

RESOLUTION NO. 04-92

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 \$12,276.75; 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 November 22, 2004, in the amount of \$12,276.75; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

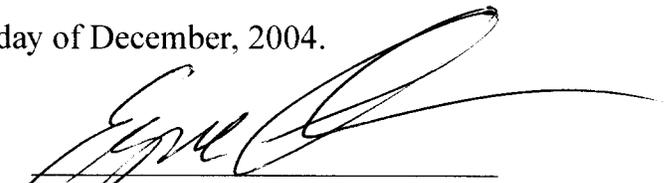
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

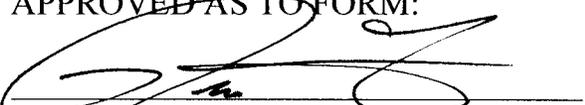
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$12,276.75, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 6th day of December, 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

November 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 November 22, 2004. The amounts due are as follows:

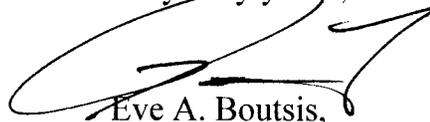
0293-001	Non-Retainer Legal Services <i>Statement No. 16729 dated 11/22/04</i>	Prof'l Services	\$	6,160.50
		Disbursements		36.10
		Total		6,196.60
0293-002	Zoning Applications <i>Statement No. 16730 dated 11/22/04</i>	Prof'l Services	\$	1,091.50
		Disbursements		0.00
		Total		1,091.50
0293-005	Real Property <i>Statement No. 16732 dated 11/22/04</i>	Prof'l Services	\$	1,295.00
		Disbursements		0.00
		Total		1,295.00
0293-007	Old Cutler Presbyterian Church <i>Statement No. 16733 dated 11/22/04</i>	Prof'l Services	\$	2,220.00
		Disbursements		44.40
		Total		2,264.40
0293-008	Doug DeWhitt – EEOC Claim <i>Statement No. 16752 dated 11/22/04</i>	Prof'l Services	\$	1,350.50
		Disbursements		0.00
		Total		1,350.50

Letter to Charles D. Scurr, Village Manager
November 29, 2004
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0293-009	Palmetto Bay Foundation, Inc.	Prof'l Services	\$	0.00
	<i>Statement No. 16736 dated 11/22/04</i>	Disbursements		78.75
		Total		78.75
TOTAL CURRENTLY DUE			\$	12,276.75

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^{PA.}

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

November 22, 2004
Matter ID: 0293-001
General Municipal

Statement No. 16729

			Hours	Amount
10/27/2004	EAB	Meeting with Mr. Charles Scurr and Ms. Diane O'Quinn Williams regarding charter school ordinance.	0.20	37.00
10/27/2004	EAB	Meeting with Mr. Robert Meyers regarding pending requests; telephone conference with mayor Eugene Flinn; and telephone conference with Ms. Christina Prkic.	1.40	259.00
10/27/2004	EAB	Revised and finalized windstorm insurance resolution and staff memorandum providing synopsis to council of resolution's intent.	2.00	370.00
10/28/2004	EAB	Telephone conference with Mr. Gabe Bifano regarding ethical related issues of committees; telephone conference with mayor Flinn regarding pending items; and telephone conference with Mr. Scurr relating to agenda and Haas property.	1.30	240.50
10/29/2004	EAB	Analyzed storm water bid package and provided comments to staff with recommended modifications to substance of RFP; attention to bid package; telephone conference with mayor Flinn regarding charettes and resident concerns; and finalized attorney certification for Perrine Park grant.	1.80	333.00
11/1/2004	EAB	Analyzed piggy back contract, audit, agenda and prepared village attorney report to council; e-mail communications with Mr. Joseph Centorino and Mr. Meyers regarding ethics seminar; attention to on-line services agreement proposed by county; attention to bus bench issue raised by mayor Flinn; and revised windstorm resolution memorandum.	3.60	666.00
11/1/2004	EAB	Attended ethics seminar, council meeting, and meeting with Messrs. Meyers and Centorino; and telephone conference with Mr. Scurr after meeting regarding pending items.	5.00	925.00
11/2/2004	EAB	E-mail communications with committee members; telephone conference with mayor Flinn regarding pending matters due to council meeting decisions; and telephone conference with Messrs. Meyers and Centorino regarding ethics seminar.	1.50	277.50
11/3/2004	LRF	Responded to city clerk's inquiry regarding notice requirements for	0.30	55.50

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.

Date	Code	Description	Rate	Amount
		special meetings.		
11/3/2004	EAB	Telephone conference with mayor Flinn on pending items.	0.40	74.00
11/4/2004	LRF	Finalized building moratorium.	1.40	259.00
11/4/2004	EAB	Analyzed moratorium ordinance; telephone conference with mayor Flinn; e-mail communications with Ms. Pier and Mr. Scurr regarding scheduling hearing on moratorium issue; telephone conference with Mr. Gabe Bifano regarding his request to file ethics complaint; and e-mail communications with Mr. Meyers regarding ethics and government in sunshine.	1.30	240.50
11/5/2004	EAB	Attended seminar on sign ordinances, land use and environmental updates, and emergency management.	7.00	0.00
11/8/2004	EAB	Telephone conference with Mr. Scurr regarding SW charette; telephone conference with council member Neidhart regarding SW charette; and telephone conference with Mr. John Cosgrove regarding code interpretation and quasi-judicial hearing processes at village.	0.40	74.00
11/10/2004	LRF	Attended meeting with Eve Boutsis, John Breder, Mr. Scurr and county attorney to negotiate library agreement.	3.00	555.00
11/12/2004	EAB	Attention to general release by Village of Burger King Property.	0.30	55.50
11/16/2004	LRF	Attended special meeting regarding parks master plan; teleconference with Mr. Scurr regarding same.	4.10	758.50
11/16/2004	EAB	Drafted professional services agreement; and telephone conference with mayor Flinn, Ms. Anna Garcia, and Mr. Scurr regarding parks master plan; telephone conference with Mr. Raul Rodriguez regarding unsafe structures issues; and e-mail communications with Mr. Centorino regarding transitory messages and public records.	1.30	240.50
11/18/2004	EAB	Attention to interlocal with state attorney and provided comments to staff; analyzed and revised parks ordinance; attention to and finalized articles of incorporation for Palmetto Bay Foundation; e-mail communication with council member Paul Neidhart on the foundation; e-mail communications with mayor Flinn regarding parks ordinance; telephone conference with Mr. Scurr regarding emergency procedures ordinance, mitigation issue, and other pending items; and finalized articles of incorporation	2.20	407.00
11/19/2004	EAB	Telephone conference with mayor Flinn regarding pending matters.	0.30	55.50
11/22/2004	EAB	Attention to lobbyist issue; drafted letter to Alliance; analyzed and revised IT services agreement; email communications with mayor Flinn and Mr. Scurr regarding parks ordinance, and IT services agreement; obtained comments from Mr. Scurr as to the IT agreement and revised the agreement accordingly; and obtained comments from Ms. Pier as to the Alliance letter.	1.50	277.50

Total Professional Services 6,160.50

Rate Summary

Luis R. Figueredo	8.80 hours at \$185.00/hr	1,628.00
Eve A. Boutsis	7.00 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	24.50 hours at \$185.00/hr	4,532.50

Total hours: 40.30

Expenses

Legal research	36.10
Sub-total Expenses:	36.10

Payments

11/8/2004	Payment	6,298.05
11/8/2004	Payment	12,015.67
Sub-total Payments:		18,313.72

For Professional Services	6,160.50
For Disbursements Incurred	36.10
Current Balance:	6,196.60
Previous Balance:	38,993.03
Payments - Thank you	18,313.72
Total Due	26,875.91

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.}

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

November 22, 2004
Matter ID: 0293-002
Zoning Applications

Statement No. 16730

			Hours	Amount
11/3/2004	LRF	Teleconference with Mr. Charles Scurr regarding development concerning city hall.	0.40	74.00
11/5/2004	LRF	Reviewed SW charette report.	1.20	222.00
11/8/2004	LRF	Attended SW charrette/village meeting; teleconference with council member Dr. Ed Feller regarding charrette; and teleconference with Mr. Scurr.	4.30	795.50
				<hr/>
			Total Professional Services	1,091.50

Rate Summary

Luis R. Figueredo	5.90 hours at \$185.00/hr	1,091.50
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Total hours:	5.90	

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	1,091.50
For Disbursements Incurred	0.00
Current Balance:	<u>1,091.50</u>
Previous Balance:	18,076.68
Payments - Thank you	0.00
Total Due	<u>19,168.18</u>

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

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Village of Palmetto Bay
9100 S. Dadeland Boulevard
Suite 1000
Miami, Florida 33156

November 22, 2004
Matter ID: 0293-003
Comprehensive Plan

Statement No. 16731

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.
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9100 S. Dadeland Boulevard
Suite 1000
Miami, Florida 33156

November 22, 2004

Matter ID: 0293-005

Real Property

Statement No. 16732

			Hours	Amount
10/29/2004	EAB	Analyzed proposed lease purchase agreement; and prepared for and attended meeting with Mr. Charles Scurr, Mr. Luis Figueredo and Trust for Public Land representatives regarding Haas Property.	2.50	462.50
11/1/2004	EAB	E-mail communication with Mr. Peter Fodor, and Ms. Amy Paige Condon of the Trust for Public Land regarding lease revisions; and telephone conference with Mr. George Lott regarding Delamour Lott splitting request, and 30 year certification for Perrine Park grant application.	0.40	74.00
11/2/2004	EAB	E-mail communications with Mr. Fodor regarding Haas property and revisions to the contract; and telephone conference with Mr. Lott regarding Delamour quiet title action and title insurance policy.	0.40	74.00
11/10/2004	EAB	Attended meeting with M-D County library representatives, Messrs. Scurr, John Breder, and Figueredo regarding Delamour property.	3.50	647.50
11/10/2004	EAB	Attention to Haas property and e-mail communications with Mr. Pete Fodor.	0.20	37.00
			Total Professional Services	1,295.00

Rate Summary

Eve A. Boutsis	7.00 hours at \$185.00/hr	1,295.00
Total hours:		7.00

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For Professional Services	1,295.00
For Disbursements Incurred	0.00
Current Balance:	<u>1,295.00</u>
Previous Balance:	760.09
Payments - Thank you	0.00
Total Due	<u>2,055.09</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

November 22, 2004
Matter ID: 0293-007
Old Cutler Presby. Church
Statement No. 16733

			Hours	Amount
10/27/2004	EAB	Meeting with Mr. Charles Scurr and Ms. Diane O'Quinn Williams regarding OCPC.	0.30	55.50
11/1/2004	EAB	Prepared extension of time.	0.20	37.00
11/3/2004	LRF	Teleconference with Mr. John Shubin regarding status of settlement negotiation; and teleconference with Mr. Scurr regarding same.	0.50	92.50
11/9/2004	EAB	Legal research and began drafting answer brief.	4.00	740.00
11/10/2004	EAB	Began analysis of case law and drafting of answer brief.	4.00	740.00
11/11/2004	EAB	Continued to draft brief.	3.00	555.00
				<hr/>
			Total Professional Services	2,220.00

Rate Summary

	Luis R. Figueredo	0.50 hours at \$185.00/hr	92.50
	Eve A. Boutsis	11.50 hours at \$185.00/hr	2,127.50
		<hr/>	<hr/>
	Total hours:	12.00	2,220.00
11/22/2004	Disbursements incurred - 3.0%		44.40

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For Professional Services	2,220.00
For Disbursements Incurred	44.40
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Current Balance:	2,264.40
Previous Balance:	5,291.77
Payments - Thank you	0.00
	<hr/>
Total Due	7,556.17

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

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For Professional Services	1,350.50
For Disbursements Incurred	0.00
Current Balance:	<u>1,350.50</u>
Previous Balance:	0.00
Payments - Thank you	0.00
Total Due	<u>1,350.50</u>

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Village of Palmetto Bay
9100 S. Dadeland Boulevard
Suite 1000
Miami, Florida 33156

November 22, 2004
Matter ID: 0293-009
Palmetto Bay Foundation, Inc.
Statement No. 16736

Expenses

Filing fee	78.75
Sub-total Expenses:	<u>78.75</u>
For Professional Services	0.00
For Disbursements Incurred	78.75
Current Balance:	<u>78.75</u>
Previous Balance:	0.00
Payments - Thank you	0.00
Total Due	<u>78.75</u>

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