

RESOLUTION NO. 2018-113

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 \$17,040 FOR PERIOD ENDING SEPTEMBER 30, 2018; 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 September 30, 2018, in the amount of \$17,040; 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 \$17,040, copies of which are attached, are approved for payment.

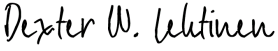
Section 3. Effective Date. This Resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 5h day of November, 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 ABSENT
- Mayor Eugene Flinn YES

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

September 2018
Village of Palmetto Bay

Statement Period: September 2018

Client: Village of Palmetto Bay, Florida

Date Individual Subject _____ Time

General Government

9/3	DL	Review and work on draft ordinances requested by Council-Member	1.1
9/4	CR	Conference with DW regarding various proposed ordinances; conduct research concerning same; draft ordinances/provisions concerning: shade sessions (public meeting exemption) for certain litigation; charter provision concerning disclosure of real property ownership by Councilmembers; and recall petition for unethical conduct	2.4
9/4	DL	Confer with firm attorneys regarding potential draft Village ordinances, including public meetings closures and attorney fees against plaintiff Councilmembers in certain litigation; disclosure of real estate by Councilmembers; recall of Councilmembers; research issues	3.2
9/4	AH	Research and draft memo and Village ordinance regarding shifting attorneys fees in certain litigation to losing Councilmember plaintiff; confer with DL	2.7
9/5	DL	Research, prepare and finalize agenda items for Council Members for upcoming Council meeting; confer with And assist Clerk and Manager; discuss with Council Members; revise items	8.5
9/5	BF	Conference call with DL regarding various ordinance issues	0.3
9/5	CR	Conference call with DL, attorneys regarding various Council issues and proposed ordinance issues; review draft ordinances	0.6

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General Government (continued)

9/5	AH	Research campaign financing disclosure requirements and pre-Emption of local regulation by State; prepare memorandum for DL; conference call with DL regarding proposed ordinances and review	2.5
9/6	DL	revise agenda items for upcoming Regular Council Meeting	1.7
9/6	BF	Review SFWMD (South Fla Water Management District) matters (incl canals) with DL	0.4
9/7	AH	Confer with DL regarding So. Fla Water Mgmt Dist (SFWMD) Jurisdiction	0.3
9/7	DL	Revise legal analysis regarding proposed actions; research legal issues; research legal issues re proposed ordinances	2.1
9/10	CR	Review and revise M-Dade Schoolm Board memorandum of understanding (MOU) re: police officers in public schools; confer with Manager Silva and DL re same; email same to school board attorney	1.3
9/10	BF	Research SFWMD jurisdiction over canals	0.7
9/10	DL	Conference re School Board Memo of Understanding (MOU); review and research issues related to proposed Council ordinances and Charter amendments	2.3
9/11	BF	Continued research re canal jurisdiction and regulatory authority (SFWMD and local government)	0.8
9/11	AH	Research legality of SFWMD (Water Mgmt Dist) speed zones in Canals and enforcement authority	0.3
9/11	DL	Prepare for upcoming Special and Regular Council meeting; confer with staff	2.6
9/12	BF	Analyze (research) SFWMD (Water District) general jurisdiction	0.5

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General Government (continued)

9/12	DL	Attend Budget/Tax Village Council meeting; attend Regular Council meeting; prepare for meeting by conferring with staff, Clerk, Manager	6.7
9/13	BF	Research SFWMD (So Fla Water Mgmt Dist) matters; conference call with DL, others re same	0.7
9/14	BF	Follow-up and continued research on SFWMD canals and regulatory control of use; correspondence re same	1.1
9/24	DL	Attend Budget/Tax meeting of Village Council; attend continuation of Regular Village Council Meeting (from September 12); prepare for meeting with review and confer with staff, Manager, Clerk; assist in preparation of agenda for upcoming October Council Meeting with Clerk, manager	7.6
9/25	DL	Follow-up to Budget Council meeting and Special Council meeting (continuation of Regular Council meeting); re-draft and review Materials	1.8

Zoning and Land Use

9/12	DL	Meet with Manager and local property owners regarding potential Use of local property (adjoining Village Hall)	1.3
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Litigation

9/4	DL	Review and analyze Certiorari petition re Shores site plan approval (Indigo Street)	1.1
9/4	BF	Follow-up re: various petition (Shores site plan certio) matters	1.2
9/9	DL	Analyze legal issues in petition for certiorari (Indigo Street/ Shores site plan approval)	1.7
9/10	DL	Review and research legal issues regarding petition for certiorari (Shores site plan/Indigo Street)	1.3

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Litigation (continued)

9/11	CR	Village condos and residences: email to Finance Director re payoff of liens	0.2
9/12	DL	Meet with Manager and local property owners regarding potential Use of local property (adjoining Village Hall)	1.3
9/12	CR	Email to Finance Director regarding payoff requests for Village liens; email to Wes Maltby re hearings on condemned property	0.8
9/17	DL	Petition for writ (Indigo Street LLC): analyze issues of insufficient service of process and lack of standing; preliminary draft notes for motions to dismiss	2.1
9/18	DL	Continued work on petition for certiorari issues (Shores site plan/ Indigo Street challenge)	2.7
9/19	DL	Legal review and research on certiorari issues	1.8
9/21	CR	Confer with Village regarding partial release of lien; draft partial release of lien; review discovery requirements in gun control case (Weston v. Scott); forward to Village	1.3
9/21	DL	Analyze Village code regarding Downtown Urban Village (DUV) regulations regarding density, height, parking, etc	
9/25	CR	Email to V. Bencomo regarding partial release of liens	0.2
9/26	CR	Review motion to dismiss and cited case law (Weston v. Scott); email to Village concerning production; email to DL concerning hearing	2.6
9/28	DL	Petition for certiorari (Shores site plan/Indigo St): confer with DL concerning filings and motions; draft response to Indigo St motion to strike; research jurisdiction nature vel non of jurisdiction briefs. Gun regulation case (Weston v. Scott): prepare for telephonic hearing; attend telephonic hearing on Fla State Dept's motion to dismiss; summarize hearing and confer with DL re case	5.8

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Summary of Fees and Expenses

Total Fees

Monthly total hours..... 77.6
Total fees due (@ \$210/hour).....\$ 16,296

Reimbursable Expenses

WestLaw computer research charge, at cost.....\$ 689
Copies regarding code enforcement hearing.....\$ 55
Total Reimbursable Expenses.....\$ 744

Total amount due (fees and expenses).....\$ 17,040

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