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RESOLUTION NO. 2017-34

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 \$19,963 FOR PERIOD ENDING FEBRUARY 28, 2017; AND PROVIDING FOR AN EFFECTIVE DATE. (Sponsored by Administration)

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 28, 2017, in the amount of \$19,963; 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 \$19,963, copies of which are attached, are approved for payment.

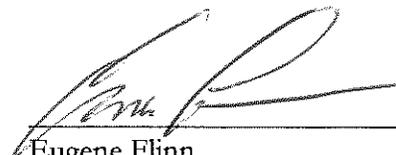
Section 3. Effective Date. This Resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 3rd day of April, 2017.

Attest:

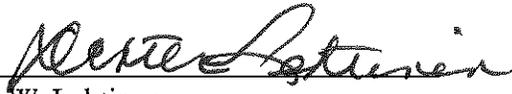


Missy Arocha
Village Clerk



Eugene Flinn
Mayor

1 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
2 USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:
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7 _____
8 Dexter W. Lehtinen
9 Village Attorney

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12 FINAL VOTE AT ADOPTION:
13

- | | |
|---|------------|
| 14 Council Member Karyn Cunningham | <u>YES</u> |
| 15
16 Council Member David Singer | <u>YES</u> |
| 17
18 Council Member Larissa Siegel Lara | <u>YES</u> |
| 19
20 Vice-Mayor John DuBois | <u>YES</u> |
| 21
22 Mayor Eugene Flinn | <u>YES</u> |

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

February 2017
Village of Palmetto Bay

Statement Period: February 2017

Client: Village of Palmetto Bay, Florida

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

2/2	DL	Meet with Manager and staff; review proposed ordinances; review zoning and comprehensive plan issues	3.9
2/3	BF	Procurement - research re: procurement exemptions; conference call with DL	1.3
2/6	BF	Public records - followup re public records request and review; ;conference call with clerk's office; followup with L. Pittser; conference at Village on Ch. 119 records review; correspondence to client re same	3.7
2/6	DL	Prepare for Council meeting; meet with staff, review issues; attend Village Council meeting	9.8
2/7	BF	Conference call with L. Pittser regarding conflict of interest questions	0.3
2/8	CR	Draft waiver of liability for event; email to Manager	1.4
2/8	DL	Meet with planning staff and Manager; review existing DUV code; review reserve units issues; discuss upcoming issues	4.8
2/9	CR	Revise liability waiver; email same to Manager	1.1
2/9	DL	Analyze zoning issues with planning staff; meet with Manager re upcoming land use issues; meet with Clerk	5.6
2/10	DL	Review Florida local government authority regarding land use regulation and supporting evidence required for decisions	2.3

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February 2017/Village of Palmetto Bay

General Government (continued)

2/13	CR	Review and revise park lease agreement; email to Manager with revised version	2.5
2/13	DL	Prepare for zoning hearing; meet with staff; attend Village Council zoning hearing	5.4
2/14	DL	Research Florida land use law and local government authority; telephone conference with Manager	2.2
2/15	DL	Meet with Councilmember; confer with planning staff; phone conference with Manager; prepare for and attend Committee of the Whole (COW) Council meeting	6.2
2/16	BF	Conference call with L. Pittser (procurement)	0.2
2/16	DL	Phone calls with staff and Councilmembers; review pending issues	1.9
2/17	DL	Meet with Village staff; confer with Councilmember; research municipal zoning power	2.7
2/21	BF	Correspondence from/to L. Pittser re garage procurement; conference call with L. Pittser	1.6
2/22	BF	Procurement - review UP provisions; draft correspondence responding to MCM letter	0.6
2/26	DL	Prepare/draft numerous agenda items requested by Councilmembers and staff for upcoming Council meeting (to meet notice requirement)	4.1
2/27	DL	Continue drafting items for agenda of upcoming Council meeting (ordinances, resolutions, etc); meet with staff and Clerk; assist in preparing published agenda	9.5
2/28	DL	Confer with Councilmember; review upcoming agenda issues; meet with staff	2.3

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February 2017/Village of Palmetto Bay

Human Resources (Personnel)

2/1-2/28 none

Zoning and Land Use

2/6	JC	Attend to open issues re VPB and covenant for Van Orsdel; review correspondence and direction from T. Kendall; followup with counsel for Van Orsdel to finalize process	1.2
2/7	JC	Review covenants; review title issues; prepare correspondence to attorney for landowner with respect to open items to close matter	0.9
2/22	JC	Communicate with counsel to Van Orsdel re opinion of title; followup with Total Bank's counsel re same; review and analyze final draft of opinion of title	1.6
2/27	JC	Review issues raised by Total Bank counsel in connection with plat survey and followup	0.9

Litigation

2/3	CR	Liu litigation - review/revise complaint; email to White for update. Seal case: email to opposing counsel re: discovery response and settlement	1.0
2/6	CR	Liu - revise complaint; review code enforcement files; research suits for injunction for violation of code. Seal case - email to/from opposing counsel; call to DL concerning settlement conference	2.4
2/8	CR	Seal - confer with DL concerning terms of settlement; email to/from opposing counsel concerning settlement conference	0.3
2/10	CR	Participate in settlement conference (seal); draft email to litigation parties outlining potential settlement terms	0.8

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February 2017/Village of Palmetto Bay

Litigation (continued)

2/14	CR	Draft stipulation for dismissal (seal) and proposed order of dismissal	0.9
2/21	BF	Receipt/review of amended pleading (VMU declaratory judgment action)	0.4
2/22	DL	Conference with CR regarding VMU declaratory judgment action (Buirch); research comprehensive plan challenges	1.2
2/22	CR	Telephone call with DL concerning Burch/VMU Declaratory Judgment action; discuss issues re repeal; . Call to/from Graham Penn; email to A. White concerning filing of Liu complaint;. Seal - email to attorney regarding settlement	2.3
2/25	DL	Study and analyze amended complaint and attachments (VMU declaratory judgment action)	4.3
2/27	CR	Review amended complaint; review all attachments (VMU declaratory judgment action). ; Call to/from A. White concerning Liu	6.0

Total Fees

Monthly total hours.....	97.6
Total fees due (@ \$200/hour).....	\$ 19,520

Reimbursable Expenses

WestLaw computer research charge, at cost.....	\$ 443
Total Reimbursable Expenses.....	\$ 443

Total amount due (fees and expenses).....\$ 19,963

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