

RESOLUTION NO. 04-31

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 NAGIN GALLOP FIGUEREDO, P.A. IN THE AMOUNT OF \$6,995.50; 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, Nagin Gallop Figueredo, P.A., submitted its statements to the village for legal services rendered, and costs advanced, for the period ending March 26, 2004, in the amount of \$6,995.50; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

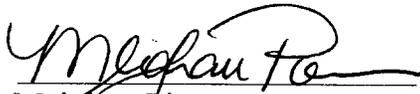
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

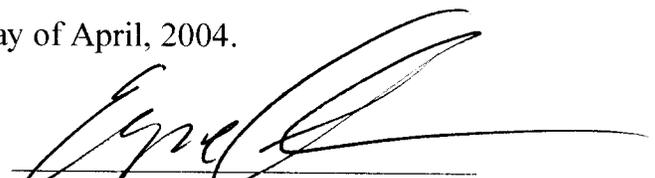
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$6,995.50, copies of which are attached, are approved for payment

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

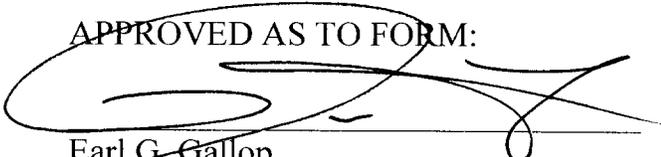
PASSED and ADOPTED this 12<sup>th</sup> day of April, 2004.

Attest:

  
Meighan Pier  
Village Clerk

  
Eugene P. Flinn, Jr.  
Mayor

APPROVED AS TO FORM:

  
Earl G. Gallop,  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member John Breder	<u>YES</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>

\\02srvplaw\prolaw\Documents\0293\DAJ\22402.doc - NGF April 2004 statements

**NAGIN GALLOP FIGUEREDO<sup>RA</sup>***Attorneys & Counselors*

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

March 31, 2004

Matter ID: 0293-001

General Municipal

Statement No. 15902

Eugene P. Flinn, Jr.  
 Mayor  
 Village of Palmetto Bay  
 9100 S. Dadeland Boulevard  
 Suite 1000  
 Miami, Florida 33156

			Hours	Amount
2/19/2004	MMM	Attention to inserting, editing and formatting text from M-DC ordinance no. 03-93 into village's draft ordinance.	6.00	300.00
2/20/2004	MMM	Attention to inserting, editing and formatting text from M-DC ordinance no. 03-93 into village's draft ordinance.	6.00	300.00
3/1/2004	EGG	Prepared for and attended village council meeting; telephone conferences with mayor Flinn, Mr. Scurr.	3.50	647.50
3/1/2004	EAB	Attention to and finalized YMCA contract.	0.40	74.00
3/2/2004	EGG	Telephone conference with mayor Flinn.	0.20	37.00
3/3/2004	EGG	Telephone conference with mayor Flinn and Mr. Scurr regarding mitigation payment issues.	0.50	92.50
3/4/2004	EDGS	Call to Mayor Flinn re: cease and desist letter.	0.01	1.85
3/7/2004	EAB	Analyzed charette services interlocal agreement with county; and provided comments to Mr. Scurr and staff.	1.50	277.50
3/8/2004	EGG	Telephone conference with mayor Flinn regarding further effort to reconcile OCPC and neighbors' conflicts, and MyPalmettoBay web site; attended meeting with Ms. Boutsis regarding revisions to agreement with MD-C regarding charette.	0.60	111.00
3/8/2004	EAB	Telephone conference with Mr. Scurr and Ms. Weintraub; final review of draft interlocal and provided final comments to Mr. Scurr; and telephone conference with Mr. Basu, Mr. Scurr, and Ms. Weintraub regarding finalizing interlocal.	0.40	74.00
3/8/2004	EAB	Legal research on AGO opinions and charter conflicts.	1.00	185.00
3/10/2004	EAB	Analyzed AG opinions regarding charters, charter revision, conflicts between state statutes and charter; village charter election laws and budget adoption statutes.	2.00	370.00
3/12/2004	EGG	Telephone conference with mayor Flinn.	0.20	37.00

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.

3/12/2004	EGG	Attended meeting with council member Breder and Mr. Scurr, and wit Mr. Scurr.	2.50	462.50
3/15/2004	EAB	Telephone conference with Mr. Basu regarding interlocal agreement.	0.30	55.50
3/16/2004	MMM	Attention to inserting, editing and formatting text from M-DC ordinance no. 03-93 into village's draft ordinance.	2.60	130.00
3/16/2004	EGG	Reviewed 03-093; telephone conference with Mr. Scurr and Ms. Weintraub and began revisions to seam.	2.00	370.00
3/16/2004	KMJ	Attention to inserting, editing and formatting text from M-DC ordinance no. 03-93 into village's draft ordinance.	2.10	105.00
3/17/2004	MMM	Attention to inserting, editing and formatting text from M-DC ordinance no. 03-93 into village's draft ordinance.	4.50	225.00
3/17/2004	EGG	Reviewed list of properties subject to ad valorem tax assessment challenges and forwarded same to Mr. Scurr for further handling.	0.20	37.00
3/17/2004	EGG	Prepared for and attended committee of the whole meeting.	2.50	462.50
3/17/2004	GR	Attention to inserting, editing and formatting text from M-DC ordinance no. 03-93 into village's draft ordinance.	2.40	120.00
3/18/2004	KMJ	Attention to inserting, editing and formatting text from M-DC ordinance no. 03-93 into village's draft ordinance.	3.10	155.00
3/19/2004	EGG	Telephone conferences with mayor Flinn, Ms. Pier, and Mr. Henry Clifford regarding notice for COW meetings.	0.50	92.50
3/22/2004	EAB	Attention to VAB request by mayor and coordinated obtaining copy of VAB board files.	0.20	37.00
3/23/2004	EGG	Telephone conferences with Mr. Henry Clifford regarding advertising COW meetings, Mr. Manuel Diaz, ethics comm'n., regarding same, and with mayor Flinn and Mr. Scurr regarding several matters.	0.80	148.00
3/23/2004	EAB	Attention to VAB hearings, process for hearings and requested direction from village as to request to attend the VAB hearings.	0.50	92.50
3/23/2004	EAB	Attention to election date and conflict with state statutes; and telephone conference with assistant Fla. attorney general Jocelyn Williams regarding request for opinion as to conflict issue; and discussion with Mr. Gallop regarding results and received assignments.	0.40	74.00
3/24/2004	EGG	Attended meeting with Mr. Scurr regarding variety of matters; telephone conference with mayor Flinn.	1.40	259.00
3/24/2004	EAB	Analysis of Consultants Competitive Negotiations Act as related to surveyors and provided response to Ms. Cadaval's inquiry as to application of act to park surveys.	0.40	74.00
3/25/2004	EGG	Reviewed and responded to memo by Mr. Scurr regarding notice	0.20	37.00

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.

policy for COW meetings.

Total Professional Services 5,443.85

**Rate Summary**

Michele M. Martinez	19.10 hours at \$ 50.00/hr	955.00
Earl G. Gallop	15.10 hours at \$185.00/hr	2,793.50
Eve A. Boutsis	7.10 hours at \$185.00/hr	1,313.50
Edrei G. Swanson	0.01 hours at \$185.00/hr	1.85
Kelly M. Johnson	5.20 hours at \$ 50.00/hr	260.00
Ginger Roy	2.40 hours at \$ 50.00/hr	120.00

Total hours: 48.91

**Expenses**

	Photocopies	11.00
	Telefacsimile charge	4.00
	Mileage	17.28
	Postage Charge	3.87
3/11/2004	Subscription	200.00
3/11/2004	Subscription	248.50
3/18/2004	Publication	8.97
3/22/2004	Airborne Package	11.85
3/22/2004	Airborne Package	10.18

Sub-total Expenses: 515.65

**Payments**

3/8/2004	Payment	Check # 1743	2,541.70
----------	---------	--------------	----------

Sub-total Payments: 2,541.70

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	5,443.85
For Disbursements Incurred	515.65
	<hr/>
Current Balance:	5,959.50
Previous Balance:	10,008.61
Payments - Thank you	2,541.70
	<hr/>
<b>Total Due</b>	<b>13,426.41</b>

To be properly credited, please indicate Statement Number 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.

**NAGIN GALLOP FIGUEREDO<sup>PA.</sup>**

*Attorneys & Counselors*

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

March 31, 2004

Matter ID: 0293-002

Zoning Applications

Statement No. 15903

Eugene P. Flinn, Jr.  
 Mayor  
 Village of Palmetto Bay  
 9100 S. Dadeland Boulevard  
 Suite 1000  
 Miami, Florida 33156

			Hours	Amount
2/26/2004	EGG	Telephone conferences with mayor Flinn and Ms. Diane O'Quinn Williams.	0.30	55.50
2/26/2004	EAB	Telephone conferences with Mr. Ron Williams, Ms. Weintraub, and e-mail communications with Mr. Scurr regarding Frango Triangle.	0.60	111.00
3/8/2004	EGG	Telephone conferences with mayor Flinn, Mr. Gibbs and Mr. Shubin regarding mediation of dispute.	0.30	55.50
3/15/2004	EGG	Reviewed resolution approving final plat for Reardon Estates; revised resolution denying appeal by Pastorellas.	1.20	222.00
3/17/2004	EGG	Telephone conferences with Mr. Gibbs and mayor Flinn regarding mediation and evaluating excessive lot coverage claim.	0.50	92.50
3/23/2004	EGG	Telephone conference with Mr. Shubin regarding status of settlement discussions with Pastorellas.	0.40	74.00
3/24/2004	EGG	Telephone conferences with Ms. O'Quinn Williams regarding lot coverage of proposed improvements and related matters, with Mr. Proctor regarding accessory uses at Village Center and prepared letter to Mr. Proctor regarding same.	1.30	240.50
3/25/2004	EGG	Attention to policy of allowing accessory uses prior to establishment of primary uses in Office Park Development zone.	0.20	37.00
				888.00
			Total Professional Services	888.00

**Rate Summary**

Earl G. Gallop	4.20 hours at \$185.00/hr	777.00
Eve A. Boutsis	0.60 hours at \$185.00/hr	111.00

Total hours: 4.80

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.

Nagin Gallop Figueredo P.A.

Matter ID: 0293-002 Statement No.: 15903

Page: 2

**Expenses**

Photocopies	0.00
Sub-total Expenses:	<u>0.00</u>

**Payments**  
3/8/2004

Payment	Check # 1743	4,051.50
Sub-total Payments:		<u>4,051.50</u>

For Professional Services	888.00
For Disbursements Incurred	0.00
Current Balance:	<u>888.00</u>
Previous Balance:	13,918.25
Payments - Thank you	4,051.50
<b>Total Due</b>	<u><b>10,754.75</b></u>

To be properly credited, please indicate Statement Number 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.

**NAGIN GALLOP FIGUEREDO<sup>PA</sup>**

*Attorneys & Counselors*

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

March 31, 2004

Matter ID: 0293-005

Real Property

Statement No. 15904

Eugene P. Flinn, Jr.  
 Mayor  
 Village of Palmetto Bay  
 9100 S. Dadeland Boulevard  
 Suite 1000  
 Miami, Florida 33156

			Hours	Amount
3/2/2004	EAB	Drafted resolution regarding removal of Delamour property from tax rolls; and telephone conference with Mr. Lott regarding quiet title action and survey.	0.40	74.00
3/8/2004	EAB	Telephone conference with Mr. Lott regarding survey and quiet title action.	0.20	37.00
3/22/2004	EAB	Attention to Ms. Cadaval's inquiry regarding survey of Delamour property.	0.20	37.00
				148.00
<b>Total Professional Services</b>				

**Rate Summary**

Eve A. Boutsis

0.80 hours at \$185.00/hr

148.00

Total hours: 0.80

**Expenses**

Photocopies

0.00

Sub-total Expenses: 0.00

**Payments**

3/8/2004

Payment

Check # 1743

914.23

Sub-total Payments: 914.23

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	148.00
For Disbursements Incurred	0.00
	<hr/>
Current Balance:	148.00
Previous Balance:	1,256.73
Payments - Thank you	914.23
	<hr/>
<b>Total Due</b>	<b>490.50</b>

To be properly credited, please indicate Statement Number 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.