

RESOLUTION NO. 04-74

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 \$12,015.67; 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, Nagin Gallop Figueredo, P.A., submitted its statements to the village for legal services rendered, and costs advanced, for the period ending September 27, 2004, in the amount of \$12,015.67; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

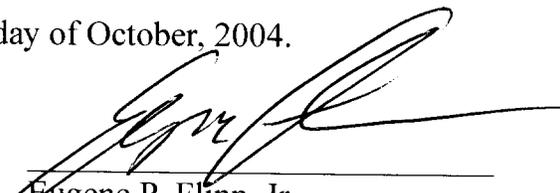
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$12,015.67, 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 October, 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	<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>

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

3225 Aviation Avenue - Third Floor
Telephone: (305) 854-5353 Miami, Florida 33133-4741 Facsimile: (305) 854-5351

September 29, 2004

Charles D. Scurr, 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. Scurr:

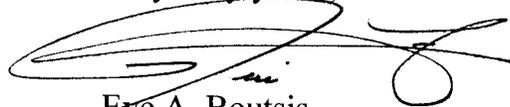
Enclosed are our statements for professional services rendered and for costs advanced for the period ending September 27, 2004. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 16592 dated 09/30/04</i>	Prof'l Services	\$	10,545.00
		Disbursements		1.66
		Total		10,546.66
0293-002	Zoning Applications <i>Statement No. 16593 dated 09/30/04</i>	Prof'l Services	\$	203.50
		Disbursements		0.00
		Total		203.50
0293-005	Real Property <i>Statement No. 16595 dated 09/30/04</i>	Prof'l Services	\$	0.00
		Disbursements		20.09
		Total		20.09
0293-007	Old Cutler Presbyterian Church <i>Statement No. 16596 dated 09/30/04</i>	Prof'l Services		1,221.00
		Disbursements		24.42
		Total		1,245.42
	TOTAL CURRENTLY DUE		\$	12,015.67

Letter to Charles D. Scurr, Village Manager
September 29, 2004
Page 2 of 2

Please do not hesitate to call me if you have any questions regarding these statements.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Eve A. Boutsis', with a large, stylized flourish extending to the right.

Eve A. Boutsis,
Office of the Village Attorney

EAB/blr

Enclosures

cc: Mayor and Village Council

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

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Miami, Florida 33133

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Facsimile: (305) 854-5351

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

September 30, 2004

Matter ID: 0293-001

General Municipal

Statement No. 16592

			Hours	Amount
8/27/2004	EAB	Attention to Delamour property tax issues; telephone conference with Mayor Eugene Flinn regarding response to public record request; and telephone conference with Mr. Charles Scurr and council member Feller regarding ordinances, park issues, city hall relocation.	1.30	240.50
8/30/2004	EAB	Attention to Fern Street Properties unsafe structure issues.	0.30	55.50
8/31/2004	EAB	Drafted ordinance relating to prohibited sign; finalized MCCi contracts; analyzed and provided comments on special master selection resolution, interlocal agreement relating to grant park funds; and attention to public records request relating to e-mail and blackberry transmissions; telephone conference with Mr. Joseph Centorino, of S.A. public corruption unit relating to the public record request; and telephone conference with mayor Flinn regarding pending items; and attention to grant application for Delamour property.	3.00	555.00
9/1/2004	EAB	Revised sign ordinance; telephone conference with Ms. Arlene Weintraub and Mr. Scurr regarding parks master plan and sign ordinance.	1.30	240.50
9/2/2004	LRF	Teleconference with Mr. Scurr; conferred with Ms. Boutsis relating to issues concerning Hurricane Frances.	1.30	240.50
9/2/2004	EAB	Telephone conference with Mr. Scurr and staff regarding emergency procurement, Hurricane Frances and process for declaring emergency.	1.00	185.00
9/2/2004	EAB	Telephone conference with Mr. Scurr and staff regarding emergency procurement, Hurricane Frances and process for declaring emergency.	1.30	240.50
9/7/2004	LRF	Teleconference with Mr. Scurr regarding Burger King charette.	0.60	111.00
9/7/2004	LRF	Conferred with Ms. Boutsis on ethics issue.	0.40	74.00
9/7/2004	EAB	Analyzed agenda in anticipation of upcoming meeting; telephone	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.

		conference with Ms. Pier regarding emergency procurement, declaration of emergency, interlocal agreement with Town of Miami Lakes for clerk services; telephone conference with Mr. Robert Meyers regarding complaint filed by Ms. Marsha Matsen; discussion with Mr. Luis Figueredo regarding ethics issue; telephone conference with Mr. Scurr regarding Burger King charette and pending matters; and telephone conference with Ms. Christina Prkic regarding upcoming ethics seminar.		
9/8/2004	LRF	E-mail and telephone conference with Mr. Centorino in anticipation of ethics seminar and e-mail communications with Ms. Christina Prkic regarding VPB's ethics ordinance.	0.30	55.50
9/8/2004	EAB	Attention to Burger King charette issues; attention to oath of office; analyzed agenda items; and telephone conference with Mr. Scurr regarding Palmer Trinity.	2.00	370.00
9/8/2004	EAB	Attended special and regularly scheduled council meeting.	4.50	832.50
9/8/2004	EAB	E-mail communications with staff regarding certified copies of Bayfront Park.	0.10	18.50
9/9/2004	LRF	Reviewed Burger King file as preparation for committee report to the commission; reviewed revised committee report; and attended village commission meeting.	4.20	777.00
9/9/2004	EAB	Attention to unsafe structures, mitigation, and research on Myflorida.com regarding special session of legislature to deal with flood and wind insurance; attention to scheduling of ethics seminar due to projected Hurricane Ivan; attended telephonic staff meeting in anticipation of Hurricane Ivan and budget hearing; telephone conference with Fla. Rep. Julio Robaina regarding flood and windstorm issues; e-mail communications with VPB council regarding windstorm; and analyzed code regarding enforcement on construction sites; and e-mail communications with staff regarding this issue; and prepared for budget hearing.	3.30	610.50
9/9/2004	EAB	Attended budget workshop.	1.50	277.50
9/10/2004	LRF	Conferred with Ms. Boutsis on matters relating to Hurricane Ivan.	0.40	74.00
9/10/2004	EAB	Telephone conference with Rep. Julio Robaina regarding windstorm; drafted e-mail to Governor Bush regarding special session and windstorm legislation; e-mail communications with Ms. Cadaval regarding contract with special master and drafting of contract.	0.40	74.00
9/15/2004	EAB	Breakfast meeting with Mr. Scurr regarding mitigation, budget, comprehensive plan, OCPC and other matters; telephone conference with mayor Flinn regarding pending matters; telephone conference with council member Neidhart regarding 501(c)(3) request; and attention to payment to Mr. George Lott.	1.50	277.50
9/16/2004	LRF	Conference call with John Breder and Charles Scurr to discuss interlocal agreement for public library; modified agreement to incorporate recommended changes and transmitted reviewed draft	2.30	425.50

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		to Mr. Scurr.		
9/16/2004	LRF	Teleconference with Mayor Flinn regarding questions concerning budget.	0.50	92.50
9/16/2004	EAB	Telephone conference with mayor Flinn on budget items; and telephone conference with Mssrs. Scurr and Acin regarding mitigation.	0.40	74.00
9/16/2004	EAB	Attended meeting with Mr. Alfredo Acin; meeting with mayor Flinn, Mr. Scurr and Mr. Acin regarding mitigation.	2.50	462.50
9/17/2004	LRF	Teleconference with Mayor Flinn regarding budget issues; and teleconference with Mr. Scurr.	1.40	259.00
9/17/2004	LRF	Researched issues relating to mitigation and formulas relied on by county and the village; analyzed most favored nations claus and strategy for obtaining most favorable terms.	2.80	518.00
9/17/2004	EAB	Attention to analysis of mitigation matter.	1.30	240.50
9/20/2004	LRF	Met with Mr. Scurr; reviewed budget; and attended second budget hearing.	5.30	980.50
9/20/2004	EAB	Telephone conferences with Mayor Flinn, regarding budget items and mitigation; telephone conference with Mr. Scurr regarding budget; telephone conference with council members Neidhart, and Feller regarding budget; telephone conference with Mr. Lott regarding Delamour property; e-mail communications with Ms. Cadaval regarding final judgment of quiet title and surveys requested for grant application.	2.00	370.00
9/22/2004	LRF	Reviewed draft language to council resolution.	0.20	37.00
9/22/2004	LRF	Reviewed advisory report to determine correct CPI to be applied to mitigation.	0.50	92.50
9/22/2004	EAB	Drafted emergency management ordinance; and drafted notice of a/c session regarding OCPC litigation; and attended meeting with Ms. Weintraub regarding draft noise ordinance, emergency management, and garage sale ordinance.	5.00	925.00
9/23/2004	EAB	Telephone conference with mayor Flinn regarding charter school charette; and finalized special master contract and ordinance on emergency management.	1.30	240.50
9/24/2004	EAB	Email communications with staff regarding charter school committee; analyzed minutes of meetings; telephone conference with mayor Flinn regarding pending items; and finalized resolution accepting charette report.	0.50	92.50
9/26/2004	EAB	Telephone conference with mayor Flinn regarding OCPC, mitigation, and pending items before council.	0.30	55.50

Total Professional Services 10,545.00

Rate Summary

Luis R. Figueredo	20.20 hours at \$185.00/hr	3,737.00
Eve A. Boutsis	36.80 hours at \$185.00/hr	6,808.00

Total hours: 57.00

Expenses

Photocopies	0.00
Telefacsimile charge	0.00
Postage Charge	1.66

Sub-total Expenses: 1.66

For Professional Services	10,545.00
For Disbursements Incurred	1.66

Current Balance:	10,546.66
Previous Balance:	20,873.51
Payments - Thank you	0.00

Total Due 31,420.17

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

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

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

September 30, 2004
 Matter ID: 0293-002
 Zoning Applications
 Statement No. 16593

			Hours	Amount
9/1/2004	EAB	Substantially revised Publix proposed order.	0.30	55.50
9/23/2004	LRF	Conference call with Mr. Scurr, Mr. Breder and Publix representatives concerning donation of open space to village.	0.80	148.00
Total Professional Services				203.50

Rate Summary

Luis R. Figueredo	0.80 hours at \$185.00/hr	148.00
Eve A. Boutsis	0.30 hours at \$185.00/hr	55.50
Total hours:		1.10

For Professional Services	203.50
For Disbursements Incurred	0.00
Current Balance:	203.50
Previous Balance:	17,873.18
Payments - Thank you	0.00
Total Due	18,076.68

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

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

September 30, 2004
Matter ID: 0293-003
Comprehensive Plan
Statement No. 16594

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>

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Miami, Florida 33133

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

September 30, 2004

Matter ID: 0293-005

Real Property

Statement No. 16595

Expenses

Telefacsimile charge	0.00
Postage Charge	1.75
Courier charge	18.34

Sub-total Expenses: 20.09

For Professional Services	0.00
For Disbursements Incurred	20.09
Current Balance:	<u>20.09</u>
Previous Balance:	740.00
Payments - Thank you	0.00
Total Due	<u>760.09</u>

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

September 30, 2004
 Matter ID: 0293-007
 Old Cutler Presby. Church
 Statement No. 16596

			Hours	Amount
9/13/2004	EAB	Telephone conference with Mr. Tucker Gibbs regarding OCPC and telephone conference with mayor Flinn regarding MPCD and OCPC.	0.40	74.00
9/14/2004	EAB	Attention to OCPC matter and order to show cause.	0.20	37.00
9/15/2004	LRF	Reviewed meeting and hearing transcripts for OCPC matter.	6.00	0.00
9/17/2004	LRF	Teleconference with Tucker Gibbs to discuss possible settlement of OCPC litigation.	0.90	0.00
9/24/2004	EAB	Attention to and prepared for conference call with Mr. Shubin; and attended conference all with Mr. Figueredo, Mr. Bass, and Mr. Shubin related to OCPC litigation.	1.00	185.00
9/25/2004	EAB	Analyzed petition for certiorari, answer to petition, a/c transcript, documents relevant to petition; and transcript of appeal before the VPB council.	5.00	925.00
			Total Professional Services	1,221.00

Rate Summary

	Luis R. Figueredo	6.90 hours at \$ 0.00/hr	0.00
	Eve A. Boutsis	6.60 hours at \$185.00/hr	1,221.00
		Total hours:	13.50
			1,221.00
9/27/2004	Disbursements incurred - 3.0%		24.42

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For Professional Services	1,221.00
For Disbursements Incurred	24.42
Total Invoice Due	<u>1,245.42</u>

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