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3 **RESOLUTION NO. 2018-99**

4 **A RESOLUTION OF THE MAYOR AND VILLAGE**
5 **COUNCIL OF THE VILLAGE OF PALMETTO BAY,**
6 **FLORIDA, RELATING TO ATTORNEYS' FEES;**
7 **APPROVING ATTORNEYS' FEES AND COSTS FOR**
8 **LEHTINEN SCHULTZ RIEDI CATALANO FUENTE, PLLC**
9 **IN THE AMOUNT OF \$15,716 FOR PERIOD ENDING**
10 **JULY 31, 2018; AND PROVIDING FOR AN EFFECTIVE**
11 **DATE. (Sponsored by Administration)**

12 **WHEREAS,** the Village Council of the Village of Palmetto Bay
13 engaged the law firm of Lehtinen Schultz Riedi Catalano Fuente, PLLC
14 to provide Village Attorney legal services for the Village; and
15

16 **WHEREAS,** Lehtinen Schultz Riedi Catalano Fuente, PLLC,
17 submitted its statements to the Village for legal services rendered, and
18 costs advanced, for the period ending July 31, 2018, in the amount of
19 \$15,716.00; and
20

21 **WHEREAS,** the amounts are reasonable and were necessarily
22 incurred.
23

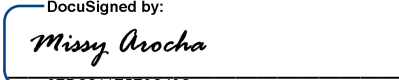
24 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND**
25 **VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY,**
26 **FLORIDA, AS FOLLOWS:**
27

28 **Section 1. Recitals.** The above recitals are true and correct and
29 incorporated herein by this reference.
30

31 **Section 2. Approval.** The statements for attorneys' fees and
32 costs received from Lehtinen Schultz Riedi Catalano Fuente, PLLC, in
33 the total amount of \$15,716.00, copies of which are attached, are
34 approved for payment.
35


36 **Section 3. Effective Date.** This Resolution shall take effect
37 immediately upon approval.
38
39
40

PASSED and ADOPTED this 12th day of September, 2018.

Attest: 
Missy Arocha
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 YES
- Council Member David Singer YES
- Council Member Larissa Siegel Lara YES
- Vice-Mayor John DuBois YES
- Mayor Eugene Flinn YES

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

July 2018
Village of Palmetto Bay

Statement Period: July 2018

Client: Village of Palmetto Bay, Florida

| <u>Date</u> | <u>Individual</u> | <u>Subject</u> | <u>Time</u> |
|-------------|-------------------|----------------|-------------|
|-------------|-------------------|----------------|-------------|

General Government

| | | | |
|------|----|---|-----|
| 7/8 | DL | Review Council agenda matters in preparation for regular Village Council meeting | 1.1 |
| 7/9 | DL | Attend Village Council meeting (not including budget workshop); meeting with staff, Council member prior to meeting | 6.4 |
| 7/16 | DL | Attend Village Council meeting regarding County transportation plan and use of ½ cent sales tax | 1.0 |
| 7/18 | CR | Review shell contract for bathroom construction; email to VPB concerning same; emails from A. White concerning property inspection (Liu property) | 1.1 |
| 7/18 | DL | Attend Council Committee of the Whole (COW) meeting and capital projects budget workshop; meet with Manager, staff on general issues prior to Council meeting | 3.2 |
| 7/20 | DL | Meet with multiple Council members at Village Hall on various issues, including special events regulation | 1.8 |
| 7/23 | DL | Attend Village Council budget meeting re: special revenue | 1.0 |

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Human Resources (Personnel)

7/1-7/31 none

Zoning and Land Use

| | | | |
|------|----|--|-----|
| 7/9 | DL | Research restrictive covenant law and application to VMU restrictive covenants | 1.8 |
| 7/10 | DL | Review and analyze elements of Shores site plan application | 1.9 |
| 7/12 | DL | Meet with Village staff (including Planning Dept) regarding all matters relating to Shores site plan application; study application and moratorium issues | 2.8 |
| 7/13 | DL | Continued analysis of all procedural aspects of Shores site plan application; begin draft of legal opinion | 1.3 |
| 7/15 | DL | Complete draft of legal opinion regarding Shores site plan application, including Village DUV moratorium and “substantially complete” application | 2.7 |
| 7/16 | AH | Review correspondence (Indigo St LLC) and conference call regarding quasi-judicial proceedings | 1.2 |
| 7/16 | DL | Attend Village Council zoning/land use meeting; meeting; prior, receive/review letter from Indigo Street LLC in opposition to Shores site plan application; meet with Manager, planning staff re same; meet with Councilmember | 4.6 |
| 7/16 | BF | Review quasi-judicial process issues | 1.7 |
| 7/20 | DL | Follow-up on Shores site plan issues, including claims in Indigo Street LLC objection letter; discussion with Manager | 1.4 |
| 7/23 | DL | Attend Village Council zoning/land use meeting (continuation of Shores site plan application); review with staff prior to meeting; review second Indigo Street LLC letter | 4.2 |

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Litigation

| | | | |
|------|----|---|-----|
| 7/11 | DL | Review briefs in VMU certiorari in advance of oral argument in 11 th Circuit Appellate Division; identify likely oral argument issues from Judges' viewpoint | 3.1 |
| 7/13 | CR | Confer with DWL concerning Burch (VMU); review pleadings; revise/file notice o supplemental authority; email to DWL with pertinent records | 1.2 |
| 7/13 | DL | Confer with CR re: VMU writ case; review materials | 1.4 |
| 7/16 | CR | Telephone conference with A. White regarding entry on land (Liu case); various telephone conversations with DWL and staff regarding various applications | 1.7 |
| 7/17 | DL | VMU certiorari oral argument: confer with co-counsel; read cases cited by opposing party and own briefs; draft orl argument responses to expected questions from appellate panel | 4.3 |
| 7/17 | CR | VMU Certiorari: telephone conference with attorney E. Mehta and DWL review new case law concerning standing; review appellate briefs in preparation for oral argument. Gun regulation case: email DWL concerning strategy; review and revise proposed order re: intervention by VPB | 1.9 |
| 7/18 | DL | Prepare for oral argument in VMU certiorari case; conference calls with co-counsel; re-outline oral argument for each issue; study case | 7.8 |
| 7/18 | CR | Review supplemental authority; emails to E.B. Mehta concerning Same; participate in telephone conferences with DWL and E. Mehta in preparation for oral argument; prepare exhibits | 1.2 |
| 7/19 | DL | Present oral argument to 11 th Circuit appellate panel (VMU certiorari Writ); prepare and review prior to argument | 7.4 |
| 7/19 | CR | Prepare for oral argument with co-counsel; review case law and exhibits; attend oral argument | 3.3 |

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Litigation (continued)

| | | | |
|------|----|---|-----|
| 7/25 | CR | Review new claim for slip and fall by Flor Ortiz; forward claim to League of Cities for defense | 0.3 |
| 7/26 | CR | Castro foreclosure: review complaint; research liens; Mullinix Foreclosure refinancing: email to D. Chin concerning payoff letter | 0.4 |
| 7/27 | CR | Millinix foreclosure: review satisfaction of lien and recorded satisfactions with opposing counsel; review VMU (Burch) favorable court ruling; email to Manager; confer with DWL. Castro foreclosure: draft and file answers and affirmative defenses | 1.1 |

Summary of Fees and Expenses

Total Fees

| | |
|---|------------------|
| Monthly total hours..... | 73.3 |
| Total fees due (@ \$210/hour)..... | \$ 15,603 |

Reimbursable Expenses

| | |
|--|---------------|
| WestLaw computer research charge, at cost..... | \$ 110 |
| Postage..... | \$ 3 |
| Total Reimbursable Expenses..... | \$ 113 |

Total amount due (fees and expenses).....\$ 15,716

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