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RESOLUTION NO. 2012-46

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 \$19,436.67; 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 May 22, 2012, in the amount of \$19,436.67; 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 \$19,436.67, copies of which are attached, are approved for payment.

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

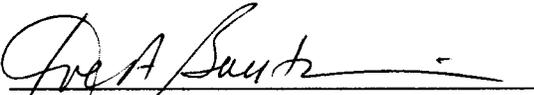
PASSED and ADOPTED this 4th day of June, 2012.

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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FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	<u>YES</u>
Council Member Howard J. Tendrich	<u>YES</u>
Council Member Joan Lindsay	<u>YES</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Shelley Stanczyk	<u>YES</u>

FIGUEREDO & BOUTSIS, P.A.

Attorneys & Counselors

18001 Old Cutler Road - Fifth Floor

Telephone: (305) 235-9344

Miami, Florida 33157-6417

Facsimile: (305) 235-9372

May 22, 2012

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 May 22, 2012 in the amount of \$19,436.67. 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. 20392 dated 5/22/12</i>	Prof'l Services Disbursements Total Due	\$ 15,484.50 1,230.21 16,714.71
	Total		\$ 16,714.71
Please deduct from Village Attorney Account No. 5143140, Code Enforcement.			
0293-002	<i>Zoning Application</i> <i>Invoice No. 20393 dated 5/22/12</i>	Prof'l Services Disbursements Total Due	\$ 1,757.50 35.15 1,792.65
	Total		\$ 1,792.65
0293-004	<i>Code Enforcement</i> <i>Invoice No. 20394 dated 5/22/12</i>	Prof'l Services Disbursements Total Due	\$ 74.00 1.48 75.48
	Total		\$ 75.48

0293-027	<i>Palmer Trinity Private School Invoice No. 20395 dated 5/22/12</i>	Prof'l Services	\$	55.50
		Disbursements		1.11
		Total Due		56.61
0293-048	<i>Charter Schools Invoice No. 20391 dated 5/22/12</i>	Prof'l Services	\$	774.00
		Disbursements		23.22
		Total Due		797.22
	Grand Total		\$	19,436.67

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

May 22, 2012
Matter ID: 0293-001
General Municipal-VPB
Invoice Number 20392

			Hours	Amount
4/23/2012	EAB	Revised charter language per action of CRC; revised ballot language; and telephone conference with Ms. Betty Pegram regarding proposed revisions to section 5.2(B) of charter.	2.40	444.00
4/23/2012	EAB	Updated Village Attorney memorandum to council; and telephone conference with CP Howard Tendrich.	1.50	277.50
4/23/2012	EAB	Telephone conference with Mr. Ron Williams and Mrs. Meighan Alexander as to agenda items and pending matters.	0.60	111.00
4/23/2012	EAB	Revised Floodplain Management Ordinance per revisions of State and FEMA; and provided to PW, Building and P&Z for review.	3.20	592.00
4/23/2012	EAB	Telephone conference with Ms. Corrice Patterson and drafted follow up letter to Quality Paving regarding remaining structures.	0.40	74.00
4/24/2012	EAB	Research relating to zoning in progress and moratoriums; drafted resolution regarding same; meeting with Mr. Darby Delsalle and Mr. Williams regarding same; telephone conferences with CP Joan Lindsay regarding same (5); telephone conference with Mayor Shelley Stanczyk; prepared resolutions for Mayor Stanczyk; drafted standing committee for Permitting and Building for Mayor Stanczyk; reviewed agenda items and revised same; and attention to and provided direction on HR items.	1.60	296.00
4/25/2012	EAB	Discussion with Mr. Williams and Mr. Delsalle; conference call with Mr. Williams, Mr. Delsalle, and CP Lindsay; revised staff report and ZIP resolution; meeting with Mr. Williams and Mrs. Fanny Carmona Gonzalez on agenda resolutions; communications with Ms. Olga Cadaval regarding HR matter relating to dispensing of aspirin; telephone conference with Mayor Stanczyk; revised agenda resolution item for Mayor Stanczyk; discussion with Mrs. Carmona Gonzalez; email communications regarding Edward Holdings; follow up on Relay For Life; and reviewed purchase and sale agreement.	6.00	1,110.00
4/26/2012	EAB	Research on RLUIPA; follow up with Clerk, Pinecrest and Cutler Bay Attorneys regarding meeting with Elections.	2.70	499.50

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4/26/2012	EAB	Conducted legal research and analysis relating to RLUIPA and state law on same.	3.00	555.00
4/26/2012	EAB	Communications with Mrs. Alexander and Mr. Williams relating to agenda items; and follow up on agenda items.	1.00	185.00
4/27/2012	EAB	Finalized agenda items.	1.30	240.50
4/27/2012	EAB	Communications with Ms. Leann Tellam; and continued research.	2.50	462.50
5/1/2012	EAB	Telephone conference with CP Lindsay; telephone conference with CP Patrick Fiore; telephone conference with Mr. John Breder on zoning query; telephone conference with Mr. Delsalle; and telephone conference with Mr. Simon Ferro.	1.00	185.00
5/2/2012	EAB	Attention to ZIP with Building Department.	0.60	111.00
5/2/2012	EAB	Follow up with League counsel on the Garcia matter.	0.20	37.00
5/2/2012	EAB	Communications with Mayor Stanczyk on pending agenda items; attention to agenda items; provided statutes to Mayor Stanczyk; follow up with CP Howard Tendrich and Mrs. Alexander.	0.40	74.00
5/2/2012	EAB	Follow up with Ms. Tellam and Mr. Tucker Gibbs.	0.30	55.50
5/2/2012	EAB	Telephone conference with Mayor Stanczyk.	0.40	74.00
5/2/2012	EAB	Telephone conference with VM Brian Pariser and Mr. Williams.	0.40	74.00
5/3/2012	EAB	Attention to ZIP matter.	0.60	111.00
5/4/2012	EAB	Telephone conferences with Mr. Williams; and attention to pending agenda items.	1.00	185.00
5/7/2012	EAB	Meeting with Mr. Ed Silva, Mr. Williams, Mr. Delsalle; telephone conference with with staff and CP Lindsay; revised memorandum and resolution re: ZIP; telephone conference with CP Lindsay; telephone conference with VM Pariser; telephone conference with Mr. Delsalle; telephone conference with CP Tendrich; drafted email memorandum to council; telephone conference with Mr. Stanley Price; telephone conference with Mr. Silva; and telephone conference with Mrs. Alexander.	4.50	832.50
5/7/2012	EAB	Attended council meeting.	5.00	925.00
5/8/2012	EAB	Attention to after action matters; telephone conference with Mr. Delsalle; telephone conference with CP Fiore; telephone conference with Mr. Williams; and prepared shade session for Shores at PB matter.	2.50	462.50
5/9/2012	EAB	Telephone conference with Mayor Stanczyk; telephone conference with CP Lindsay; attention to reporter; telephone conference with Mr. Bill Kress; telephone conference with Mr. Williams; telephone conference with Mr. Delsalle on pending items and agenda revisions; telephone conference with Mrs. Alexander on advertising and pending agenda items; and telephone conference with Mr. Silva.	5.30	980.50

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5/10/2012	EAB	Telephone conference with Ms. Patterson regarding public record request by Quality Paving and response to Quality Paving; and telephone conference with Ms. Patterson regarding Tenex.	0.50	92.50
5/10/2012	EAB	Finalized edits to Ludovici fee ordinance; communications with Mr. Chad Friedman; and provided update to Village Manager as to PACE program.	0.40	74.00
5/10/2012	EAB	Responded to follow up questions from prebid conference relating to Security Services.	0.30	55.50
5/10/2012	EAB	Meeting with Mr. Silva and Mr. Delsalle regarding unsafe structure process.	1.80	333.00
5/11/2012	EAB	Communications with Mr. Ben Kuehne; attention to NPC; communications with Mr. John Shubin regarding Burch property; revised MOW and Go RFP; attention to pending matters; and telephone conference with Mr. Silva.	2.80	518.00
5/11/2012	EAB	Communications with Ms. Patterson on pending items.	0.30	55.50
5/14/2012	EAB	Revised Mow and Go; telephone conference with Mr. Delsalle; and follow up on pending items.	1.30	240.50
5/14/2012	EAB	Attention to HB implications on floodplain management ordinance; reviewed edits (additional) as to same; and communications with Ms. Patterson regarding same.	1.00	185.00
5/14/2012	EAB	Continued to work on Moratorium.	1.00	185.00
5/14/2012	EAB	Attention to Burch matter with Mr. Shubin's office.	0.30	55.50
5/15/2012	EAB	Attention to agenda items; reviewed same; provided direction on same; communications with Mr. Shubin and Mr. Delsalle regarding Westminster, and Burche properties; attention to charter revision ballot matter; communications with Ms. Tellam and Mr. Gibbs; attention to advertising for Moratorium; and attention to special council meeting and shade session.	3.00	555.00
5/15/2012	EAB	Drafted moratorium ordinance revisions; communications with Mr. Williams; communications with Mr. Delsalle and Mr. Silva; attention to Westminster permit; and communications with Mr. Shubin and his staff.	3.00	555.00
5/15/2012	EAB	Attention to ethics code - county level; registering and training relating to lobbying and ethics; communications with the Council regarding same; communications VM Pariser; communications with Ethics Commission regarding same; and attention to COE decision.	0.80	148.00
5/16/2012	EAB	Telephone conference with Mr. Ben Kuehne; and telephone conference with CP Lindsay.	0.60	111.00
5/17/2012	EAB	Drafted conditional permit; and drafted hold harmless.	1.40	259.00
5/17/2012	EAB	Telephone conference with Mr. Kuehne; telephone conference with Mr. Silva; and telephone conference with Mr. Delsalle.	0.40	74.00

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5/17/2012	EAB	Communications with Mr. Shubin.	0.30	55.50
5/17/2012	EAB	Communications with Mayor Stanczyk on pending items.	0.40	74.00
5/18/2012	EAB	Attended Agenda Review; telephone conference with CP Lindsay on Moratorium ordinance; attention to public records; and telephone conference with Mayor Stanczyk.	2.40	444.00
5/18/2012	EAB	Attention to Burche meeting; attention to permit/contractor (failure to obtain permit) issue raised by resident; drafted village attorney update; and follow up with Mr. Gibbs as to CRC meeting.	1.40	259.00
5/18/2012	EAB	Communications with Mayor and Mr. Carlos Jimenez, Jr. regarding FPL resolution.	0.40	74.00
5/19/2012	EAB	Attention to ZIP item.	2.00	370.00
5/21/2012	EAB	Telephone conference with Pastor Sammy Flores; telephone conference with Mrs. Alexander and Mayor Stanczyk; telephone conference with CP Lindsay; telephone conference with Mr. Delsalle; attention to ZIP; drafted FPL resolution; and telephone conference with VM Pariser.	1.50	277.50
5/21/2012	EAB	Meeting with Mr. Delsalle and CP Joan Lindsay; and continued meeting with Mr. Delsalle.	2.40	444.00
5/21/2012	EAB	Attended Special Council meeting.	2.50	462.50
5/22/2012	EAB	Telephone conferences with Mr. Delsalle; approved advertisement relating to ZIP after action; communications with Mrs. Alexander; revised moratorium memorandum; and telephone conference with CP Lindsay.	2.00	370.00
5/22/2012	EAB	Attention to PACE program amendments.	0.30	55.50
5/22/2012	EAB	Attention to charter revision items.	0.30	55.50
5/22/2012	EAB	Attention to Quality Paving public records request.	0.20	37.00
5/22/2012	EAB	Communications with Mr. Carlos Jimenez Jr., and Ramon Ferrer.	0.30	55.50
			Total Professional Services	15,484.50

Rate Summary

Eve A. Boutsis 83.70 hours at \$185.00/hr 15,484.50

Total hours: 83.70 15,484.50

Disbursements

4/30/2012	Database Legal research	920.52
5/22/2012	Disbursements incurred - 2.0%	309.69

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Payments and Credits

5/22/2012	Check No.: 14993	19,164.19	
	Sub-total Payments:	<u>19,164.19</u>	
	For Professional Services		15,484.50
	For Disbursements Incurred		1,230.21
	Current Balance:		<u>16,714.71</u>
	Previous Balance:		19,164.19
	Payments - Thank you		19,164.19
	Total Due		<u>16,714.71</u>

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 No.: (305) 235-9344

Facsimile: (305) 235-9372

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

May 22, 2012
Matter ID: 0293-002
Zoning Applications
Invoice Number 20393

			Hours	Amount
4/23/2012	EAB	Telephone conference with Mr. Simon Ferro and Mr. Darby Delsalle on South Motors.	0.60	111.00
4/27/2012	EAB	Telephone conference with Mr. Delsalle on pending zoning applications.	0.40	74.00
4/30/2012	EAB	Telephone conference with Mr. Delsalle; attention to AN Dealership staff report; attention to Westminster substantial compliance; attention to RLUIPA and ACLJ; communications with Treasure Island; and telephone conference with Mr. Ron Williams regarding ZIP.	1.20	222.00
5/1/2012	EAB	Attention to home use item from Cutler Bay; and attention to pending items; and telephone conference with Mr. Delsalle.	0.60	111.00
5/2/2012	EAB	Completed analysis of case law regarding same; drafted moratorium ordinance; and telephone conference with Mr. Delsalle.	2.00	370.00
5/2/2012	EAB	Telephone conference with Mr. Delsalle; and telephone conference with Mr. Williams, Mrs. Meighan Alexander and Council Person Joan Lindsay.	1.30	240.50
5/10/2012	EAB	Telephone conference with Mr. John Shubin; and drafted document relating to staging; and finalized same.	1.70	314.50
5/14/2012	EAB	Attention to Westminster matter with Mr. Shubin's office.	0.30	55.50
5/17/2012	EAB	Telephone conference with Mr. Ferro; and communications with Mr. John Breder.	0.40	74.00
5/21/2012	EAB	Prepared for and attended Planning & Zoning meeting.	1.00	185.00
			Total Professional Services	1,757.50

Rate Summary

Eve A. Boutsis 9.50 hours at \$185.00/hr 1,757.50

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

	Total hours:	<u>9.50</u>	<u>1,757.50</u>
5/22/2012	Disbursements incurred - 2.0%		35.15
Payments and Credits			
5/22/2012	Check No.: 14993		830.28
	Sub-total Payments:		<u>830.28</u>
	For Professional Services		1,757.50
	For Disbursements Incurred		35.15
	Current Balance:		<u>1,792.65</u>
	Previous Balance:		830.28
	Payments - Thank you		830.28
	Total Due		<u>1,792.65</u>

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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

May 22, 2012
 Matter ID: 0293-004
 Code Enforcement
 Invoice Number 20394

			Hours	Amount
4/26/2012	EAB	Telephone conference with Mr. Darby Delsalle on pending violation matter relating to CUs.	0.20	37.00
5/1/2012	EAB	Attention to pending code compliance matter with Mr. Delsalle.	0.20	37.00
				74.00
Total Professional Services				74.00

Rate Summary

	Eve A. Boutsis	0.40 hours at \$185.00/hr	74.00
		Total hours: 0.40	74.00
5/22/2012	Disbursements incurred - 2.0%		1.48

Payments and Credits

5/22/2012	Check No.: 14993	471.75
	Sub-total Payments:	471.75

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	74.00
For Disbursements Incurred	1.48
Current Balance:	<u>75.48</u>
Previous Balance:	471.75
Payments - Thank you	471.75
Total Due	<u>75.48</u>

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FIGUEREDO & BOUTSIS, P.A.
ATTORNEYS & COUNSELORS

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Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

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

May 22, 2012
 Matter ID: 0293-027
 Palmer Trinity Private School,
 Invoice Number 20395

			Hours	Amount
5/2/2012	EAB	Telephone conference with Mr. Jeff Hochman.	0.30	55.50
			Total Professional Services	55.50

Rate Summary

Eve A. Boutsis	0.30 hours at \$185.00/hr	55.50
Total hours:		0.30
		55.50

5/22/2012	Disbursements incurred - 2.0%	1.11
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Payments and Credits

5/22/2012	Check No.: 14993	188.70
Sub-total Payments:		188.70

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	55.50
For Disbursements Incurred	1.11
Current Balance:	<u>56.61</u>
Previous Balance:	188.70
Payments - Thank you	188.70
Total Due	<u>56.61</u>

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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

Ron E. Williams
Village of Palmetto Bay
9705 E. Hibiscus Street
Palmetto Bay, Florida 33157

May 22, 2012
Matter ID: 0293-048
Charter Schools
Invoice Number 20391

			Hours	Amount
4/26/2012	EAB	Began preparing oral argument book and preparation.	2.50	450.00
5/2/2012	EAB	Communications with Mr. Juan Carlos Planas.	0.20	36.00
5/21/2012	EAB	Attended attorney client meeting; and telephone conference with Mr. Planas.	1.30	234.00
5/22/2012	EAB	Telephone conference with Mr. Planas.	0.30	54.00
			Total Professional Services	774.00

Rate Summary

	Eve A. Boutsis	4.30 hours at \$180.00/hr	774.00
		Total hours: 4.30	774.00
5/22/2012	Disbursements incurred - 3.0%		23.22
	For Professional Services		774.00
	For Disbursements Incurred		23.22
	Current Balance:		797.22
	Previous Balance:		0.00
	Payments - Thank you		0.00
	Total Due		797.22

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