.8
4/6	CR	Call from counsel for Church; call from opposing counsel regarding possible settlement; confer with Lehtinen; review records, VPB code and response to petition for certiorari; e-mail opposing counsel re: depositions of Passarellas; review Ch. 163 for comp plan consistency	3.4
4/7	DL	Discussion with Planning Dept regarding fire station litigation and proposed temporary fire station issues (with Riedi)	0.5
4/7	CR	Meeting with Planning Dept in connection with permanent fire station and temporary fire station (with Lehtinen)	0.5

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**April 2015/Village of Palmetto Bay**  
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**Litigation (continued)**

4/13	CR	Finalize and file answer and affirmative defenses to Ch. 163 action; call from Miami-Dade County attorney; concerning potential mediation	1.2
4/14	CR	Review request for 45 day stay; confer with Lehtinen regarding opposition to potential stay; e-mail to opposing counsel	0.3
4/22	CR	Various e-mails and responses re: request for extension of time; call from asst county attorney; advise counsel for petitioner re: opposition to extension of time; confer with county attorney and church attorney	1.2
4/24	CR	Prepare response to motion for stay	1.5
4/29	CR	Communication with opposing counsel regarding mediation	0.2

**Total Fees**

Monthly total hours.....	55.0
Total fees due (@ \$190/hour.....)	\$ 10,450

**Reimbursable Expenses**

WestLaw computer research charge (at cost) (January).....	\$ 157
Total Reimbursable Expenses.....	\$ 157

**Total amount due (fees and expenses).....\$10,607**

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