

RESOLUTION NO. 07-94

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 \$28,923.64; 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 August 29, 2007, in the amount of \$28,923.64; 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:

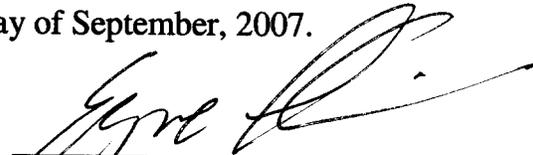
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$28,923.64, copies of which are attached, are approved for payment.

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

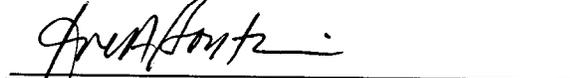
PASSED and ADOPTED this 10th day of September, 2007.

Attest:


Meighan Rader
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eye A. Boutsis,
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 Shelley Stanczyk YES

Vice-Mayor Linda Robinson YES

Mayor Eugene P. Flinn, Jr. YES

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

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

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

August 29, 2007
Matter ID: 0293-001
General Municipal
Invoice Number 19252

| | | | Hours | Amount |
|-----------|-----|--|-------|----------|
| 7/30/2007 | EAB | Attended agenda preparation staff meeting; meeting with Ms. Corrice Patterson; telephone conference with School Board; meeting with Mr. Ron Williams on school board property matter; attention to mitigation litigation; attention to pending zoning matters; and meeting with Ms. Arleen Weintraub and Mr. Efren Nunez finalizing environmental regulations ordinance. | 10.00 | 1,850.00 |
| 7/31/2007 | EAB | Meeting with Ms. Olga Cadaval and Mr. Williams relating to budget preparation; meeting with Ms. Weintraub and Mr. Ed Silva relating to adult entertainment, fee schedule ordinance, and environmental regulations; analyzed two grant agreements and provided comments to same; email communications with council and mitigation counsel regarding mitigation follow-up; and meeting with Mr. Williams regarding library contract; telephone conference with Dr. Ed Feller (.2 no charge); and analyzed draft resolutions for upcoming agenda. | 7.50 | 1,387.50 |
| 7/31/2007 | SS | Revised fee ordinance, pursuant to instruction. | 0.40 | 26.00 |
| 8/1/2007 | EAB | Communications with Mr. Jeff Weinstock regarding minutes for loan closing documents re: street signs; follow up on library matter with county; and attention to surplus resolution; and mitigation update. | 0.60 | 111.00 |
| 8/2/2007 | EAB | Provided update to village council relating to adult entertainment; telephone conference with Ms. Weintraub regarding upcoming agenda; email communication with council regarding agenda; telephone conference with Mr. Silva related to code enforcement and foreclosure properties; telephone conference with Council Person Paul Neidhart (.3 no charge); and email communications with MDCPD's relating to police impact fees. | 0.60 | 111.00 |
| 8/2/2007 | EAB | Prepared chapter 15 of the Village's Code of Ordinances relating to miscellaneous enforcement provisions. | 2.50 | 462.50 |
| 8/3/2007 | EAB | Attention to Bolger hearing; and attention to appraisals. | 0.30 | 55.50 |
| 8/5/2007 | EAB | Prepared for agenda meeting. | 3.00 | 555.00 |

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.

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|-----------|-----|---|------|----------|
| 8/6/2007 | EAB | Prepared adult entertainment memorandum; attention to Sunshine related item; provided direction regarding same; analyzed A2'd contract and termination provisions; provided direction regarding same; attention to agenda items; telephone conference with officer White; telephone conference with Mr. Silva on pending items; telephone conference with V-M Linda Robinson (.2 no charge); telephone conference with Dr. Feller (.3 no charge); communications with Mr. Bruce Rogow, Mr. John Hearn, and Ms. Nina Boniske; and attention to appraisals. | 4.60 | 851.00 |
| 8/6/2007 | EAB | Attended village council meeting. | 2.40 | 444.00 |
| 8/7/2007 | EAB | Attended LDC meeting; attention to pending zoning items; coordinated Ludovici/Courdet meeting; and continuing drafting LDC. | 3.50 | 647.50 |
| 8/8/2007 | EAB | Attention to school concurrency interlocal. | 0.20 | 37.00 |
| 8/8/2007 | EAB | Attended LDC meeting with Ms. Weintraub; and attention to pending items. | 3.00 | 555.00 |
| 8/9/2007 | EAB | Attention to mitigation; telephone conference with Mayor Eugene Flinn (.2 no charge); meeting with Ms. Weintraub regarding LDC; meeting with Ms. Cadaval and Mr. Silva regarding library; analyzed documents regarding same; attention to VM contract; attention to zoning and building items; telephone conference with Mr. Silva regarding same; attention to Bolger/Dorsey matter and new possible injunction case. | 3.80 | 703.00 |
| 8/10/2007 | EAB | Attention to FT&I inquiry; attention to Ludovici park matter; and attention to police fee collection; and telephone conference with resident Jose De Leon | 0.60 | 111.00 |
| 8/13/2007 | EAB | Communications with Mr. Ludovici. | 0.20 | 37.00 |
| 8/14/2007 | EAB | Attended LDC meeting; attention to sunshine meeting and pending items. | 4.50 | 832.50 |
| 8/15/2007 | EAB | Meeting on unsafe structures with Mr. Silva; meeting with Ms. Weintraub regarding LDC; meeting with Ms. Patterson regarding Courdet; attention to pending assignments; and legal research assignment. | 6.00 | 1,110.00 |
| 8/16/2007 | EAB | Attention to concurrency chapter and substantially revised same to simplify. | 3.00 | 555.00 |
| 8/17/2007 | EAB | Attention to A2d contract; attention to a/c session; email communications with Village Council; telephone conference with Mayor Flinn (.2 no charge). | 0.50 | 92.50 |
| 8/20/2007 | EAB | Meeting with Ms. Weintraub regarding LDC. | 3.50 | 647.50 |
| 8/21/2007 | EAB | Drafted nuisance and lot clearing ordinance. | 2.00 | 370.00 |
| 8/21/2007 | EAB | Attended LDC meeting with Ms. Weintraub. | 5.00 | 925.00 |
| 8/22/2007 | EAB | Attention to building issues; attention to code enforcement issues; attended LDC meeting; meeting with Ms. Patterson regarding PW matters. | 5.50 | 1,017.50 |

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|-----------|-----|--|-----------------------------|-----------|
| 8/23/2007 | EAB | Analyzed and provided comments to whaler bid; and attention to pending items; email communications with Mr. Chin regarding alarm ordinance and began revising same. | 1.50 | 277.50 |
| 8/24/2007 | EAB | Attended MDC Comm'n Ethics update. | 2.00 | 370.00 |
| 8/24/2007 | EAB | Attention to stormwater utility; alarm ordinance revisions; and drafted letter to Mr. de Leon. | 1.50 | 277.50 |
| 8/27/2007 | EAB | Attended portion of meeting regarding library; attended meeting with DERM representatives, Mr. Williams, Ms. Weintraub, and Mr. Craig Rosenbacher; attention to new code enforcement items; revised concurrency and sign regulations. | 4.00 | 740.00 |
| 8/28/2007 | EAB | Analyzed chapter 28, MDC relating to double frontage properties and access to same. | 0.60 | 111.00 |
| 8/28/2007 | EAB | Attention to zoning agenda with Ms. Weintraub; attention to code enforcement foreclosure properties; attention to and revised memo and ordinance revising FT&I; attention to parking ordinance and meeting with Ms. Weintraub regarding same; meeting with Ms. Patterson and MDC PW relating Courdet; telephone conference with Mr. Ludovici; attention to building code issues; discussion with Mr. Williams regarding library; attention to advertising requirements for zoning hearing and special council meeting; telephone conference with advisor to MDC Parks relating to Village Comprehensive Plan; telephone conference with Mr. Proctor relating to Mr. Frasier's property; telephone conference with Mr. Silver's assistant regarding PBVC. | 6.00 | 1,110.00 |
| | | | Total Professional Services | 16,380.00 |

Rate Summary

| | | |
|----------------|----------------------------|-----------|
| Eve A. Boutsis | 88.40 hours at \$185.00/hr | 16,354.00 |
| Susan Snavely | 0.40 hours at \$ 65.00/hr | 26.00 |
| | Total hours: 88.80 | 16,380.00 |

Disbursements

| | | |
|-----------|---|----------|
| 5/15/2007 | Appraisal Service - One Story Office Building (Town Hall) | 5,800.00 |
| 7/2/2007 | Database Legal research | 385.77 |
| 7/6/2007 | Database Legal research | 363.79 |
| 8/1/2007 | Mileage - Village Hall | 4.80 |
| 8/6/2007 | Mileage - Village Hall | 4.80 |
| 8/6/2007 | Appraisal Services for 3 properties: 9420 SW 174th St., 9450 SW 174th St. and 9400 SW 174th St. | 3,600.00 |

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|-----------|----------------------------------|--------|
| 8/17/2007 | Mileage - Village Hall | 4.80 |
| 8/17/2007 | Mileage - Village Hall (one way) | 2.40 |
| 8/29/2007 | Disbursements incurred - 2.0% | 327.60 |

Payments and Credits

| | | |
|-----------|----------------|-----------|
| 8/28/2007 | Check No. 6484 | 13,304.42 |
|-----------|----------------|-----------|

13,304.42

| | |
|---------------------------|-----------|
| For Professional Services | 16,380.00 |
|---------------------------|-----------|

| | |
|----------------------------|-----------|
| For Disbursements Incurred | 10,493.96 |
|----------------------------|-----------|

| | |
|------------------|-----------------|
| Current Balance: | <hr/> 26,873.96 |
|------------------|-----------------|

| | |
|-------------------|-----------|
| Previous Balance: | 13,304.42 |
|-------------------|-----------|

| | |
|----------------------|-----------|
| Payments - Thank you | 13,304.42 |
|----------------------|-----------|

| | |
|------------------|------------------------|
| Total Due | <hr/> 26,873.96 |
|------------------|------------------------|

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

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

18001 Old Cutler Road, Suite 556
Telephone: (305) 854-5353

Miami, Florida 33157
Facsimile: (305) 854-5351

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

August 29, 2007
Matter ID: 0293-004
Code Enforcement
Invoice Number 19253

| | | | Hours | Amount |
|-----------|-----|--|-------|--------|
| 8/6/2007 | EAB | Attention to Bolger matter; coordinated mediation; email communications with staff regarding same; and telephone conference with officer White on clean up and costs. | 0.40 | 74.00 |
| 8/9/2007 | SS | Performed Internet research on Ms. Roxana Cates property (14460 SW 75th Avenue) in anticipation of possible injunction litigation. | 0.40 | 26.00 |
| 8/10/2007 | SS | Reviewed and printed updated pictures relating to Mr. Dorsey Hencile property with regard to preparation of amended motion for attorney's fees. | 0.20 | 13.00 |
| 8/10/2007 | SS | Reviewed code compliance file concerning Ms. Cates and prepared motion to initiate county court action to seek injunction against property owner. | 1.60 | 104.00 |
| 8/13/2007 | EAB | Attention to Bolger matter. | 0.20 | 37.00 |
| 8/14/2007 | SS | Composed letter to mediator in Mr. Hencile matter; gathered supporting documents and forwarded to mediator; and created proposed order for motion to initiate county court emergency hearing for injunction in Ms. Cates matter and made edits to draft motion for same. | 1.40 | 91.00 |
| 8/16/2007 | EAB | Finalized emergency hearings before special master regarding foreclosure properties and maintenance of same. | 0.30 | 55.50 |
| 8/16/2007 | SS | Revised motion to initiate litigation in Cates matter; prepared documents for filing with Special Magistrate Clerk; and reviewed files on Mr. Jose Casado and Mrs. Maria Casado matter in preparation to file motion to file injunction in County Court. | 1.90 | 123.50 |
| 8/20/2007 | SS | Drafted motion to initiate county court injunction action and proposed in Casado matter. | 0.90 | 58.50 |
| 8/21/2007 | EAB | Attention to overgrown lot code enforcement issues; and finalized motion re: clean up lot and authorization of special master. | 0.60 | 111.00 |
| 8/21/2007 | SS | Revised motion in Casado matter and prepared documents for filing with Village Clerk; and e-mail to Ms. Bencomo. | 0.70 | 45.50 |

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| | | | | |
|-----------|-----|--|-----------------------------|----------|
| 8/23/2007 | EAB | Prepared for and attended Bolger mediation. | 1.30 | 240.50 |
| 8/23/2007 | SS | Worked on re-formatting and edits to alarm code ordinance, reviewed prior ordinances related to alarms; prepared Dorsey Hencile file for mediation. | 1.10 | 71.50 |
| 8/24/2007 | SS | Telephone call to mediator Evans on Hencile matter concerning mediation report; continued format changes and edits to alarm ordinance; set motion for attorney's fees for hearing on Dorsey matter; created notice of hearing and prepared for filing with the Court; and updated pleading file. | 1.30 | 84.50 |
| 8/27/2007 | SS | Reviewed code compliance file on residnet Reymi Tur; began drafting moiton to initiate coutny court matter; performed internet research; and drafted proposed order. | 1.90 | 123.50 |
| | | | | 1,259.00 |
| | | | Total Professional Services | 1,259.00 |

Rate Summary

| | | |
|----------------|----------------------------|--------|
| Eve A. Boutsis | 2.80 hours at \$185.00/hr | 518.00 |
| Susan Snavely | 11.40 hours at \$ 65.00/hr | 741.00 |

| | | |
|--------------|-------|----------|
| Total hours: | 14.20 | 1,259.00 |
|--------------|-------|----------|

Disbursements

| | | |
|-----------|-------------------------------|--------|
| 8/23/2007 | Mediation service | 600.00 |
| 8/29/2007 | Disbursements incurred - 2.0% | 25.18 |

Payments and Credits

| | | |
|-----------|----------------|----------|
| 8/28/2007 | Check No. 6484 | 1,513.17 |
| | | 1,513.17 |

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| | |
|----------------------------|------------------------|
| For Professional Services | 1,259.00 |
| For Disbursements Incurred | 625.18 |
| Current Balance: | <u>1,884.18</u> |
| Previous Balance: | 1,513.17 |
| Payments - Thank you | 1,513.17 |
| Total Due | <u>1,884.18</u> |

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

| | |
|----------------------------|---------------|
| For Professional Services | 166.50 |
| For Disbursements Incurred | 0.00 |
| Current Balance: | <u>166.50</u> |
| Previous Balance: | 370.00 |
| Payments - Thank you | 370.00 |
| Total Due | <u>166.50</u> |

Invoice Number: 19254

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

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

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

Facsimile: (305) 854-5351

August 30, 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:

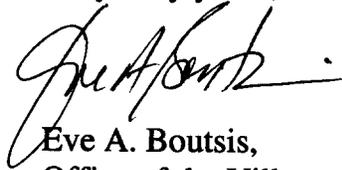
Enclosed are our statements for professional services rendered and for costs advanced for the period ending August 29, 2007. The amounts due are as follows:

| | | | |
|----------------------------|--|-----------------|---------------------|
| 0293-001 | Non-Retainer Legal Services <i>Statement No. 19252 dated 8/29/07</i> | Prof'l Services | \$ 16,380.00 |
| | | Disbursements | 10,493.96 |
| | | Total | 26,873.96 |
| 0293-004 | Code Enforcement <i>Statement No. 19253 dated 8/29/07</i> | Prof'l Services | \$ 1,259.00 |
| | | Disbursements | 625.18 |
| | | Total | 1,884.18 |
| 0293-019 | Village of Palmetto Bay - Mitigation <i>Statement No. 19254 dated 8/29/07</i> | Prof'l Services | \$ 165.50 |
| | | Disbursements | 0.00 |
| | | Total | 165.50 |
| TOTAL CURRENTLY DUE | | | \$ 28,923.64 |

Letter to Ron Williams, Village Manager
August 30, 2007
Page 2 of 2

Pease 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 horizontal line extending to the right.

Eve A. Boutsis,
Office of the Village Attorney

EAB/lcm

Enclosures

cc: Mayor and Village Council