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RESOLUTION NO. 2011-72

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 FIGUEREDO & BOUTSIS, P.A. IN THE AMOUNT OF \$23,334.25; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Palmetto Bay approved resolution no. 02-05, authorizing payment of Village Attorney non-retainer attorneys' fees and costs; and,

WHEREAS, FIGUEREDO & BOUTSIS, P.A., submitted its statements to the village for legal services rendered, and costs advanced, for the period ending November 21, 2011, in the amount of \$23,334.25; 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:

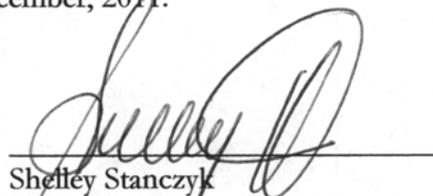
Section 1. The statements for attorneys' fees and costs received from FIGUEREDO & BOUTSIS, P.A., in the total amount of \$23,334.25, copies of which are attached, are approved for payment.

Section 2. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 5th day of December, 2011.

Attest:


Meighan Alexander
Village Clerk


Shelley Stanczyk
Mayor

APPROVED AS TO FORM:


Eve A. Boutsis,
FIGUEREDO & BOUTSIS, P.A., as Office
of the Village Attorney

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2
3 FINAL VOTE AT ADOPTION:
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5 Council Member Patrick Fiore YES
6
7 Council Member Howard J. Tendrich YES
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9 Council Member Joan Lindsay YES
10
11 Vice-Mayor Brian W. Pariser YES
12
13 Mayor Shelley Stanczyk. YES
14

FIGUEREDO & BOUTSIS, P.A.

Attorneys & Counselors

18001 Old Cutler Road - Fifth Floor

Telephone: (305) 235-9344

Miami, Florida 33157-6417

Facsimile: (305) 235-9372

November 22, 2011

Ron Williams, Village Manager
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, FL 33157

Re: STATEMENTS FOR PROFESSIONAL SERVICES
The Village of Palmetto Bay

Dear Mr. Williams:

Enclosed are our invoices for professional services rendered and for costs advanced for the period ending November 21, 2011 in the amount of \$23,334.25. I have tabulated the amounts *currently due* on each individual file as follows:

Please deduct from Village Attorney Account No. 5143110, General Legal.			
0293-001	Non-Retainer Legal Services <i>Invoice No. 20328 dated 11/22/11</i>	Prof'l Services Disbursements Total Due	\$ 10,119.50 1,517.20 11,636.70
	Total		\$ 11,636.70
Please deduct from Village Attorney Account No. 5143140, Code Enforcement.			
0293-002	<i>Zoning Application</i> <i>Invoice No. 20329 dated 11/22/11</i>	Prof'l Services Disbursements Total Due	\$ 2,183.00 43.66 2,226.66
	Total		\$ 2,226.66
0293-027	<i>Palmer Trinity Private School vs. VPB-</i> <i>Invoice No. 20330 dated 11/22/11</i>	Prof'l Services Disbursements Total Due	\$ 6,937.50 0.00 6,937.50
0293-029	<i>Palmer Trinity Private School vs. VPB-</i> <i>Appeal</i> <i>Invoice No. 20331 dated 11/22/11</i>	Prof'l Services Disbursements Total Due	\$ 1258.00 1275.39 2,533.39

	Grand Total		\$ 23,334.25
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Do not hesitate to call me if you have any questions regarding these statements.

Very truly yours,

Eve A. Boutsis
Office of the Village Attorney

EAB/lcm
Enclosures
cc: Mayor and Village Council

FIGUEREDO & BOUTSIS. P.A.
ATTORNEYS & COUNSELORS

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk
 Village of Palmetto Bay
 9705 E. Hibiscus Street
 Palmetto Bay, Florida 33157

November 22, 2011
 Matter ID: 0293-001
 General Municipal-VPB
 Invoice Number 20328

			Hours	Amount
10/27/2011	EAB	Attention to Ygreene matter; and PACE program; communications with VM Brian Pariser; and telephone conference with Mr. Chad Friedman.	0.30	55.50
10/27/2011	EAB	Attention to charter committee notes; revised list of items for public workshop; and provided to committee members for discussion purpose; and revised edits to charter list of items and draft charter revisions.	2.50	462.50
10/27/2011	EAB	Meeting with Mr. Ron Williams, Mr. Desmond Chin, Ms. Fanny Carmona-Gonzalez, and Mrs. Meighan Alexander regarding Friends of Thalatta.	1.00	185.00
10/28/2011	EAB	Edited ordinance on Friends of Thalatta per discussions with staff regarding same; and telephone conference with Mayor Shelley Stanczyk regarding same.	3.00	555.00
10/28/2011	EAB	Attention to Quality Paving matter; attention to Burch matter; communications with Mr. Williams and Mr. John Shubin regarding same; attention to writ of garnishment relating to vendor; and attention to Portland Bond.	1.40	259.00
10/28/2011	EAB	Follow up on Ms. Marsha Madson's request for meeting with the council relating to purchase of land; and follow up with council and staff regarding same.	0.40	74.00
10/31/2011	EAB	Drafted user agreement for Concession area; provided direction to Ms. Carmona; and analyzed radio user agreement; and provided comments to Mr. Chin regarding same.	1.50	277.50
10/31/2011	EAB	Drafted response to Garnishment.	0.30	55.50
10/31/2011	EAB	Telephone conference with Mayor Stanczyk.	0.40	74.00
10/31/2011	EAB	Attention to and research relating to WC issues.	0.30	55.50
11/1/2011	EAB	Communications with Mr. Sean Cleary as to public records.	0.30	55.50
11/1/2011	EAB	Telephone conference with VM Pariser; and attention to November	0.40	74.00

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agenda items.

11/1/2011	EAB	Continued to edit Advisory Board - Friend of Thalatta legislation; and communications with Mayor Stanczyk and Mr. Williams.	0.50	92.50
11/2/2011	EAB	Attention to pending items and communication by Ms. Carol Vega and Ms. Matson.	0.50	92.50
11/2/2011	EAB	Analyzed interlocal with State Attorney and provided direction to staff regarding same.	0.30	55.50
11/2/2011	EAB	Attention to FPL scheduling.	0.20	37.00
11/3/2011	EAB	Attention to red light camera program.	0.20	37.00
11/3/2011	EAB	Began analysis of HR manual and job descriptions.	0.60	111.00
11/3/2011	EAB	Attended meeting with Ms. Olga Cadaval and Mr. Williams regarding personnel manual.	1.00	185.00
11/3/2011	EAB	Attention to and revised RFP for Tennis Services.	1.50	277.50
11/3/2011	EAB	Attention to food trucks item.	0.20	37.00
11/3/2011	EAB	Communications with Ms. Carmona-Gonzalez and attention to food concessions matter; and edited the document.	1.00	185.00
11/3/2011	EAB	Meeting with Mayor Stanczyk, Mr. Darby Delsalle, Mr. Williams and Mrs. Alexander on zoning relating items, and implementation of charettes.	2.00	370.00
11/4/2011	EAB	Research relating to except/nonexempt employees manuals, policies, and opinions to update personnel plan; attention to job descriptions; and began drafting revisions to the policy.	4.60	851.00
11/4/2011	EAB	Attention to agenda items; communications with Council; and communications with Mr. Friedman.	0.30	55.50
11/4/2011	EAB	Attention to interlocal/CDBG funding.	0.30	55.50
11/7/2011	EAB	Attention to timekeeping policy and employee record/employment related matter; telephone conferences with Ms. Cadaval; edited same; attention to policies relating to training and defibrillators; and follow up on additional policies.	1.70	314.50
11/7/2011	EAB	Attention to Friends of Thalatta ordinance, and revisions to same.	0.40	74.00
11/7/2011	EAB	Public Record research per request of Mr. Cleary (to be charged to PT per my letter of November 2, 2011).	1.00	185.00
11/7/2011	EAB	Finalized edits to and final review of tennis RFQ.	1.50	277.50
11/7/2011	EAB	Analysed agenda items; prepared for meeting; attention to PACE program; and communications with Mr. Friedman and Mr. Steven Alexander.	1.30	240.50
11/7/2011	EAB	Attended council meeting.	4.20	777.00
11/8/2011	EAB	Telephone conference with MDCCEPT; telephone conference with	2.50	462.50

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Mr. Ben Kuehne; telephone conference with Mr. Tucker Gibbs; telephone conference with council persons and Mr. Williams; and telephone conference with FLC.

11/8/2011	EAB	Telephone conference with Mayor Stanczyk on pending items; and telephone conference with CP Howard Tendrich regarding Ygrene.	0.40	74.00
11/8/2011	EAB	Telephone conference with Ms. Carmona-Gonzalez on rfp/tennis	0.30	55.50
11/9/2011	EAB	Telephone conference with Mr. Ross; telephone conference with Ms. Miriam Ramos; and attention to same.	1.40	259.00
11/9/2011	EAB	Telephone conference with Mr. Williams and VM Pariser.	0.30	55.50
11/9/2011	EAB	Meeting with Ms. Ramos.	1.50	277.50
11/10/2011	EAB	Continued to edit tennis RFQ; communications with HR.	1.00	185.00
11/10/2011	EAB	Revised alcohol sales ordinance.	0.30	55.50
11/10/2011	EAB	Provided information to council on pending matter.	0.20	37.00
11/10/2011	EAB	Communications with Mr. Cominsky of the League.	0.20	37.00
11/10/2011	EAB	Communications with CP Patrick Fiore; and telephone conference with Mayor Stanczyk.	0.20	37.00
11/10/2011	EAB	Telephone conference with Ms. Carmona-Gonzalez and edited RFQ.	1.60	296.00
11/10/2011	EAB	Attention to resolution relating to Kimly-Horn and EAR.	0.10	18.50
11/14/2011	EAB	Attention to Madsen public record request; telephone conference with Mrs. Carmona-Gonzalez; attention to agenda items; telephone conference with Ms. Alexander; communication with staff as to pending agenda items; communications with Mr. Friedman regarding Ygreen principals; revised draft ordinance; telephone conference with Mr. Ed Silva and Mr. Delsalle; analyzed FDEP revisions to transmission line conditions; and attention to COW agenda and deadline for advertising.	3.50	647.50
11/15/2011	EAB	Analyzed both audit contract documents; communications with Mr. Chin and Mr. Williams; and revised drafts and provided comments.	1.00	185.00
11/16/2011	EAB	Meeting with Ms. Cadaval; discussions with Ms. Carmona-Gonzalez; meeting with Mr. Carmona-Gonzalez; and attention RFQ on tennis; attention to audit; telephone conference with Mr. Williams; telephone conference with Mayor Stanczyk; and attention to COW and council agenda.	3.00	555.00
11/17/2011	EAB	Attention to tennis matter; drafted response; attention to agenda items; and telephone conference with Mr. Williams.	1.00	185.00
11/17/2011	EAB	Attention to FPL item; and communications with other city attorneys regarding same.	0.30	55.50
11/18/2011	EAB	Attention to FPL matter; and communications with Ms. Elizabeth Hernandez.	0.20	37.00

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11/18/2011	EAB	Attention to public records and communications by Mr. David Sochin.	0.20	37.00
11/21/2011	EAB	Attention to JFTA and communications regarding same.	0.40	74.00
				<hr/>
			Total Professional Services	10,119.50

Rate Summary

Eve A. Boutsis	54.70 hours at \$185.00/hr	10,119.50
	<hr/>	<hr/>
Total hours:	54.70	10,119.50

Disbursements

9/30/2011	Database Legal research	768.61
10/28/2011	Outside copy job	546.20
11/22/2011	Disbursements incurred - 2.0%	202.39

For Professional Services	10,119.50
For Disbursements Incurred	1,517.20
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Current Balance:	11,636.70
Previous Balance:	13,663.78
Payments - Thank you	0.00
	<hr/>
Total Due	25,300.48

To be properly credited, please indicate Invoice Number on your remittance check.

FIGUEREDO & BOUTSIS, P.A.
ATTORNEYS & COUNSELORS

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk
 Village of Palmetto Bay
 9705 E. Hibiscus Street
 Palmetto Bay, Florida 33157

November 22, 2011
 Matter ID: 0293-002
 Zoning Applications
 Invoice Number 20329

			Hours	Amount
10/27/2011	EAB	Telephone conference with Mr. Efren Nunez; telephone conference with Mr. Darby Delsalle on charter schools, on pending items, on signage, on Palmer Trinity; attention to 30-30.90; and Shores at Palmetto Bay LLC.	0.80	148.00
10/27/2011	EAB	Meeting with Mr. Ron Williams and Mr. Delsalle on pending zoning items.	0.30	55.50
10/31/2011	EAB	Attended charter school meeting at school board, with School Board attorney, City of Miami and Coral Gables attorneys.	2.40	444.00
11/1/2011	EAB	Telephone conference with Mr. Delsalle on pending items - PT, Westminster, and Charter School.	0.30	55.50
11/1/2011	EAB	Meeting with Mr. Simon Ferro regarding South Motors.	1.00	185.00
11/1/2011	EAB	Attended meeting with Mr. Delsalle and Mr. Ron Williams; and attended meeting with Mr. Williams, Mr. Delsalle, and Charter School representatives.	2.50	462.50
11/2/2011	EAB	Reviewed documents supplied by charter school.	0.40	74.00
11/2/2011	EAB	Telephone conferences with Mr. Delsalle on PT; and reviewed and edited P&Z advertisement.	0.60	111.00
11/7/2011	EAB	Telephone conference with Mr. Delsalle on pending items; and attention to County sign code provision 33-82, MDCC.	0.40	74.00
11/7/2011	EAB	Attended meeting with Mr. Delsalle and Mr. Williams as to pending matters.	1.00	185.00
11/9/2011	EAB	Telephone conference with Mr. Delsalle; communications with Mr. Stan Price; and communications with Village staff.	0.30	55.50
11/10/2011	EAB	Telephone conference with Mr. Delsalle and drafted CDBG resolution and CDBG contract.	0.50	92.50
11/14/2011	EAB	Prepared for and attended zoning hearing on Westminster.	0.60	111.00
11/17/2011	EAB	Telephone conference with Mr. Delsalle regarding charter school.	0.10	18.50

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11/18/2011	EAB	Communications with Mr. Scott Silver of PBVC.	0.20	37.00
11/21/2011	EAB	Communications with Mateu Architecture regarding Paradise Point.	0.40	74.00
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Total Professional Services				2,183.00

Rate Summary

	Eve A. Boutsis	11.80 hours at \$185.00/hr	2,183.00
		<hr/>	<hr/>
	Total hours:	11.80	2,183.00
11/22/2011	Disbursements incurred - 2.0%		43.66
	For Professional Services		2,183.00
	For Disbursements Incurred		43.66
			<hr/>
	Current Balance:		2,226.66
	Previous Balance:		6,679.98
	Payments - Thank you		0.00
			<hr/>
	Total Due		8,906.64

To be properly credited, please indicate Invoice Number on your remittance check.

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FIGUEREDO & BOUTSIS, P.A.
Attorneys & Counselors

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone: (305) 235-9344

Facsimile: (305) 235-9372

Eugene P. Flinn, Jr.
8950 SW 152nd Street
Palmetto Bay, Florida 33157

November 22, 2011
Matter ID: 0293-027
Palmer Trinity Private School,

Invoice Number 20330

			Hours	Amount
10/27/2011	EAB	Telephone conference with Mr. Jeff Hochman on pending items; and attention to depositions and shade session.	0.50	92.50
10/27/2011	EAB	Telephone conference with Mayor Shelley Stanczyk on her deposition; attention to documents for subpoena; and telephone conference with Ms. Meighan Alexander regarding same.	0.50	92.50
10/27/2011	EAB	Reviewed the 2011 disclosures for subpoena production for Mayor Stanczyk.	2.00	370.00
10/28/2011	EAB	Telephone conference with Mayor Stanczyk; telephone conference with Mr. Jeff Hochman; follow up on depositions; attention to public record request; and follow up on production.	1.00	185.00
10/31/2011	EAB	Attention to public record request by Mr. Sean Cleary; follow up with Mayor on subpoena and pre deposition conference; telephone conference with Mr. Tucker Gibbs; communications with Mr. Ben Kuehne; and communications with Mr. Cleary.	1.50	277.50
10/31/2011	EAB	Attended meeting with Mr. Kuehne.	2.00	370.00
11/1/2011	EAB	Analysed CCOCI and VPB motions to dismiss, and clarification motion by CCOCI; and telephone conference with Mr. Gibbs.	0.80	148.00
11/2/2011	EAB	Follow up with Mr. Hochman on coordinating depositions and pre deposition conferences; and communications with Mayor Stanczyk regarding same.	0.30	55.50
11/2/2011	EAB	Analyzed motion to dismiss and fourth amended complaint, and case law relating to same.	1.00	185.00
11/3/2011	EAB	Telephone conference with Mr. Hudson Gill; and communications with Mr. Hochman.	0.50	92.50
11/8/2011	EAB	Attention to 4th Amended complaint, motions to dismiss, sanctions and ruling in St. Johns River v. Koontz (Fla. 2011); attention to production requests and communications with Council and staff regarding same; follow up with Mr. Hochman relating to same; and attention to documents collected.	2.00	370.00

Payment is due upon receipt. Please notify us within 10 days of receipt of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

For Professional Services	6,937.50
For Disbursements Incurred	0.00
	<hr/>
Current Balance:	6,937.50
Previous Balance:	1,387.50
Payments - Thank you	0.00
	<hr/>
Total Due	8,325.00

Invoice Number: 20330

To be properly credited, please indicate Invoice Number above on your remittance check.

Payment is due upon receipt. Please notify us within 10 days of receipt of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

FIGUEREDO & BOUTSIS, P.A.

Attorneys & Counselors

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk
9705 E. Hibiscus Street
Palmetto Bay, Florida 33157

November 22, 2011
Matter ID: 0293-029
Palmer Trinity v. VPB - Appeal

Invoice Number 20331

			Hours	Amount
11/1/2011	EAB	Analyzed reply brief.	0.60	111.00
11/2/2011	EAB	Telephone conference with Mr. Tucker Gibbs; communications with Mr. Raoul Cantero; telephone conference with Mr. Ron Williams; and communications with Mr. Stan Price.	0.70	129.50
11/2/2011	EAB	Analyzed reply brief.	0.60	111.00
11/2/2011	EAB	Communications with Mr. Price; telephone conference with Mr. Williams; and attention to fence issue.	0.50	92.50
11/3/2011	EAB	Attention to wall matter; and telephone conference with Mr. Price.	0.60	111.00
11/4/2011	EAB	Communications with Mr. Price; reviewed correspondence from Mr. Price; Ms. Eileen Mehta, telephone conference with Mr. Delsalle; communications with Ms. Mehta, Mr. Price, and representatives of PT, Mr. Delsalle, etc.	1.50	277.50
11/7/2011	EAB	Communications with Ms. Mehta; and Mr. Price; and telephone conference with Mr. Gibbs.	0.60	111.00
11/10/2011	EAB	Communications with Mr. Price.	0.20	37.00
11/17/2011	EAB	Communications with Justice Raoul Cantero.	0.30	55.50
11/17/2011	EAB	Attended shade session.	1.20	222.00
			Total Professional Services	1,258.00

Rate Summary

Eve A. Boutsis 6.80 hours at \$ 185.00/hr 1,258.00

Total hours: 6.80

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Expenses

9/1/2011	Court reporter	1,080.00
9/30/2011	Database Legal research	195.39
	Sub-total Expenses:	<u>1,275.39</u>

For Professional Services	1,258.00
For Disbursements Incurred	1,275.39
Current Balance:	<u>2,533.39</u>
Previous Balance:	2,830.50
Payments - Thank you	0.00
Total Due	<u>5,363.89</u>

Invoice Number: 20331

To be properly credited, please indicate Invoice Number above on your remittance check.