

City of Westlake November Monthly Legal Update

Legal Opinion: Research and review documentation provided by Lewis Longman Walker regarding Chapter 5, and SID versus the City's authority. Provide a legal opinion to the City Council regarding the City's authority as it pertains to all legal documents subject to the ongoing dispute.

Provide legal response to applicant's email correspondence to City Council.

Review, research and provide written responses to multiple letters from the developer.

SID/ITID Litigation:

Review of court files and pleadings to stay apprised of litigation status. Attended hearing on request to bypass Florida Statutes, Chapter 164 proceedings. Judge entered an Order denying the request to bypass Florida Statutes, Chapter 164 dispute resolution process. Depositions have been cancelled. A Joint Motion to Compel Mediation and Stipulation was filed on 11/17/2020. Judge Janis Keyser granted the stipulation for mediation.

Ordinances & Resolutions:

Prepare resolutions for the following:

- Westlake Plaza (Publix) Plat
- Westlake Plaza (Publix) Site Plan
- Westlake Plaza (Publix) Master Site Plan
- 7-11 Master Sign Plan
- Corrective Resolution for Taxes

Solid Waste Collection Fee Ordinance per F.S. 197.3632: Review and research Florida Statutes for the collection of solid waste annual fees on the tax roll for the 2021 tax year. Coordination with the City Clerk regarding notice requirements and the tax collector's office.

Noise Ordinance: Research and review of legal proceedings regarding Jupiter's noise ordinance. Draft and distribute a proposed noise ordinance to City Manager and City Planner for review and comment. Review for consistency with Property Maintenance ordinance.

Review of Applications:

- Westlake Plaza Plat (Publix)
- Westlake Plaza Site Plan
- Westlake Plaza Master Site Plan
- 7-11 Master Sign Plan

Bond Reviews/Reductions and Release:

- Cresswind Palm Beach Phase I
- POD T Estates of Westlake

Agreements:

Review, revise and provide comments as necessary for the following documents.

- Interlocal Agreement with Palm Beach County for Reimbursement under CARES Act program.
- Parking Enforcement Agreement for the Meadows with Palm Beach County Sheriff's Office.

- Provide Builder's At Risk Agreement for construction prior to recordation of plat.
- Review and revise Resolution for the extension of virtual meetings with the Governor's orders which were not renewed, pursuant to municipal powers under Florida Statutes, Chapter 252.
- Review and provide comments on golf cart applications.

Public Records Request:

Respond to public records requests.

HAPPY PROGRAM:

- Review of applications and provide responses to applicants, lenders and attorneys for the applicants regarding the program and status of the files.
- Draft Award Letter, Promissory Note & Second Mortgage.
- Correspond via email and telephone with FBC Mortgage and Loan Depot.
- Corresponded with and provide documentation to Wells Fargo General Counsel, Atlanta, GA regarding certifying HAPPY Program.
- Corresponded with and provided documentation to Down Payment Resources of Atlanta, GA regarding certifying HAPPY Program

General meetings:

Attend regular weekly staff meetings and follow-up as needed for various applications. Phone calls and meetings with City Council members regarding questions, inquiries and agenda review. Communications with staff, applicant's, developer's counsel and other parties as necessary to complete items for the agendas.

- Attended Special Council Meeting November 2, 2020.
- Attended Regular Council Meeting November 30, 2020

Schedule and provided Sunshine Law training for new board members on the Education and Youth Advisory Board. Training will continue in the month of December based up availability of board members schedules.

Community Meetings:

Florida Bar Constitutional Judiciary Committee, Florida Bar Meeting
 Florida Bar, City, County and Local Government Law Section meeting
 Palm Beach County Bar Association
 F. Malcolm Cunningham, Sr. Bar Association
 Palm Beach County League of Cities Luncheon
 First Tee of the Gold Coast Meetings, Board of Directors
 PACE Center for Girls Meetings, Board of Directors
 Florida Association of Women Lawyers (FAWL)
 Suits for Seniors, Mentor