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City of Key West
 P.O. Box 1409
 Key West, FL 33041

Date: December 31, 2021
 Invoice No. 2
 Account No. 200308.0001
 Page: 1

RE: Cruise Ship Related Referendum Implications/issues (P.O. Number

		Previous Balance	\$11,000.00
			Hours
12/01/2021	TBS	Research and review of ordinances and regulations adopted by various counties and cities in the state of Florida regarding authority for adopting Port Regulations.	2.60
	TBS	Telephone conference regarding strategy for response to referendum, state law, and Pier B litigation claims.	0.40
	TBS	Preparation of memorandum of law regarding potential breach of contract claim and constitutional issues brought by Pier B if the City of Key West passes an ordinance limiting number disembarking passengers from cruise ships; research regarding same; review of contract with Pier B for analyzing potential causes of action.	2.80
	SLM	Review Master Plan regarding port facilities; conferences with commissioners Lopez and Kaufman; conference regarding same.	3.00
	EJP	Telephone conference - Commissioner meeting; internal team.	2.30
	WCD	Review Key West ordinances; Further review of Pier B contract; Interview Commissioner Lopez; Interview Commissioner Kaufman.	3.80
	WCD	Strategize re: draft of proposed ordinance.	0.60
12/02/2021	TBS	Preparation of memorandum of law regarding evaluation and analysis of environmental regulations and restrictions implemented by ports and states across the county.	4.80
	TBS	Review of proposed ordinance, memorandum of law, research, and supporting documents prepared by Key West Committee for Safe Cleaner Ships; analyze and provide strategic review for rebuttal.	1.80
	TBS	Research regarding ability of designation for confidential pre-suit mediation with attorneys on behalf of a public agency and implications of Florida sunshine law.	1.40
	TBS	Preparation of memorandum of law proposing best environmental practices for Key West to implement regarding regulations of cruise ship industry subject to state statute prohibiting certain restrictions.	2.10
	SLM	Research regarding potential environmental regulations; conference regarding same; Conference call with commissioner Davila; conference call with City Attorney; begin draft of potential environmental regulations.	4.00
	EJP	Telephone conferences with Key West Commissioners.	2.00
	WCD	Review summary of prior cases; Strategize; Interview commissioner Davila (3:00 p.m. - 4:00 p.m.).	1.80

Cruise Ship Related Referendum Implications/issues (P.O. Number 095437)

			Hours
12/03/2021	SLM	Research and draft of language for environmental regulation ordinance.	2.00
12/06/2021	TBS	Review of committee notes provided by Arlo Haskell regarding Board of Trustees approval of amended lease agreement with Pier B; preparation of analysis regarding environmental impact and consideration by city in approving the revised permit in conjunction with Department of Environmental Protection approval.	1.20
	SLM	Conference regarding ordinance; conference call with SCS regarding ordinance; research regarding related issues.	3.00
	EJP	Telephone conference regarding Cleaner Safer Ships.	0.70
	WCD	Receipt and review history of Pier B Agreement; Analyze; Memo to Ed Pozzuoli; Attend interview Arlo and member of SCS (9:30 a.m. - 11:20 a.m.).	2.60
12/07/2021	SLM	Research possible environmental regulation for inclusion in ordinance; draft language.	2.00
12/08/2021	TBS	Preparation and revision of litigation binder and memoranda; research regarding case law and analysis provided by Gunster Law Firm in analyzing Pier B cause of action.	1.10
12/09/2021	SLM	Review issues concerning viable regulation; conference call regarding legal position concerning Pier B contract and ordinance implementing referenda; conference regarding same.	1.50
	EJP	Telephone conference Joe Jacquot	0.40
	WCD	Attend conference call (2:30 p.m. - 3:40 p.m.) with Gunster attorney re: their opinion; Strategize with City attorney re: upcoming commission meeting.	2.50
	WCD	Review Gunster memorandum for call re: Pier B contract.	0.40
12/10/2021	TBS	Research regarding Florida Department of environmental protection rules and regulations promulgated and proposed relating to turbidity; review of assessment reports, FDEP comprehensive plans regarding same; compilation of all templates, assessments, permitting requirements, recommended statutes/Florida Admin Code rules for Shari McCartney for review.	3.40
	SLM	Conference regarding Commission presentation; research issue related to presentation and revisions to presentation.	2.00
	EJP	Draft outline review legislative	0.60
12/13/2021	TBS	Research regarding cases and legal analysis provided in Gunster Memorandum for Key West Committee for Safer, Cleaner Cruise Group by Joe Jacquot; preparation of memorandum in response/rebutting the Gunster Memorandum; relevant case law, analysis, and memorandum for 12/13/2021 city commission workshop.	4.40
	TBS	Review of city commission workshop regarding legal implementation and negotiation of referenda and legislative preemption; correspondence with Bill Davell regarding strategy and key takeaway from meeting.	2.40
	SLM	Review DEP turbidity comments and related documents concerning water quality enforcement; travel to and attend conference with city attorney, chamber of commerce director, Pier B owners; attend city commission workshop.	10.00
	EJP	Travel to and from kw attend committee meeting conference Pier B	

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		Hours	
	conference chamber prepare for meeting	4.50	
WCD	Receipt and review memo from Arlo; Review Coral Turbidity Report; Review detailed letter to EPA from SCS re: turbidity.	1.10	
WCD	Meet with Joe Walsh (Pier B) and Chamber Director and attend commission meeting in Key West (1:30 p.m. - 9:00 p.m.).	8.50	
WCD	Review local health memo from SCS; Summarize reports and memo to Ed Pozzuoli.	0.80	
12/14/2021	SLM Analysis of possible commission action regarding regulation of cruise ships; review correspondence regarding same	1.80	
	TBS Research regarding litigation filed by Pier B in Sixteenth Judicial Circuit regarding development orders and referendum invalidation; review of correspondence from Arlo Haskell regarding declarations and his research in rebuttal to Pier B's complaint; research regarding case law and Florida Statutes regarding exemptions to development orders for referenda; correspondence with analysis in response to Key West Committee for Safer Cleaner Ships research.	2.40	
	EJP Telephone conference with Shawn and Jason Unger	0.40	
	WCD Receipt and review article re: renegotiation of cruise ship contract.	0.20	
12/16/2021	TBS Research regarding Monroe Unified Land Development Code and Ordinances as it relates to water quality, port, and environmental regulations; analysis and applicability to current ordinances as drafted.	1.80	
	SLM Review and analysis of issues in preparation of drafting ordinance; review related documents.	2.00	
	For Current Services Rendered	97.10	42,320.00

Recapitulation

Timekeeper	Hours	Rate	Total
William C. Davell	22.30	\$510.00	\$11,373.00
Edward J Pozzuoli	10.90	560.00	6,104.00
Shari L. McCartney	31.30	450.00	14,085.00
Thomas B. Sternberg	32.60	330.00	10,758.00

Total Current Work

42,320.00

Balance Now Due

\$53,320.00

Past Due Amounts

0-30	31-60	61-90	91-120	121-180	181+
42,320.00	11,000.00	0.00	0.00	0.00	0.00

Due upon receipt