

RESOLUTION NO. 04-59

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 \$12,496.21; 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 July 27, 2004, in the amount of \$12,496.21; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

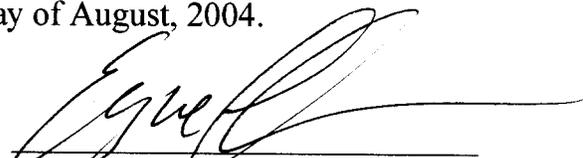
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$12,496.21, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 2nd day of August, 2004.

Attest: 
Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Nagin Gallop Figueredo, P.A., as Office
of the Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller YES

Council Member Paul Neidhart YES

Council Member John Breder YES

Vice-Mayor Linda Robinson YES

Mayor Eugene P. Flinn, Jr. YES

NAGIN GALLOP FIGUEREDO^{RA}

Attorneys & Counselors

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.

July 30, 2004

Mayor

Matter ID: 0293-001

Village of Palmetto Bay

General Municipal

9100 S. Dadeland Boulevard

Statement No. 16380

Suite 1000

Miami, Florida 33156

			Hours	Amount
6/28/2004	EAB	Telephone conference with Ms. Corrice Patterson and revised NFIP resolution; telephone conference with Mr. Ron Williams regarding solid waste management and code enforcement related issues at village; and telephone conference with Mr. Williams regarding road transfer agreement; analyzed interlocal with county relating to solid waste management.	1.20	222.00
6/29/2004	EAB	E-mail communication with Ms. Cadaval regarding special master RFP and began analyzing the RFP.	0.40	74.00
6/30/2004	EAB	Attention to finalizing contracts with two vendors; telephone conference with Ms. Patterson on contract finalization; telephone conference with Mayor Eugene Flinn and scheduled meeting with mayor to discuss pending items; legal research on chapter 562, Fla. Stat., relating to alcohol sales; e-mail communications with mayor and village council on alcohol sales; attention to revising ordinance on voting procedures; attention to Franjo Triangle, Mr. Charles Scurr's contract, and pending items as requested by Mayor Flinn; and analyzed and revised RFQ for special master services.	2.50	462.50
7/1/2004	EAB	Telephone conference with Mayor Flinn; telephone conference with Dr. Feller; telephone conference with Mr. Scurr and Ms. Cadaval; analyzed and drafted revised ordinance on voting procedures at meetings.	2.00	370.00
7/2/2004	LRF	Reviewed materials provided by Greenberg Traurig regarding South Motors.	1.20	222.00
7/2/2004	EAB	Telephone conference with Mr. Scurr, council members Breder, Neidhart, Feller, and v-mayor Robinson regarding village manager contract, pending items, and Franjo charette; meeting with mayor Flinn, telephone conference with Mr. Robert Meyers, of Comm'n on Ethics and Public trust regarding request for ethics seminar; attention to re-platting request; alcohol sales discussion and workshop; and village manager contract.	4.00	740.00

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.

7/6/2004	LRF	Reviewed County Commission minutes and prepared draft opinion regarding South Motors matter.	2.70	499.50
7/6/2004	EAB	Analyzed Robert's Rules of Order, village council meeting procedures and village charter; drafted memorandum on roll call procedures; analyzed M-D C Code relating to special use exceptions, alcohol sales and distances; analyzed re-platting request, chapter 177, Fla. Stat. relating to re-platting; analyzed M-D C code chapter 28 relating to replatting; attention to agenda items; telephone conference with Mr. Scurr on agenda items and city manager salary; and telephone conference with mayor Flinn on upcoming agenda items.	3.50	647.50
7/6/2004	EAB	Attended VPB council meeting.	5.00	925.00
7/7/2004	LRF	Revised letter concerning South Motors matter.	0.50	92.50
7/8/2004	LRF	Finalized opinion letter regarding South Motors; and teleconference with counsel for South Motors.	0.50	92.50
7/8/2004	EAB	Attended staff meeting regarding upcoming budget; meeting with Mr. Scurr on upcoming fire house issues, Delamour property; e-mail communications with village council regarding Delamour property; and e-mail communication with v-m Linda Robinson regarding follow-up inquiries into Delamour property.	1.00	185.00
7/8/2004	EAB	Unsafe Structure: 9869 East Fern Street: Meeting with Mr. Scurr and staff regarding future process on unsafe structure demolition.	1.00	185.00
7/11/2004	EAB	Drafted attorney audit response letter.	0.40	74.00
7/12/2004	LRF	Conferred with Ms. Boutsis and matters to be heard on zoning agenda.	0.50	92.50
7/12/2004	EAB	Analyzed village and county lobbyist codes and village charter and began drafting responses to Ms. Marsha Madsen's inquiries regarding applications of lobbyist ordinance; telephone conference with Mr. Ron Connally, and Mr. Williams regarding pending applications; e-mail communications with Ms. Weintraub regarding Safeguard application; completed analysis of pending zoning items for agenda; telephone conference with Ms. Weintraub, Mr. Scurr, and Mr. Connally regarding agenda items; analyzed county signage code; and telephone conference with mayor Flinn on pending applications.	3.50	647.50
7/13/2004	EAB	Telephone conference with Monica of VPB regarding Charter School Advisory Committee; and analysis of VPB resolution creating committee, village's council procedures and Robert's Rules of Order; and finalized audit response letter and provided draft to Mr. Scurr for comment; addressed email concerns raised by Ms. Madsen regarding Jennings Rule related issues; telephone conference with Mr. Scurr regarding upcoming election, run off issues, etc; and telephone conference with mayor Flinn regarding code enforcement, moratorium and other pending matters.	1.80	333.00

7/14/2004	EAB	E-mail communications with Mr. Centorino and Mr. Meyers regarding ethics, public trust, and sunshine law issues and upcoming seminar.	0.40	74.00
7/15/2004	EAB	Analyzed state and county elections codes; telephone conference with Ms. Prkic regarding elections issues, lobbyist issues, and possible civic community group conflict issues; telephone conference with council member Neidhart to advise him on his inquiries regarding elections related items; telephone conference with mayor Flinn regarding pending items; e-mail communications with Ms. Madsen regarding items relating to lobbying and civic group conflict issues presented; analyzed bus bench interlocal agreement and provided comments to Ms. Patterson and Mr. Scurr on the form and content of the interlocal agreement; and e-mail communication with Mr. Jerry Chioca, of Rachlin and Cohen, regarding finalizing attorney audit response letter.	2.80	518.00
7/16/2004	LRF	Conferred with Ms. Boutsis regarding proposed budget.	0.50	92.50
7/16/2004	EAB	Meeting with mayor Flinn regarding pending code enactments; e-mail communication with council member Feller; telephone conference with Ms. Prkic regarding conflict issues and election; e-mail and telephone conference with council member Breder; and analyzed codification RFP documents, scoring sheet and coordinated attendance at the meeting; telephone conference with Mr. Lott regarding DeLamour hearing on appointing guardian ad litem.	3.30	610.50
7/19/2004	EAB	Legal research on moratorium issues.	0.80	148.00
7/19/2004	EAB	Attended both the budget and code enforcement workshops.	4.00	740.00
7/20/2004	EAB	Telephone conference with Ms. Christina Prkic regarding pending ethics requests; analyzed campaign practices codes and statutes, village charter and county lobbying codes and drafted memorandum to Comm'n on Ethics requesting advisory opinion as to campaign fund raiser issue; telephone conference with Ms. Heacock of PCRC, and prepared request for documentation to Ms. Heacock regarding PCRC bylaws and articles of incorporation; attention to Mr. Williams's request relating to surtax funds expenditures; telephone conference with council member Neidhart; telephone conference with Ms. Prkic, of Comm'n on Ethics regarding pending ethics requests; legal research on "resign to run" laws and attorney general opinions and drafted memorandum to village regarding Mr. Bifano and whether he is required to resign from the advisory committee; and researched issue of proper forum for solicitation of votes for election.	4.00	740.00
7/21/2004	LRF	Attended COW meeting.	3.50	647.50
7/21/2004	EAB	Analyzed charter and lobbyist ordinance and prepared opinion to Ms. Madsen; and follow up with Comm'n on Ethics regarding pending requests.	1.00	185.00

7/24/2004	EAB	Analyzed PCRC bylaws and drafted advisory opinion request to the Ethics Commission; responded to lobbying question by resident; and telephone conference with mayor Flinn regarding lobbying question from general public.	2.30	425.50
7/26/2004	EAB	Attending meeting with staff and affected property owner regarding Fern Street unsafe structures	2.50	462.50
7/26/2004	EAB	Meeting with Ms. Pier regarding pending resolutions; and attention to voting conflict issues.	1.00	185.00
7/27/2004	EAB	Attention to lobbyist questions; completed campaign literature research and provided opinion to village clerk; legal research of AGO and Elections Division opinions and caselaw regarding campaign literature on site; e-mail communications with Mayor Flinn; and finalized letter to Fern Street Properties LLC; and finalized letter to Ethics Comm'n regarding PCRC.	1.40	259.00
			Total Professional Services	10,952.00

Rate Summary

Luis R. Figueredo	9.40 hours at \$185.00/hr	1,739.00
Eve A. Boutsis	49.80 hours at \$185.00/hr	9,213.00
Total hours:		59.20

Expenses

Postage Charge	2.17
Legal research	13.94
Long distance telephone charge	0.33
Mileage	17.50
Photocopies	0.00
Telefacsimile charge	0.00
Sub-total Expenses:	33.94

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For Professional Services	10,952.00
For Disbursements Incurred	33.94
Current Balance:	<hr/> 10,985.94
Previous Balance:	17,094.23
Payments - Thank you	0.00
Total Due	<hr/> 28,080.17

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

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NAGIN GALLOP FIGUEREDO^{PA.}

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

July 29, 2004
 Matter ID: 0293-002
 Zoning Applications
 Statement No. 16375

			Hours	Amount
7/8/2004	EAB	Analyzed agenda for P&Z meeting; analyzed and revised proposed zoning resolutions; executed final ordinances from last council meeting; meeting with Mr. Scurr, Ms. Arlene Weintraub, and Mr. Williams regarding upcoming zoning meeting; meeting with Ms. Meighan Pier regarding zoning resolutions and agenda packages.	0.20	37.00
7/9/2004	EAB	Telephone conference with Mayor Flinn regarding pending zoning applications; and analyzed zoning applications in anticipation of upcoming meeting.	2.50	462.50
7/12/2004	EAB	Attended P&Z hearing.	5.00	925.00
			Total Professional Services	1,424.50

Rate Summary

Eve A. Boutsis 7.70 hours at \$185.00/hr 1,424.50

Total hours: 7.70

Expenses

Postage Charge 1.29
 Legal research 9.00

Sub-total Expenses: 10.29

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.

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Matter ID: 0293-002 Statement No.: 16375

Page: 2

For Professional Services	1,424.50
For Disbursements Incurred	10.29
Current Balance:	<hr/> 1,434.79
Previous Balance:	15,633.39
Payments - Thank you	0.00
Total Due	<hr/> 17,068.18

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

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

July 29, 2004
 Matter ID: 0293-007
 Old Cutler Presby. Church
 Statement No. 16378

			Hours	Amount
7/20/2004	EAB	Telephone conference with Mr. Tucker Gibbs regarding possible declaratory action and pending certiorari action; and analysis of pending items.	0.40	74.00
7/22/2004	EAB	Analysis of OCPC certiorari action.	1.00	0.00
			Total Professional Services	74.00

Rate Summary

	Eve A. Boutsis	1.00 hours at \$ 0.00/hr	0.00	
	Eve A. Boutsis	0.40 hours at \$185.00/hr	74.00	
		Total hours:	1.40	74.00
7/27/2004	Disbursements incurred - 3.0%			1.48
	For Professional Services			74.00
	For Disbursements Incurred			1.48
	Total Invoice Due			75.48

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Eugene P. Flinn, Jr.

July 29, 2004

Mayor

Matter ID: 0293-003

Village of Palmetto Bay

Comprehensive Plan

9100 S. Dadeland Boulevard

Statement No. 16376

Suite 1000

Miami, Florida 33156

Expenses

Photocopies	0.00
Sub-total Expenses:	<u>0.00</u>
For Professional Services	0.00
For Disbursements Incurred	0.00
Current Balance:	<u>0.00</u>
Previous Balance:	462.50
Payments - Thank you	0.00
Total Due	<u>462.50</u>

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

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Eugene P. Flinn, Jr.

July 29, 2004

Mayor

Matter ID: 0293-005

Village of Palmetto Bay

Real Property

9100 S. Dadeland Boulevard

Statement No. 16377

Suite 1000

Miami, Florida 33156

For Professional Services	0.00
For Disbursements Incurred	0.00
Current Balance:	<u>0.00</u>
Previous Balance:	536.50
Payments - Thank you	0.00
Total Due	<u>536.50</u>

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