

RESOLUTION NO. 2013-__

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 GRAYROBINSON, P.A. IN THE AMOUNT OF \$3,459.50; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Palmetto Bay engaged the law firm of GrayRobinson, P.A. to provide interim Village Attorney legal services for the Village; and,

WHEREAS, GrayRobinson, P.A., submitted its statements to the Village for legal services rendered, and costs advanced, for the period ending November , 2013, in the amount of \$3,459.50; 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. Recitals. The above recital are true and correct and incorporated herein by this reference.

Section 2. Approval. The statements for attorneys' fees and costs received from GrayRobinson, P.A., in the total amount of \$3,459.50, copies of which are attached, are approved for payment.

Section 3. Effective Date. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 6th day of January, 2014.

Attest: _____
Meighan Alexander
Village Clerk

Shelley Stanczyk
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA ONLY:

John R. Herin, Jr.
Interim Village Attorney

1	FINAL VOTE AT ADOPTION:	
2		
3	Council Member Patrick Fiore	<u>YES</u>
4		
5	Council Member Tim Schaffer	<u>YES</u>
6		
7	Council Member Joan Lindsay	<u>YES</u>
8		
9	Vice-Mayor John DuBois	<u>YES</u>
10		
11	Mayor Shelley Stanczyk	<u>YES</u>

GRAY | ROBINSON
ATTORNEYS AT LAW

John R. Herin, Jr.

954-761-7500

JOHN.HERIN@GRAY-ROBINSON.COM

December 17, 2013

Village of Palmetto Bay
Attn: Ron E. Williams
9705 East Hibiscus Street
Palmetto Bay, FL 33157

Re: *GrayRobinson Invoices*

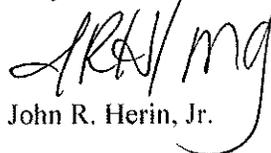
Dear Mr. Williams:

Enclosed please find this Firm's invoices dated December 12, 2013. Kindly remit payment at your earliest opportunity.

Please do not hesitate to contact me with any questions or comments concerning the enclosed.

Sincerely,

GrayRobinson, P.A.



John R. Herin, Jr.

JRH/mg

LAS OLAS CITY CENTRE
401 EAST LAS OLAS BOULEVARD
SUITE 1850
P.O. BOX 2328 (33303-9998)
FORT LAUDERDALE, FL 33301
TEL 954-761-8111
FAX 954-761-8112
gray-robinson.com

BOCA RATON
FORT LAUDERDALE
JACKSONVILLE
KEY WEST
LAKELAND
MELBOURNE
MIAMI
NAPLES
ORLANDO
TALLAHASSEE
TAMPA

GRAYROBINSON

Attorneys At Law
Suite 1400
301 E. Pine Street
Post Office Box 3068
Orlando, Florida 32802
Telephone (407) 843-8880
Federal ID # 59-1300132

Village of Palmetto Bay
Attn: Ron E. Williams
9705 East Hibiscus Street
Palmetto Bay, FL 33157

Remittance Address: P.O. Box 3068 Orlando, Florida 32802-3068
--

Attorney: Herin, John

**Statement of Account as of December 12, 2013
For Client Account No.: 824204**

Invoice Number	Invoice Date	Mat #	Matter Name	Amount Billed	Amount Received	Balance Due
10397377	12/12/13	1	General	\$1,091.50	\$0.00	\$1,091.50
10397378	12/12/13	2	Land Use Matters	\$1,961.00	\$0.00	\$1,961.00
10397380	12/12/13	4	Adv. Shores at Palmetto Bay, LLC	\$407.00	\$0.00	\$407.00
Totals:				\$3,459.50	\$0.00	\$3,459.50

0-30 Days	31-60 Days	61-90 Days	91+days	Balance Due
\$3,459.50	\$0.00	\$0.00	\$0.00	\$3,459.50

Note: Payments received after the statement date will be reflected on your next statement.

GRAYROBINSON

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Orlando, Florida 32802

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Village of Palmetto Bay
Attn: Ron E. Williams
9705 East Hibiscus Street
Palmetto Bay, FL 33157

December 12, 2013
FILE # 824204 - 1

Invoice # 10397377
Re: General

This summary includes all transactions on the above matter processed up to and including the date of the last transaction shown on this invoice. Any transactions, including credits or receipts processed after that date will be reflected on a future statement.

CURRENT FEES:	\$ 1,091.50
CURRENT DISBURSEMENTS:	\$ 0.00
CURRENT BALANCE DUE:	\$ 1,091.50

0734

REMITTANCE COPY

Please return this remittance copy with your payment for proper allocation.
PAYMENT IS DUE UPON RECEIPT

GRAY ROBINSON

Attorneys At Law
Suite 1400
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Orlando, Florida 32802

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December 12, 2013
FILE # 824204 - 1

Invoice # 10397377
Re: General

This summary includes all transactions on the above matter processed up to and including the date of the last transaction shown on this invoice. Any transactions, including credits or receipts processed after that date will be reflected on a future statement.

CURRENT FEES:	\$ 1,091.50
CURRENT DISBURSEMENTS:	\$ 0.00
CURRENT BALANCE DUE:	\$ 1,091.50

0734

CLIENT COPY
PAYMENT IS DUE UPON RECEIPT

Professional Services:

11/18/13	JRH	Conference with R. Jadusingh concerning Tip Top litigation; initial review of documents regarding pending matters (draft ordinances and pending contractual issues).	2.40	\$ 444.00
11/18/13	JRH	Work on clearing conflict checks and setting up files; conference with Village Clerk concerning latest foreclosure lawsuit.	0.80	\$ 148.00
11/21/13	JRH	Examine FDOT grant documents for road improvements.	0.20	\$ 37.00
11/22/13	JRH	Prepare for and participate in staff meeting.	0.60	\$ 111.00
11/25/13	JRH	Confer with P. Haralson concerning garnishment filed against City in TipTop litigation; review and execute grant documents for road improvement projects; review correspondence pertaining to foreclosures and tort claim.	0.90	\$ 166.50
11/27/13	JRH	Draft and forward to Village staff proposed ordinance amending the Village's noise regulations.	1.00	\$ 185.00

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
Herin, John	5.90	\$ 185.00	\$ 1,091.50
	Current Fees:		\$ 1,091.50

Disbursements:

<u>Description</u>	<u>Amount</u>
Current Disbursements	\$0.00

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Village of Palmetto Bay
Attn: Ron E. Williams
9705 East Hibiscus Street
Palmetto Bay, FL 33157

December 12, 2013
FILE # 824204 - 2

Invoice # 10397378
Re: Land Use Matters

This summary includes all transactions on the above matter processed up to and including the date of the last transaction shown on this invoice. Any transactions, including credits or receipts processed after that date will be reflected on a future statement.

CURRENT FEES:	\$ 1,961.00
CURRENT DISBURSEMENTS:	\$ 0.00
CURRENT BALANCE DUE:	\$ 1,961.00

0734

REMITTANCE COPY

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PAYMENT IS DUE UPON RECEIPT

GRAY ROBINSON

Attorneys At Law
Suite 1400
301 E. Pine Street
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Village of Palmetto Bay
Attn: Ron E. Williams
9705 East Hibiscus Street
Palmetto Bay, FL 33157

December 12, 2013
FILE # 824204 - 2

Invoice # 10397378
Re: Land Use Matters

This summary includes all transactions on the above matter processed up to and including the date of the last transaction shown on this invoice. Any transactions, including credits or receipts processed after that date will be reflected on a future statement.

CURRENT FEES:	\$ 1,961.00
CURRENT DISBURSEMENTS:	\$ 0.00
CURRENT BALANCE DUE:	\$ 1,961.00

0734

CLIENT COPY
PAYMENT IS DUE UPON RECEIPT

Professional Services:

11/18/13	JRH	Conference with J. Proctor concerning tonight's zoning meeting and site plan approval for Montessori school; prepare for and attend zoning hearing.	4.00	\$ 740.00
11/21/13	JRH	Begin reviewing and revising draft park easement agreement for South Motors site plan application and related purchase and sale agreement.	1.00	\$ 185.00
11/22/13	JRH	Review, revise and finalize agenda items for next Council Zoning Meeting regarding the proposed expansion of South Motors BMW and related park (restrictive covenant and site plan resolutions and park easement.)	2.60	\$ 481.00
11/25/13	JRH	Meet with D. Delsalle to review and discuss South Motors project and meet with South Motors' representatives to go over same.	2.60	\$ 481.00
11/26/13	JRH	Continued attention to Park Easement related to South Motors project and confer with S. Ferro.	0.40	\$ 74.00

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
Herin, John	10.60	\$ 185.00	\$ 1,961.00
Current Fees:			\$ 1,961.00

Disbursements:

<u>Description</u>	<u>Amount</u>
Current Disbursements	\$0.00

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Village of Palmetto Bay
Attn: Ron E. Williams
9705 East Hibiscus Street
Palmetto Bay, FL 33157

December 12, 2013
FILE # 824204 - 4

Invoice # 10397380
Re: Adv. Shores at Palmetto Bay, LLC

This summary includes all transactions on the above matter processed up to and including the date of the last transaction shown on this invoice. Any transactions, including credits or receipts processed after that date will be reflected on a future statement.

CURRENT FEES:	\$ 407.00
CURRENT DISBURSEMENTS:	\$ 0.00
CURRENT BALANCE DUE:	\$ 407.00

0734

REMITTANCE COPY

Please return this remittance copy with your payment for proper allocation.
PAYMENT IS DUE UPON RECEIPT

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Post Office Box 3068
Orlando, Florida 32802

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Federal ID # 59-1300132

Village of Palmetto Bay
Attn: Ron E. Williams
9705 East Hibiscus Street
Palmetto Bay, FL 33157

December 12, 2013
FILE # 824204 - 4

Invoice # 10397380
Re: Adv. Shores at Palmetto Bay, LLC

This summary includes all transactions on the above matter processed up to and including the date of the last transaction shown on this invoice. Any transactions, including credits or receipts processed after that date will be reflected on a future statement.

CURRENT FEES:	\$ 407.00
CURRENT DISBURSEMENTS:	\$ 0.00
CURRENT BALANCE DUE:	\$ 407.00

Professional Services:

11/26/13 SWZ Review Agreement for Purchase and Sale of Real 2.20 \$ 407.00
Property; draft comments.

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
Zelkowitz, Steven W	2.20	\$ 185.00	\$ 407.00

Current Fees: \$ 407.00

Disbursements:

<u>Description</u>	<u>Amount</u>
Current Disbursements	\$0.00

RESOLUTION NO. 2014-

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA RELATING TO STATE LEGISLATIVE SERVICES; RATIFYING AND APPROVING AN EXTENSION TO THE CONTRACT WITH RONALD L. BOOK, P.A. AND ROBERT M. LEVY FOR STATE LEGISLATIVE SERVICES IN THE AMOUNT OF \$3,500 PER MONTH FOR A ONE YEAR PERIOD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council adopted Resolution No. 2012-03 awarding a contract to the joint venture of Ronald L. Book, P.A. and Robert M. Levy to provide legislative services. Said contract with an expiration date of January 1, 2014, attached hereto as Exhibit "A", allowed for three one-year extensions; and

WHEREAS, this team has represented the Village's desires to ratify and extend the contract for the joint venture for one year through January 1, 2015.

WHEREAS, Village Administration recommends that it is in the best interest of the Village to extend the contract to expire on January 1, 2015.

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

Section 1. Ratification of the contract and extension through January 1, 2015 is hereby approved.

Section 2. The approved compensation, as budgeted, shall not exceed \$3,500 per month through January 1, 2015.

Section 3. This resolution shall be effective upon passage.

PASSED AND ADOPTED this ____ day of January, 2014.

Attest: _____
Meighan J. Alexander
Village Clerk

Shelley Stanczyk
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE VILLAGE OF PALMETTO BAY ONLY:

John R. Herin, Jr.
Interim Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore _____

Council Member Tim Schaffer _____

Council Member Joan Lindsay _____

Vice-Mayor John DuBois _____

Mayor Shelley Stanczyk _____

RESOLUTION NO. 2012- 03

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA RELATING TO STATE LEGISLATIVE SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A CONTRACT WITH ROBERT LEVY & RONALD L. BOOK, P.A. FOR STATE LEGISLATIVE SERVICES IN THE AMOUNT OF \$3,500.00 PER MONTH FOR A PERIOD OF TWO (2) YEARS WITH THE OPTION TO EXTEND FOR THREE (3) ADDITIONAL ONE-YEAR TERMS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council adopted Resolution No. 2011-81 approving the selection of Ronald L. Book, P.A. and Robert M. Levy and Associates to provide legislative services and other related duties at the state level; and

WHEREAS, under Resolution No. 2011-81, the Village Manager was authorized to enter into contract negotiations with the firm Ronald L. Book, P.A. and Robert M. Levy and Associates.

WHEREAS, the agreed to compensation, shall not exceed \$3,500 per month for the period of January 2012 through January 2014.

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

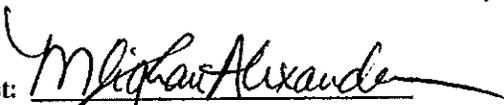
Section 1. The Village Manager is authorized to enter into agreement with Ronald L. Book, P.A. and Robert M. Levy and Associates for legislative services and other related duties at the state level; and

Section 2. The approved compensation, as budgeted, shall not exceed \$3,500 per month.

Section 3. This resolution shall be effective upon passage.

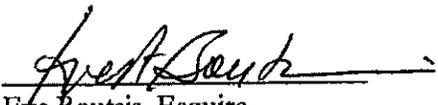
PASSED and ADOPTED this 9th day of January, 2012.

Attest:


Meghan Alexander
Village Clerk


Shelley Stanczyk
Village Mayor

READ AND APPROVED AS TO FORM:


Eve Boutsis, Esquire
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	<u>YES</u>
Council Member Howard J. Tendrich	<u>YES</u>
Council Member Joan S. Lindsay	<u>YES</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Shelley Stanczyk	<u>YES</u>



**VILLAGE OF PALMETTO BAY
AGREEMENT FOR STATE OF FLORIDA LOBBYING SERVICES**

THIS AGREEMENT, made and entered into this 10th day of January, 2012 by and between:

VILLAGE OF PALMETTO BAY, FLORIDA
a municipal corporation
9705 East Hibiscus Street
Palmetto Bay, Florida 33157
(hereinafter referred to as "VILLAGE")

and

RONALD L. BOOK, P.A. and ROBERT M. LEVY
Harbour Centre
18851 NE 29th Avenue, Suite 1010
Aventura, FL 33180
(hereinafter referred to as "CONSULTANT")

Section 1 - General Information

The Village of Palmetto Bay is contracting for the services of legislative consultant(s) for matters in which the Village may need professional representation before the Florida Legislature, Administrative and Regulatory Agencies and Departments, the Governor and Cabinet, etc. Such services shall include attending state legislative committee hearings and meetings, rule-making proceedings and administrative or legislative agency meetings. This contract's services shall include but not necessarily be limited to: scheduled, extended and special legislative sessions and meetings; state administrative and agency hearings, meetings or rule making proceedings; legal, grant and legislative consulting services for the period of January 1, 2012 through January 1, 2014, with payments not to exceed \$3,500 per month. This contract is for two (2) years, with the option to extend the contract for three (3) one-year terms. This agreement may be terminated by either party with at least a ninety (90) day notice.

The consultant shall agree to be available at all times upon reasonable request to meet with Village officials and to attend meetings, represent the interests of the Village, and act as a liaison between the Village and all branches, departments and agencies of State government, at any legislative committee or meetings with the Governor, Cabinet, or Cabinet members or state agencies.

The consultant shall maintain a year round presence in Tallahassee, Florida and also a staffed office presence during the legislative sessions. Consultant must have an in-depth knowledge of issues and programs affecting the Village and have an outstanding record of accomplishment in representing local governments, particularly in the grant funding area.

Section II - Professional Services Required

The consultant shall provide the following services to the Village:

1. Review, on a continuing basis, existing and proposed State policies, programs and legislation affecting the Village.
2. Assist the Village in the development of its legislative program. The scope of the legislative program should include all Village Departments and functions.
3. Provide specific assistance to the Village in the identification, development, application, and approval of funding requests, grants, and appropriations for all Village Departments and functions.
4. Monitor state legislative committee meetings, state agency hearings and meetings prior to and during the regular and special legislative sessions relative to the Village's legislative program or other issues that may impact the Village.
5. Work with Village staff and the Miami-Dade legislative delegation to develop legislation rules, etc., impacting the Village.
6. Develop and evaluate strategy for the support, opposition or amendment of legislation rules, etc., impacting the Village.
7. Testify and lobby before legislature, Governor, and Cabinet as necessary on behalf of the Village.
8. Appear and testify before state agency hearings, budget meetings, rule-making or other administrative agency or legislative meetings on behalf of the Village.
9. Upon request, schedule and coordinate meetings between Village officials and appropriate State legislators.
10. Provide staff, office and logistical support to Village officials while in Tallahassee.
11. Prepare written status reports to the Village. Such reports shall be as detailed as necessary and include updates on the Village's legislative program and funding requests.

Section III - General Terms and Conditions

This agreement is for a period of two (2) years, with the option to extend the contract for three (3) one-year terms. This agreement may be terminated by either party with at least a ninety (90) day notice. The following terms and conditions shall also apply:

1. The Village shall provide a monthly retainer in the total amount of \$3,500 for the above referenced services. The monthly retainer shall include all the fees, including consultant travel, postage, telephone, etc. Additional extraordinary expenses may be allowable on a pre-approved case by case basis. After the end of

contract year one (1), compensation under this provision may be re-opened for negotiation based upon consultant performance.

- 2. The consultant shall report to the Village Manager, or assigned designee.
- 3. The consultant shall be an independent consultant under this agreement.
- 4. The consultant shall not represent clients in matters adverse to the Village, and shall make promptly known any conflicts or potential conflicts. If said conflicts cannot be satisfactorily resolved to the Village's satisfaction, the Village reserves the right to suspend and/or terminate the services of the consultant and procure same from other consultants.
- 5. The consultant acknowledges that he/she has not been convicted of public entity crime or placed on the convicted vendor list.

Section IV. - Sovereign Immunity And Attorney's Fees.

- 1. The Village Manager does not waive sovereign immunity for any claim for breach of contract or for an award of prejudgment interest; provided, however, that in any action arising out of or to enforce this contract, the prevailing party shall be entitled to its reasonable attorney's fees and costs.

Acknowledgement, Warranty and Acceptance:

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

ATTEST:

VILLAGE OF PALMETTO BAY, a
Florida municipal corporation

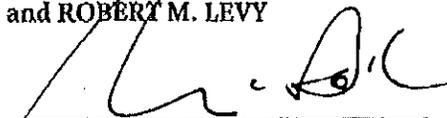


 Meghan Alexander,
 Village Clerk



 Ron E. Williams,
 Village Manager

RONALD L. BOOK, P.A.
and ROBERT M. LEVY



 Consultant

1/10/12
 Date:

Witness:

Renee Lemonier

Print Name:

Walter Lemonier

Print Name: