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**RESOLUTION NO. 2011-04**

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 FIGUEREDO & BOUTSIS, P.A. IN THE AMOUNT OF \$20,854.12; 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**, FIGUEREDO & BOUTSIS, P.A., submitted its statements to the village for legal services rendered, and costs advanced, for the period ending January 25, 2011, in the amount of \$20,854.12; 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 FIGUEREDO & BOUTSIS, P.A., in the total amount of \$20,854.12, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 7 day of February, 2011.

Attest:

  
Meighan Alexander  
Village Clerk

  
Shelley Starczyk  
Mayor

APPROVED AS TO FORM:

  
Eve A. Boutsis,  
FIGUEREDO & BOUTSIS, P.A., as Office  
of the Village Attorney

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FINAL VOTE AT ADOPTION:

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

# FIGUEREDO & BOUTSIS, P.A.

Attorneys & Counselors

18001 Old Cutler Road - Fifth Floor

Telephone: (305) 235-9344

Miami, Florida 33157-6417

Facsimile: (305) 235-9372

January 26, 2011

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

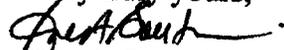
Dear Mr. Williams:

Enclosed are our invoices for professional services rendered and for costs advanced for the period ending January 25, 2011, in the amount of \$20,854.12. I have tabulated the amounts *currently due* on each individual file as follows:

<b>Please deduct from Village Attorney Account No. 5143110, General Legal.</b>			
0293-001	Non-Retainer Legal Services <i>Invoice No. 20199 dated 2/25/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 5,208.50 389.57 <b>5,598.07</b>
	<b>Total</b>		<b>\$ 5,598.07</b>
<b>Please deduct from Village Attorney Account No. 5143140, Code Enforcement.</b>			
0293-002	Zoning Application <i>Invoice No. 20200 dated 2/25/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 8,177.00 163.54 <b>8,340.54</b>
	<b>Total</b>		<b>\$ 8,340.54</b>
0293-004	Code Enforcement <i>Invoice No. 20201 dated 2/25/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 314.50 6.29 <b>320.79</b>
0293-027	Palmer Trinity Private School vs. VPB <i>Invoice No. 20202 dated 2/25/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 5,920.00 674.75 <b>6,594.72</b>
	<b>Grand Total</b>		<b>\$ 20,854.12</b>

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

**FIGUEREDO & BOUTSIS, P.A.  
ATTORNEYS & COUNSELORS**

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk  
Village of Palmetto Bay  
9705 E. Hibiscus Street  
Palmetto Bay, Florida 33157

January 25, 2011  
Matter ID: 0293-001  
General Municipal-VPB  
Invoice Number 20199

			Hours	Amount
1/3/2011	EAB	Attention to agenda items.	1.50	277.50
1/4/2011	EAB	Attention to Garcia litigation; and subpoena for court issued to Village Employee; and follow up on same.	0.60	111.00
1/5/2011	EAB	Meeting with Mayor Shelley Stanczyk on pending items.	1.00	185.00
1/5/2011	EAB	Attention to contract worker subpoena; and attention to 768.28, F.S. claims - one to carrier and one to Mr. Michael Sontag, as landlord.	0.30	55.50
1/6/2011	EAB	Attention to criminal subpoena for contract employee who witnessed violation of court ordered protective order on Village resident (.3); and attention to FPL Insurance Panels matter (.1); and telephone conference with Mr. Ron Williams and CP Joan Lindsay.	0.50	92.50
1/6/2011	EAB	Attention to FPL matter - insurance and fotovoltaics.	0.40	74.00
1/6/2011	EAB	Forwarded two 768.28, F.S. claims to Fla. League of Cities.	0.40	74.00
1/7/2011	EAB	Follow up on pending items and agenda items; telephone conference with CP Lindsay (.7); communications with Ms. Fanny Carmona regarding valet contract; follow up with FPL and insurance relating to photovoltaic panels and insurance requirements, and communications with Mr. John McComb.	2.20	407.00
1/10/2011	EAB	Attention to agenda items (.3); and telephone conference with Mayor Stanczyk (.3).	0.60	111.00
1/10/2011	EAB	Attended council meeting.	1.00	185.00
1/11/2011	EAB	Telephone conference with Ms. Meighan Alexander on procedures, voting, etc; Telephone conference with Ms. Chanelle Costa; communications with Ms. Costa, Ms. Alexander, and Ms. Lindsay; and revised valet services contract regarding non-exclusivity provision.	0.60	111.00
1/13/2011	EAB	Telephone conference with Ms. Irma Cohen, of Fla. League of Cities	0.60	111.00

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		regarding Gil Lizara (.2); attention to FPL matter (.1); and attention JFTA and communications with Ms. Carmona regarding same.		
1/13/2011	EAB	Meeting with Mr. Desmond Chin and Mr. Julian Perez, Meeting with Ms. Alexander and Mr. Perez; and follow up on O.L.'s and C.U.'s.	2.50	462.50
1/13/2011	EAB	Telephone conference with CP Howard Tendrich; attention to JFTA matter; and email communications with Council regarding same.	0.30	55.50
1/14/2011	EAB	Telephone conference with Ms. Jane Forman; and telephone conference with CP Lindsay and CP Patrick Fiore.	0.40	74.00
1/18/2011	EAB	Attention to occupational licenses and CUs; telephone conference with Ms. Alexander; and attention to Forman matter.	1.00	185.00
1/18/2011	EAB	Attention to Mr. Gil Lazara's matter; telephone conference with Ms. Irma Cohen, Fla. League of Cities; and communications with Mr. Williams regarding same.	0.40	74.00
1/19/2011	EAB	Attended COW agenda review.	1.50	277.50
1/20/2011	EAB	Analyzed Chapter 112, Florida Statutes, began drafting letter to Commission on Ethics and Attorney General.	2.00	370.00
1/21/2011	EAB	Attention to CAM and Goodwill matters.	0.30	55.50
1/24/2011	EAB	Meeting with Mrs. Alexander and attention to COW agenda items; analyzed charter amendment ordinance implementation, attention to school ILA; attention to initiative amendment process for crafting ordinance; attention to charter revision matter, etc; and telephone conference with Mr. Williams.	1.30	240.50
1/24/2011	EAB	Attended COW meeting.	3.70	684.50
1/25/2011	LCM	Continued paralegal work on matrix disclosures.	3.00	195.00
1/25/2011	EAB	Revised AIPP contract; and drafted ordinance and cover memo regarding CIE amendment.	2.00	370.00
1/25/2011	EAB	Communications with Mr. Michael Kesti regarding COW procedures; telephone conference with Ms. Forman; attention to permitting question from Building Dept; and telephone conference with Mr. Fiore (.2 no charge); communications with Mr. Kesti regarding his client QROM, Inc; Telephone conference with Mr. Williams; and drafted February update.	2.00	370.00
			Total Professional Services	5,208.50

**Rate Summary**

Laura C. Mares	3.00 hours at \$ 65.00/hr	195.00
Eve A. Boutsis	27.10 hours at \$185.00/hr	5,013.50
Total hours:		30.10
		5,208.50

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**Disbursements**

12/31/2010	Database Legal research	197.90
1/25/2011	Photocopies	87.50
1/25/2011	Disbursements incurred - 2.0%	104.17

**Payments and Credits**

1/25/2011	Check No.: 12231	8,464.83
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Sub-total Payments:	<u>8,464.83</u>
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For Professional Services	5,208.50
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For Disbursements Incurred	389.57
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Current Balance:	<u>5,598.07</u>
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Previous Balance:	8,464.83
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Payments - Thank you	8,464.83
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<b>Total Due</b>	<b><u>5,598.07</u></b>
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To be properly credited, please indicate Invoice Number on your remittance check.

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.

**FIGUEREDO & BOUTSIS, P.A.**  
**ATTORNEYS & COUNSELORS**

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk  
 Village of Palmetto Bay  
 9705 E. Hibiscus Street  
 Palmetto Bay, Florida 33157

January 25, 2011  
 Matter ID: 0293-002  
 Zoning Applications  
 Invoice Number 20200

			Hours	Amount
1/3/2011	EAB	Meeting with Mr. Julian Perez and Mr. Efrén Nunez; analyzed ABC Management staff analysis(4.5); revised same; prepared legal analysis and revisions; attention to David Zisman's matter and revised same (.5); and attention to charter school memoranda and revised same/discussion with Mr. Perez regarding same(1.).	6.50	1,202.50
1/4/2011	EAB	Attention to School Siting Guidelines by EPA; and attention to South Miami ordinance on charter schools; and provided comments regarding same.	0.70	129.50
1/5/2011	EAB	Meeting with Mr. Perez on pending items.	1.00	185.00
1/6/2011	EAB	Telephone conference with Mr. Perez regarding CSM charter school requirements and code requirements regarding number of students; and finalized ABC Management analysis (1.5).	2.00	370.00
1/6/2011	EAB	Attention to ABC Management matter and discussion with Mr. Perez (1.); attention to Charter School matter (.7); updated matrix relating to same; and follow up on pending items.	2.00	370.00
1/10/2011	EAB	Attention to charter school issues, South Miami draft, status of law, communications with VM Brian Pariser; and telephone conference with Mr. Perez.	0.70	129.50
1/10/2011	EAB	Meeting with Mr. Perez on pending items - South Miami Ordinance, charter schools, AA, Mr. Ivan Rodriguez follow up, etc.	0.70	129.50
1/11/2011	EAB	Telephone conference with Mr. Perez and Mr. Nunez regarding ABC Management site.	0.60	111.00
1/12/2011	EAB	Meeting with Mr. Perez, Ms. Nunez, Building Staff, Clerk Staff, Mr. Ron Williams as to CU, CO's, and hearing item; communications with Mr. Ed Silva regarding same, and drafted Matrix with Mr. Perez regarding same; and attention to parking/CU item as relates to doctor's office (.5).	7.00	1,295.00
1/13/2011	EAB	Telephone conference with Mr. Perez; attention to meeting with CSM, and Doral on pending zoning related matters - charter schools and CUs.	0.40	74.00

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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1/13/2011	EAB	Attention to ABC Management file with Mr. Perez.	0.50	92.50
1/14/2011	EAB	Attended meeting with Ms. Elisa Vera and Mr. Perez (3.0); and attended meeting with Mr. Perez and continued to work on analysis regarding 18099 US Hwy 1.	6.00	1,110.00
1/18/2011	EAB	Analyzed CU's and co's for appeal.	3.00	555.00
1/19/2011	EAB	Began review of Parkside plans with Mr. Perez and Mr. Nunez.	0.60	111.00
1/19/2011	EAB	Analyzed Parkside at Palmetto Bay plans with Mr. Nunez and Mr. Perez.	2.50	462.50
1/21/2011	EAB	Meeting with Mr. Perez and MDC Mr. Holness regarding appeal of administrative determination matter.	2.70	499.50
1/24/2011	EAB	Continued to analyze and work on appeal of zoning determination with Mr. Perez and Mr. Nunez.	2.50	462.50
1/24/2011	EAB	Attention to Victor Angulo's matter; discussion with Mr. Perez and Mr. Nunez.	0.30	55.50
1/25/2011	EAB	Attended meeting with Mr. Williams and Mr. Perez (1.0); attention to charter school application; attention to appeal; and attention to pending zoning items.	3.50	647.50
1/25/2011	EAB	Drafted letter to Shores at Palmetto Bay, LLC.	1.00	185.00

Total Professional Services 8,177.00

**Rate Summary**

Eve A. Boutsis 44.20 hours at \$185.00/hr 8,177.00

Total hours: 44.20 8,177.00

1/25/2011 Disbursements incurred - 2.0% 163.54

**Payments and Credits**

1/25/2011 Check No.: 12231 4,057.05

Sub-total Payments: 4,057.05

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.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	8,177.00
For Disbursements Incurred	163.54
Current Balance:	<u>8,340.54</u>
Previous Balance:	4,057.05
Payments - Thank you	4,057.05
<b>Total Due</b>	<b><u>8,340.54</u></b>

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

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.

**FIGUEREDO & BOUTSIS, P.A.**  
**ATTORNEYS & COUNSELORS**

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk  
 Village of Palmetto Bay  
 9705 E. Hibiscus Street  
 Palmetto Bay, Florida 33157

January 25, 2011  
 Matter ID: 0293-004  
 Code Enforcement  
 Invoice Number 20201

			Hours	Amount
1/7/2011	EAB	Telephone conference with Mr. Luis Carcamo and Mr. Julian Perez regarding PT; and follow up with Mr. Perez; analyzed Matrix relating to ABC Management application/hearing item; and attention to and revised condition on sporting goods use site.	1.00	185.00
1/21/2011	EAB	Communications with Ms. Eileen Mehta and Mr. Brian Adler, and Mr. Ed Silva regarding Goodwill.	0.30	55.50
1/24/2011	EAB	Telephone conference with Ms. Vanessa Bencomo; telephone conference with Mr. Allen White; and telephone conference with Ms. Mehta.	0.40	74.00
				314.50
			Total Professional Services	314.50

**Rate Summary**

Eve A. Boutsis	1.70 hours at \$185.00/hr	314.50
	Total hours: 1.70	314.50

1/25/2011	Disbursements incurred - 2.0%	6.29
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**Payments and Credits**

1/25/2011	Check No.: 12231	396.27
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Sub-total Payments:	396.27
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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.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	314.50
For Disbursements Incurred	6.29
Current Balance:	<u>320.79</u>
Previous Balance:	396.27
Payments - Thank you	396.27
<b>Total Due</b>	<b><u>320.79</u></b>

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

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.

**FIGUEREDO & BOUTSIS, P.A.**  
**Attorneys & Counselors**

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone: (305) 235-9344

Facsimile: (305) 235-9372

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

January 25, 2011  
Matter ID: 0293-027  
Palmer Trinity Private School,

Invoice Number 20202

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			Hours	Amount
1/3/2011	EAB	Attention to discovery - responses to third set of interrogatories.	0.60	111.00
1/4/2011	EAB	Communications with Mr. Stanley Price, Mr. Mitchell Widom and Ms. Alexandra Deas regarding discovery and document review; conducted legal research and drafted second request for production, drafted motion to compel; communications with VM Brian Pariser; communications with Mr. Tucker Gibbs; and communications with Council.	3.70	684.50
1/5/2011	EAB	Attended document review at Palmer Trinity.	5.50	1,017.50
1/6/2011	EAB	Drafted letter to Ms. Deas regarding document review and production under same - confirming documents provided.	0.30	55.50
1/10/2011	EAB	Began drafting Matrix - copied, bates, and began catalog in Matrix; communications with Mr. Julian Perez, Ms. Jian Santana (no time charge for staff time in actual bates numbering and copying).	5.50	1,017.50
1/11/2011	EAB	Continued to work on production log.	3.50	647.50
1/12/2011	EAB	Continued discovery analysis.	1.00	185.00
1/13/2011	EAB	Continued to work on discovery.	1.00	185.00
1/18/2011	EAB	Continued drafting matrix on discovery.	1.50	277.50
1/19/2011	EAB	Telephone conferences with both Mr. Price and Mr. Sean Cleary; telephone conference with VM Pariser; communications with Council regarding same; telephone conference with CP Howard Tendrich; telephone conference with Mr. Ron Williams.	2.00	370.00
1/20/2011	EAB	Telephone conference with Mr. Gibbs (.8); attention to Mr. Cleary matter; communications with Bitzin firm, with council; attention to motion for sanctions; communications with CP Patrick Fiore; and follow up with Mr. Gibbs.	2.00	370.00
1/20/2011	EAB	Telephone conference with Mayor Shelley Stanczyk.	0.60	111.00
1/21/2011	EAB	Communications with Ms. Eileen Mehta; telephone conference with Mr. Gibbs; and communications with Mr. Cleary.	1.00	185.00

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.

1/24/2011	EAB	Telephone conference with Mr. Gibbs; telephone conference with Mr. Cleary; telephone conference with Ms. Mehta; telephone conference with Mayor Stanczyk; telephone conference with VM Pariser; coordinated hearing dates, canceled and rescheduled motion to compel; and coordinated hearing on motion to dismiss.	3.50	647.50
1/25/2011	EAB	Attention to PT; attention to AC session; and telephone conference with VM Pariser (.2 no charge).	0.30	55.50
				5,920.00
Total Professional Services				5,920.00

**Rate Summary**

Eve A. Boutsis	32.00 hours at \$	185.00/hr	5,920.00
Total hours:		32.00	

**Expenses**

12/14/2010	Federal Express	5.27
12/14/2010	Federal Express	5.69
12/31/2010	Database Legal research	525.62
1/12/2011	Photocopies	138.14
Sub-total Expenses:		674.72

**Payments**

1/25/2011	Payment	Check No.: 12231	5,394.75
Sub-total Payments:			5,394.75

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	5,920.00
For Disbursements Incurred	674.72
Current Balance:	<hr/> 6,594.72
Previous Balance:	5,394.75
Payments - Thank you	5,394.75
<b>Total Due</b>	<hr/> <b>6,594.72</b>

Invoice Number: 20202

To be properly credited, please indicate Invoice Number above 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.