

RESOLUTION NO. 07-85

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 \$18,853.56; 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 May 30, 2007, in the amount of \$18,853.56; 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:

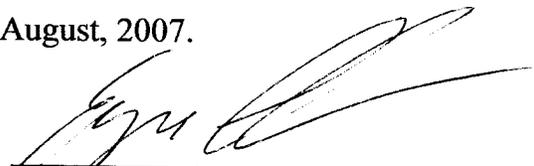
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$18,853.56, copies of which are attached, are approved for payment.

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

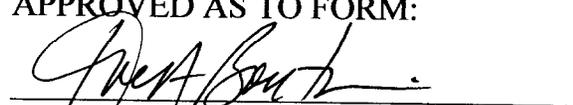
PASSED and ADOPTED this 6th day of August, 2007.

Attest:


Meighan Rader
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eve A. Boutsis,
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 Shelley Stanczyk	<u>YES</u>
Vice Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>

NAGIN GALLOP FIGUEREDO^{PA}

Attorneys & Counselors

18001 Old Cutler Road – Suite 556
Telephone: (305) 854-5353 Miami, Florida 33157-6416 Facsimile: (305) 854-5351

June 28, 2007

Ron Williams, 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. Williams:

Enclosed are our statements for professional services rendered and for costs advanced for the period ending June 27, 2007. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 19167 dated 6/27/07</i>	Prof'l Services	\$	12,095.50
		Disbursements		1,232.21
		Total		13,327.71
0293-002	Zoning Applications <i>Statement No. 19168 dated 6/27/07</i>	Prof'l Services	\$	3,641.50
		Disbursements		72.83
		Total		3,714.33
0293-004	Code Enforcement <i>Statement No. 19169 dated 6/27/07</i>	Prof'l Services	\$	1,720.50
		Disbursements		34.41
		Total		1,754.91
0293-016	VPB v. MDC Injunctive Relief <i>Statement No. 19170 dated 6/27/07</i>	Prof'l Services	\$	55.50
		Disbursements		1.11
		Total		56.61

Letter to Ron Williams, Village Manager
June 28, 2007
Page 2 of 2

TOTAL CURRENTLY DUE \$ **18,853.56**

Pease 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/lcm

Enclosures

cc: Mayor and Village Council

NAGIN GALLOP FIGUEREDO^{RA}

Attorneys & Counselors

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Eugene P. Flinn, Jr.
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, Florida 33157

June 27, 2007
Matter ID: 0293-001
General Municipal
Invoice Number 19167

			Hours	Amount
5/31/2007	EAB	Attention to proposed agenda items; attention to and analyzed PD contract proposed with Coral Gables; attention to Olympic Committee item; telephone conference with Mr. Ed Silva regarding pending items; telephone conference with Mr. Scott Silver regarding VMU and pending items related to PBVC; telephone conference with Mr. John Hearn regarding mitigation item; analyzed Regions Bank response to bond financing RFP; and provided comments regarding same.	1.70	314.50
6/1/2007	EAB	Analyzed Coral Gables proposed mutual aid agreement; and communications with MDC PD attorney's office, Bart Armstrong, regarding same; and telephone conference with Mr. Desmond Chin regarding bond item.	1.20	222.00
6/1/2007	EAB	Communications with Mr. Hearn and Ms. Nina Boniske (separately) regarding mitigation.	0.40	74.00
6/4/2007	EAB	Attended agenda meeting with Village staff and received assignments; drafted bond resolution; drafted parks rules memorandum and dog dining memorandum; email communications with Ms. Kaye regarding code enforcement matter.	2.70	499.50
6/5/2007	EAB	Follow up with Ms. Melghan Rader regarding draft agenda items; follow up with staff and Village Council regarding Dorsey clean up, and final judgment; analyzed Mendizabal order; follow up with staff and Village Council regarding same; telephone conference with Ms. Corrice Patterson regarding SW Ez-Go Cart distribution; drafted nonprofit officers amendment resolution; telephone conference with Ms. Arleen Weintraub regarding CAP services; follow up with Mr. Ron Williams and council person Shelly Stanczyk regarding Courdet matter; revised draft division 30-60 relating to Telecommunications, Minimum Housing Standards, Boat Regulations; and Certificates of Use; and follow up on police contract.	3.80	703.00
6/5/2007	SS	Drafted resolution relating to bullying in schools and revised document pursuant to Ms. Boutsis' instructions. [.8 no charge.]	0.60	39.00
6/6/2007	EAB	Attention to religious freedom and zoning complaint; meeting with	2.70	499.50

Payment is due upon receipt. Please notify us within 10 days 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.

		Ms. Ana Garcia regarding Comprehensive Plan compliance; meeting with Ms. Weintraub regarding same, and upcoming agenda items; analyzed final agenda items; meeting with Mr. Williams on comprehensive plan and concurrency items and pending items.		
6/7/2007	EAB	Revised concurrence division; and edited swimming pool barrier provisions; telephone conference with Ms. Weintraub and finalized 6/18/07 agenda.	1.00	185.00
6/8/2007	EAB	Edited concurrency ordinance; substantially revised, edited, and conformed sign ordinance for consistency with MDC uniform code (more stringent requirements allowed); attention to parks rules ordinance; telephone conference with Ms. Garcia regarding rockets in park; and telephone conference with Mr. Rader regarding special council meeting advertisement.	6.50	1,202.50
6/8/2007	EAB	Research on charter.	1.50	277.50
6/11/2007	EAB	Prepared for Village Council meeting; received assignments; telephone conference with Mayor Eugene Flinn [.3 no charge]; telephone conference with Mr. Williams, Ms. Olga Cadaval and Ms. Garcia regarding Forman matter; reviewed emails regarding same; revised 30-30 relating to including re-inspection fees; and email communications with Ms. Boniske.	3.50	647.50
6/11/2007	EAB	Attended village council meeting.	4.50	832.50
6/12/2007	EAB	Telephone conference with and Email communications with Ms. Rana Gorzeck and Mr. Jeff Weinstock, counsel for Regions Bank; telephone conference with Mr. Jerry Heniser, Regions Bank VP; drafted ordinance fo Regions loan; provided statutory support for CITT funding and financial back up regarding same; coordinated closing with Regions representatives; telephone conference with Ms. Weintraub finalizing and editing special council agenda relating to four chapters of LDC; telephone conference with Mayor Flinn (.2 no charge); received assignments relating to Forman; analyzed Forman lease; and provided information to manager regarding same.	2.70	499.50
6/12/2007	SS	Drafted and finalized letter to Mr. William forwarding Project Manual for Drainage Impact report.	0.20	13.00
6/14/2007	EAB	Revised loan ordinance; communications with Mr. Weinstock regarding loan documents and clarification on loan related matters; analyzed draft loan documents; and substantially updated and revised the Off-Street parking division 30-70.	3.50	647.50
6/15/2007	EAB	Analyzed loan documents; telephone conferences with Mr. Williams; telephone conference with Wachovia Bank representative; telephone conference with Mr. Chin; telephone conference with Regions Bank; telephone conference with Ms. Rader regarding special agenda; continued to edit parking division 30-70; analyzed library interlocal; provided information to Dr. Ed Feller; and revised nonprofit annual report filings.	3.50	647.50
6/18/2007	EAB	Analyzed agenda items for P&Z agenda and special council	6.00	1,110.00

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		meeting; analyzed chapter 380, F.S., FAC, and DRI regulations; telephone conference with Ms. Weintraub, Mr. Efren Nunez, Mr. Silver, and Mr. Proctor; conference call with Ms. Weintraub and Mr. Jerry Proctor; telephone conference with SFRPC; telephone conference with FDCA; attention to Alcohol Regulation Division of Chapter 30, Concurrency Ordinance, Sign and Off-street parking ordinances; attention to flooding issue; telephone conference with Ms. Boniske; and attention to Forman matter.		
6/18/2007	EAB	Attended zoning hearing and special council meeting.	2.50	462.50
6/19/2007	EAB	Attention to mitigation issue; email communications with Ms. Boniske and Mr. Hearn; and discussion with Manager Williams regarding same; attention to Forman matter; revised letter to Ms. Jane Forman; attention to pending items; and follow up with Regions Bank on loan documents and July 2nd hearing.	0.60	111.00
6/20/2007	EAB	Prepared for and attended luncheon meeting with Mayor Flinn and Ms. Boniske; attention to Coral Reef covenants; attention to Forman; telephone conference with Mr. Hearn; and drafted resolutions for upcoming agenda regarding same.	4.30	795.50
6/20/2007	EAB	Attended budget workshop.	2.00	370.00
6/22/2007	EAB	Telephone conference with Ms. Boniske, Mr. Hearn, Mr. Bruce Rogow; follow up with Leon County Court; attention to mitigation; amended quasi-judicial proceedings ordinance relating to experts; revised LDC 30-30 relating to expiration of approvals, and process for takings process; updated Regions Bank documents; and email communications with Mr. Weinstock and counsel regarding same.	5.00	925.00
6/25/2007	EAB	Attended meeting with Mr. Ed Ludovici and Ms. Patterson; meeting with Mayor Flinn and Mr. Williams on pending matters and assignments; coordinated mitigation meeting; finalized all Regions bank documents for PW loan.	3.70	684.50
6/26/2007	EAB	Telephone conference with reporter; telephone conference with Mr. Williams; telephone conference with Mr. Carlos Villanueva; drafted resolution relating to Rogow; reviewed 5 year anniversary celebration resolution; telephone conference with Ms. Garcia.	0.90	166.50
6/26/2007	EAB	Attended mitigation conference call and revised Rogow resolution.	0.90	166.50
Total Professional Services				12,095.50

Rate Summary

Eve A. Boutsis	65.10 hours at \$185.00/hr	12,043.50
Susan Snaveley	0.80 hours at \$ 65.00/hr	52.00
Total hours:		12,095.50

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Disbursements

5/10/2007	Database Legal research	642.68
5/11/2007	Database Legal research	123.34
5/11/2007	Database Legal research	184.02
5/14/2007	Database Legal research	21.06
5/31/2007	Mileage	4.80
6/6/2007	Mileage	4.80
6/13/2007	Mileage	4.80
6/18/2007	Mileage	4.80
6/27/2007	Disbursements incurred - 2.0%	241.91

Payments and Credits

6/19/2007	Check No. 6198	18,919.63
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 18,919.63

For Professional Services	12,095.50
For Disbursements Incurred	1,232.21

Current Balance:	<u>13,327.71</u>
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Previous Balance:	18,919.63
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Payments - Thank you	18,919.63
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Total Due	<u>13,327.71</u>
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To be properly credited, please indicate Invoice Number on your remittance check.

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NAGIN GALLOP FIGUEREDO^{PA}

Attorneys & Counselors

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Eugene P. Flinn, Jr.
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, Florida 33157

June 27, 2007
Matter ID: 0293-002
Zoning Applications
Invoice Number 19168

			Hours	Amount
6/5/2007	SS	Assisted Ms. Boutsis with edits to General Regulations portion of Land Development Code.	1.10	71.50
6/6/2007	SS	Continued to assist Ms. Boutsis with edits to General Regulations portion of Land Development Code.	0.60	39.00
6/7/2007	SS	Completed edits to General Regulations portion of Land Development Code; revised and formatted Service Concurrency Management portion of Land Development Code document.	0.10	6.50
6/8/2007	SS	Discussion with Ms. Boutsis concerning cite conversions in Service Concurrency portion of Land Development code; compared edited Miami-Dade County Code cites to Village Code cites; and continued to format and edit ordinance [2 hours no charge].	4.50	292.50
6/11/2007	SS	Continued to edit Service Concurrency portion of Land Development code document pursuant to Ms. Boutsis' instructions; formatted Landscape and Sign code documents and added to database; and updated Land Development in database to include most recent versions of several ordinances. [2.4 no charge].	4.90	318.50
6/13/2007	EAB	Assisted CDD staff preparing for zoning agenda.	6.50	1,202.50
6/13/2007	SS	Continued to edit Service Concurrency Management Program document.	2.20	143.00
6/18/2007	SS	Performed Westlaw database research for Ms. Boutsis on DRI calculations.	0.50	32.50
6/19/2007	EAB	Meeting with Ms. Weintraub regarding pending LDC chapters; telephone conference with DCA, Mr. Paul Darst; and Mr. Jerry Proctor.	2.80	518.00
6/20/2007	EAB	Attention to pending issues in P&Z (rezoning, uses allowed in FT&I); and attended meeting with resident, and Ms. Weintraub; and attention to rezoning issue.	2.00	370.00
6/21/2007	EAB	Drafted zoning resolutions; telephone conference with Ms. Vanessa Bencomo regarding cu's and special master inquiries; and research of state law changes to permitting requirements for LDC and	3.50	647.50

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updating same.

Total Professional Services	3,641.50
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Rate Summary

Eve A. Boutsis	14.80 hours at \$185.00/hr	2,738.00
Susan Snavelly	13.90 hours at \$ 65.00/hr	903.50
Total hours:		28.70
		3,641.50

6/27/2007	Disbursements incurred - 2.0%	72.83
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Payments and Credits

6/19/2007	Check No. 6198	965.91
		965.91

For Professional Services	3,641.50
For Disbursements Incurred	72.83
Current Balance:	3,714.33
Previous Balance:	965.91
Payments - Thank you	965.91
Total Due	3,714.33

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

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Eugene P. Flinn, Jr.
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, Florida 33157

June 27, 2007
Matter ID: 0293-004
Code Enforcement
Invoice Number 19169

			Hours	Amount
6/1/2007	EAB	Attended staff meeting with code enforcement and Mr. Scott Silva on pending items; reviewed certain items with Mr. Ron Williams, Mr. Silva, and Ms. Cornice Patterson.	3.00	555.00
6/4/2007	EAB	Attention to code enforcement matters.	0.40	74.00
6/7/2007	EAB	Legal research and analysis of first amendment and religious freedom cases; and provided direction to code compliance regarding Santaria practices in residence.	1.50	277.50
6/8/2007	EAB	Follow up on Bolger enforcement.	0.30	55.50
6/11/2007	EAB	Legal research relating to permits and notary; drafted letter to Mr. Rosenbloom; attention to Mangowood matter; and follow up with staff regarding Mangowood.	0.70	129.50
6/18/2007	EAB	Analyzed agenda and provided comments to staff.	1.00	185.00
6/19/2007	EAB	Prepared for and attended special master hearing; meeting with staff regarding same.	2.40	444.00
			Total Professional Services	1,720.50

Rate Summary

Eve A. Boutsis	9.30 hours at \$185.00/hr	1,720.50
	Total hours: 9.30	1,720.50

6/27/2007 Disbursements incurred - 2.0% 34.41

Payments and Credits

6/19/2007 Check No. 6198 2,119.98

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	<u>2,119.98</u>
For Professional Services	1,720.50
For Disbursements Incurred	34.41
Current Balance:	<u>1,754.91</u>
Previous Balance:	2,119.98
Payments - Thank you	2,119.98
Total Due	<u>1,754.91</u>

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Charles D. Scurr
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, FL 33157

June 27, 2007
Matter ID: 0293-016
VPB v. MDC Injunctive Relief
Invoice Number 19170

			Hours	Amount
6/8/2007	EAB	Email communications with MDC re: start of Ez-Go distribution and communications with Dr. Feller regarding same.	0.30	55.50
Total Professional Services				55.50

Rate Summary

Eve A. Boutsis	0.30 hours at \$185.00/hr	55.50
Total hours:	0.30	55.50

6/27/2007	Disbursements incurred - 2.0%	1.11
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Payments and Credits

6/19/2007	Check No. 6198	2,024.94
		2,024.94

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For Professional Services	55.50
For Disbursements Incurred	1.11
Current Balance:	<u>56.61</u>
Previous Balance:	2,024.94
Payments - Thank you	2,024.94
Total Due	<u>56.61</u>

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