

RESOLUTION NO. 04-81

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 \$9,875.28; 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 October 27, 2004, in the amount of \$9,875.28; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

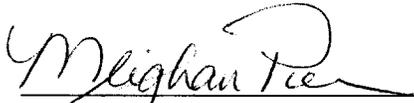
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$9,875.28, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 1st day of November, 2004.

Attest:


Meghan 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^{PA.}

Attorneys & Counselors

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

October 28, 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 October 27, 2004. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 16618 dated 10/27/04</i>	Prof'l Services	\$	7,548.00
		Disbursements		24.86
		Total		7,572.86
0293-007	Old Cutler Presbyterian Church <i>Statement No. 16622 dated 10/27/04</i>	Prof'l Services	\$	2,257.00
		Disbursements		45.42
		Total		2,302.42
	TOTAL CURRENTLY DUE		\$	9,875.28

Letter to Charles D. Scurr, Village Manager
October 28, 2004
Page 2 of 2

Please 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/blr

Enclosures

cc: Mayor and Village Council

NAGIN GALLOP FIGUEREDO^{RA}*Attorneys & Counselors*

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

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Eugene P. Flinn, Jr.

October 27, 2004

Mayor

Matter ID: 0293-001

Village of Palmetto Bay

General Municipal

9100 S. Dadeland Boulevard

Statement No. 16618

Suite 1000

Miami, Florida 33156

			Hours	Amount
9/27/2004	LRF	Telephone conference with mayor Flinn regarding mitigation.	0.40	74.00
9/27/2004	EAB	Telephone conference with mayor Eugene Flinn regarding mitigation; attention to village clerk charter responsibilities; telephone conference regarding PCRC matter with Ms. Dee Dee Heacock; attention to emergency declarations, powers of village manager and village clerk; and pending items requested by mayor Flinn.	1.10	203.50
9/28/2004	EAB	Telephone conference with mayor Flinn, and Mr. Scurr regarding mitigation; attention to 501(c)(3) matter and mitigation items; telephone conference with Ms. Meighan Pier regarding scheduling issues; email communication with Ms. Arlene Weintraub regarding pending items and upcoming meetings.	2.00	370.00
10/4/2004	LRF	Attended council meeting to monitor and address Burger King Charette matter.	2.00	370.00
10/4/2004	EAB	Analyzed Transportation plan; reviewed and analyzed agenda; prepared village attorney report; e-mail communications with Ms. Weintraub regarding county airport ordinance and other pending village ordinances; and parks issues, Bermello contract, copyright issues, and anonymous concerned citizens memorandum; and attended commission meeting.	8.00	1,480.00
10/5/2004	EAB	Telephone conference with charette member Gabe Bifano; e-mail communications with Ms. Weintraub, telephone conference with mayor Flinn; and e-mail communications with Mr. Joseph Centorino and Mr. Robert Meyers to coordinate re-scheduling of ethics and sunshine seminar.	0.80	148.00
10/6/2004	EAB	Analyzed Fla. special legislative agenda, attended and participated in windstorm working group meeting; and received assignment; attention to request by Ms. Pier relating to petition initiative and release by property owner.	3.00	555.00
10/7/2004	EAB	Analyzed and revised release authorization form; attention to SW charette matters; and attention to affidavit for petition matter.	0.60	111.00

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.

10/8/2004	EAB	Telephone conference with Mr. Scurr and mayor Flinn regarding pending items; attention to possible ordinance and associated issues with Ms. Pier.	0.30	55.50
10/11/2004	EAB	E-mail communication with Mr. John F. Cosgrove regarding windstorm insurance resolution.	0.30	55.50
10/12/2004	EAB	Attention to e-mail draft resolution of M-D BCC regarding transportation franchise compliance; attention to CDMP; and e-mail communications with staff on CDMP and other issues.	0.30	55.50
10/13/2004	EAB	Attention to County nuisance abatement board ordinance; contacted Mr. Burgess for draft interlocal on this issue; e-mail communication with Ms. Weintraub regarding pending ordinances; began further revisions to temporary sign ordinance; and e-mail communication with mayor Flinn regarding CDMP meeting.	0.90	166.50
10/14/2004	EAB	Analyzed windstorm statutes; began drafting resolution on windstorm insurance; and telephone conference with Mr. Richard Doody regarding special master contract interpretation; telephone conference with windstorm plaintiff participant; e-mail communications with Mr. Elias, county consumer advocate regarding windstorm litigation; e-mail communications with Mr. Cosgrove; continued to revise windstorm resolution; and e-mail communications with Mr. Proctor and Mr. Williams.	2.00	370.00
10/15/2004	EAB	Attended seminar on public ethics.	0.00	0.00
10/18/2004	LRF	Teleconference with Mr. Scurr regarding pending matters and Village Hall Committee.	0.50	92.50
10/19/2004	LRF	Met with Mayor Flinn, Mr. Scurr, Ms. Arlene Williams and Ms. Boutsis to discuss Comprehensive Plan, tasks and timetables.	1.40	259.00
10/19/2004	EAB	Telephone conference with Mr. Tom David, telephone conference with Ms. Christina Prkic regarding SW charette process; telephone conference with Mr. Scurr; telephone conference with mayor Flinn regarding pending items; telephone conference with Mr. Scurr, mayor Flinn, Mr. Ron Williams and Ms. Ana Garcia regarding SW charette.	1.70	314.50
10/19/2004	EAB	Attended breakfast meeting with mayor; Mr. Scurr, Ms. Weintraub and Mr. Figueredo.	1.40	259.00
10/20/2004	LRF	Reviewed and made revisions to windstorm resolution.	0.50	92.50
10/20/2004	LRF	Teleconference with Ms. Boutsis regarding Mr. David.	0.30	55.50
10/20/2004	EAB	Attention to SW charette matters; and telephone conferences with mayor Flinn.	0.70	129.50
10/21/2004	LRF	Teleconference with mayor Flinn concerning S.W. Charette matter; teleconference with mayor Flinn and Mr. Scurr regarding issues surrounding potential conflict.	0.90	166.50

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10/21/2004	EAB	Received assignments relating to VPB, telephone conference with Mr. Scurr; coordinated attendance at SW charette meeting; and forwarded update to council relating to OCPC litigation; analyzed chapter 163, 186, Fla. Stat. as to CDMP and charette process; telephone conference with mayor Flinn regarding these issues; and telephone conference with Ms. Prkic.	1.60	296.00
10/22/2004	LRF	Teleconference with mayor Flinn regarding conflict and ethical issues relating to S.W. Charette Committee and Charter School Committee.	1.30	240.50
10/22/2004	EAB	Telephone conference with mayor Flinn regarding pending matters.	0.30	55.50
10/23/2004	LRF	Attended S.W. Charette Committee Meeting.	2.00	370.00
10/25/2004	LRF	Various teleconferences with mayor and city manager; reviewed lobbyist ordinance; and teleconference with Mr. Ed. Ludivici regarding same.	1.50	277.50
10/25/2004	EAB	Telephone conference with mayor Flinn regarding charettes and committees, pending zoning and park items; telephone conference with Ms. Annette Katz; Mr. Bifano and Ms. Prkic; and e-mail communications with Mr. Ed Ludivici; telephone conference with Mr. Scurr regarding upcoming meetings; attention to creation of nonprofit corporation; and email communications with Mr. Jerry Proctor regarding road transfer interlocal agreement.	2.50	462.50
10/26/2004	LRF	Met with Alliance Companies regarding Charter School.	1.00	185.00
10/26/2004	LRF	Attended Village Hall Committee meeting and provided report to committee concerning deed restrictions for proposed properties.	1.50	277.50
Total Professional Services				7,548.00

Rate Summary

Luis R. Figueredo	13.30 hours at \$185.00/hr	2,460.50
Eve A. Boutsis	27.50 hours at \$185.00/hr	5,087.50
Total hours:		40.80

Expenses

Postage Charge	0.85
Legal research	24.01
Telefacsimile charge	0.00
Sub-total Expenses:	24.86

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For Professional Services	7,548.00
For Disbursements Incurred	24.86
Current Balance:	<u>7,572.86</u>
Previous Balance:	31,420.17
Payments - Thank you	0.00
Total Due	<u>38,993.03</u>

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

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NAGIN GALLOP FIGUEREDO^{PA}

Attorneys & Counselors

3225 Aviation Avenue, Suite 301

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

October 27, 2004
Matter ID: 0293-002
Zoning Applications

Statement No. 16619

For Professional Services	0.00
For Disbursements Incurred	0.00
Current Balance:	<u>0.00</u>
Previous Balance:	18,076.68
Payments - Thank you	0.00
Total Due	<u>18,076.68</u>

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.

October 27, 2004

Mayor

Matter ID: 0293-003

Village of Palmetto Bay

Comprehensive Plan

9100 S. Dadeland Boulevard

Statement No. 16620

Suite 1000

Miami, Florida 33156

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.

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^{PA.}

Attorneys & Counselors

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Eugene P. Flinn, Jr.

October 27, 2004

Mayor

Matter ID: 0293-005

Village of Palmetto Bay

Real Property

9100 S. Dadeland Boulevard

Statement No. 16621

Suite 1000

Miami, Florida 33156

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

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

October 27, 2004
 Matter ID: 0293-007
 Old Cutler Presby. Church
 Statement No. 16622

			Hours	Amount
9/28/2004	EAB	Prepared for attorney-client session on OCPC; and telephone conference with Mr. John Shubin on this matter.	0.70	129.50
9/28/2004	EAB	Attended OCPC attorney-client session.	2.00	370.00
9/29/2004	HJM	Prepared motion for extension of time to respond to order to show cause; and reviewed file.	0.30	55.50
9/29/2004	EAB	Attention to OCPC extension of time to file certiorari response brief and scheduling of mediation.	0.50	92.50
10/8/2004	EAB	Telephone conference with Mr. Tucker Gibbs regarding extension of time to file reply; and e-mail communication with council regarding request.	0.10	18.50
10/11/2004	EAB	Continued to coordinate mediation conference; and telephone conference with Mr. Shubin's assistant.	0.30	55.50
10/12/2004	EAB	E-mail communications with Mr. Shubin, Mr. Tucker, and Ms. Diane O'Quinn Williams; and drafted letter confirming meeting on 10/22; and e-mail communications with Ms. Williams and coordinating meeting with her on this item.	0.30	55.50
10/21/2004	LRF	Teleconference with Mr. Scurr; conferred with Ms. Boutsis; and reviewed file.	1.30	240.50
10/22/2004	LRF	Met with Messrs. Tucker Gibbs, John Shubin and Charles Scurr and Ms. Boutsis concerning matter and prepared for meeting.	3.50	647.50
10/22/2004	EAB	Attended settlement negotiations in OCPC with Mssrs. Tucker, Gibbs, Scurr and Figueredo.	3.20	592.00
			Total Professional Services	2,257.00

Rate Summary

H. James Montalvo 0.30 hours at \$185.00/hr 55.50

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

Luis R. Figueredo 4.80 hours at \$185.00/hr 888.00

Eve A. Boutsis 7.10 hours at \$185.00/hr 1,313.50

Total hours: 12.20 2,257.00

10/27/2004 Disbursements incurred - 3.0% 45.42

For Professional Services 2,257.00

For Disbursements Incurred 45.42

Total Invoice Due 2,302.42

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

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