

RESOLUTION NO. 2012-01

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 \$23,210.85; 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 December 21, 2011, in the amount of \$23,210.85; 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:**

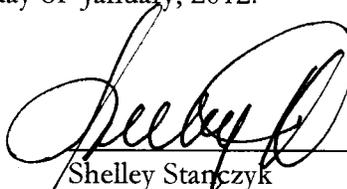
**Section 1.** The statements for attorneys' fees and costs received from FIGUEREDO & BOUTSIS, P.A., in the total amount of \$23,210.85, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 9<sup>th</sup> day of January, 2012.

Attest:

  
Meighan Alexander  
Village Clerk

  
Shelley Stanczyk  
Mayor

APPROVED AS TO FORM:

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

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

December 21, 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 December 21, 2011 in the amount of \$23,210.85. 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. 20337 dated 12/21/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 11,747.50 1,317.64 <b>13,065.14</b>
	<b>Total</b>		<b>\$ 13,065.14</b>
<b>Please deduct from Village Attorney Account No. 5143140, Code Enforcement.</b>			
0293-002	<i>Zoning Application</i> <i>Invoice No. 20338 dated 12/21/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 2,127.50 42.55 <b>2,170.05</b>
	<b>Total</b>		<b>\$ 2,170.05</b>
0293-027	<i>Palmer Trinity Private School vs. VPB-</i> <i>Invoice No. 20342 dated 12/22/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 6,586.00 1,296.82 <b>7,901.66</b>

0293-029	<i>Palmer Trinity Private School vs. VPB- Appeal Invoice No. 20340 dated 12/21/11</i>	Prof'l Services	\$	74.00
		Disbursements		0.00
		<b>Total Due</b>		<b>74.00</b>
	<b>Grand Total</b>		\$	<b>23,210.85</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

December 21, 2011  
Matter ID: 0293-001  
General Municipal-VPB  
Invoice Number 20337

			Hours	Amount
11/22/2011	EAB	Attention to public records matters; and communications with Village Clerk.	0.30	55.50
11/22/2011	EAB	Research relating to FEC.	0.50	92.50
11/23/2011	EAB	Telephone conference with Mr. Ben Kuehne.	0.40	74.00
11/23/2011	EAB	Telephone conference with Mayor Shelley Stanczyk; drafted resolution relating to budget; telephone conference with Mrs. Meighan Alexander; attention to public records item; and telephone conference with Mr. Ron Williams.	0.60	111.00
11/23/2011	EAB	Revisions to policies.	5.00	925.00
11/28/2011	EAB	Attention to HR matters; meeting with Manager; meeting with Ms. Alexander, Mr. Williams, and Mayor Stanczyk; attention to agenda items; meeting with Mr. Williams and Mr. Desmond Chin; attention to personnel matters; telephone conference with Mayor Stanczyk; attention to public records; attention to pending items; and attention to COW agenda.	5.00	925.00
11/28/2011	EAB	Attended COW.	2.50	462.50
11/29/2011	EAB	Revised sign ordinance and memorandum.	1.00	185.00
11/29/2011	EAB	Telephone conference with Mrs. Fanny Carmona-Gonzalez on pending items.	0.30	55.50
11/29/2011	EAB	Revised and update draft ordinance and memorandum relating to Division 30-30, Cone of Silence.	0.50	92.50
11/29/2011	EAB	Attention to parks master plan item.	2.30	425.50
11/29/2011	EAB	Revised responses to tennis RFQ inquiries; telephone conference with Ms. Carmona-Gonzalez; and analyzed Non-Exclusive Use Agreement and Revised same.	1.50	277.50
11/29/2011	EAB	Telephone conference with Mr. Darby Delsalle regarding landscaping code.	0.30	55.50

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.

## CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

11/30/2011	EAB	Communications with Ms. Carmona-Gonzalez regarding bid; communications with Mr. Delsalle; and reviewed edits to sign code.	0.60	111.00
11/30/2011	EAB	Telephone conference with Mr. Delsalle; attention to public records re: Somerset; and attention to pending items.	0.40	74.00
12/1/2011	EAB	Attention to FPL matter with other municipal counsel.	1.00	185.00
12/1/2011	EAB	Attention to public record request relating to charter school.	0.20	37.00
12/5/2011	EAB	Edited first addendum to tennis contract.	0.30	55.50
12/5/2011	EAB	Attended meeting with Mr. Ed Silva (.5); drafted bond letter; attended meeting with Mr. Delsalle (.5); attended meeting with Mr. Williams, Mr. Silva and Mr. Delsalle (different topics) (1.0); revised responses to bid questions and minutes; and provided direction regarding same.	4.30	795.50
12/5/2011	EAB	Attention to agenda items; telephone conference with Mr. Williams and Mayor Stanczyk regarding same.	1.00	185.00
12/5/2011	EAB	Attention to modified concessions RFP and CPI issues.	0.40	74.00
12/5/2011	EAB	Attended council meeting.	2.50	462.50
12/7/2011	EAB	Attention to pending items; telephone conference with Mr. Silva on building issue; meeting with Parks, and MDCCEPT.	2.00	370.00
12/8/2011	EAB	Attention to FCE matter.	0.40	74.00
12/8/2011	EAB	Attention to procurement.	0.30	55.50
12/8/2011	EAB	Telephone conference with Mr. Williams and telephone conference with Ms. Alexander.	0.40	74.00
12/9/2011	EAB	Analyzed other city and county codes relating to cone of silence and provided information to counsel; telephone conference with Mr. Williams; and telephone conference with VM Brian Pariser.	2.00	370.00
12/9/2011	EAB	Analyzed related contracts; drafted Edward Reese letter for Parks Dept; drafted cure letter to Current Builders; drafted letter to Thalatta bond company; and meeting with Mr. Silva regarding pending items.	2.50	462.50
12/12/2011	EAB	Attention to public records item; communications with Mr. Craig Collier.	0.40	74.00
12/12/2011	EAB	Communications with Mr. I. Barry Blaxberg.	0.20	37.00
12/13/2011	EAB	Attention to public record request and Parks ordinance; and telephone conference with Mr. Williams.	0.40	74.00
12/13/2011	EAB	Telephone conference with Mrs. Alexander; attention to calendar and deadlines; drafted village attorney update; telephone conference with Mr. Delsalle; and drafted repeal of Park Rule 20-63; attention to FPL matter.	2.00	370.00
12/14/2011	EAB	Meeting with Mr. Mike Murowski and Ms. Miriam Ramos; telephone conference with Mr. Williams; telephone conference with Ms.	3.00	555.00

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## CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

Carmona-Gonzalez; telephone conference with Ms. Alexander; drafted special council agenda and resolutions.

12/15/2011	EAB	Revised January agenda items; telephone conferences with VM Pariser; telephone conference with Mr. Delsalle; telephone conference with Mr. Silva on pending building items.	1.50	277.50
12/15/2011	EAB	Attention to FPL matter; communications with City and County attorneys regarding same; drafted filing with state.	1.00	185.00
12/15/2011	EAB	Attention to RFPs.	0.50	92.50
12/15/2011	EAB	Communications with I. Barry Blaxberg and Mr. Silva on fire damaged condos.	0.40	74.00
12/16/2011	EAB	Follow up with Mr. Blaxberg.	0.20	37.00
12/16/2011	EAB	Prepared for and attended meeting with Mr. Hearin, Ms. Carmona, and Mr. Williams.	1.50	277.50
12/16/2011	EAB	Follow up on FPL matter.	0.30	55.50
12/19/2011	EAB	Continued to draft edits to job descriptions, classifications, etc.	9.00	1,665.00
12/19/2011	EAB	Attention to Current Builders matter.	0.30	55.50
12/19/2011	EAB	Attended special council meeting.	0.60	111.00
12/20/2011	EAB	Communications with CPs relating to MDCCEPT inquiry.	0.50	92.50
12/20/2011	EAB	Attention to CB matter; Attention to bond letters, electrical letters; communications with PW on pending items; telephone conference with Mr. Silva on pending items; and communications with Ms. Olga Cadaval regarding HR plans.	1.00	185.00
12/20/2011	EAB	Follow up with Ms. Irma Cohen of Florida League.	0.20	37.00
12/20/2011	EAB	Attention to and revised Alcoholic Beverages Ordinance and cover memo; sign ordinance; and telephone conference with Mr. Delsalle.	1.00	185.00
12/21/2011	EAB	Follow up with I. Mr. Blaxberg; follow up with Mr. John Shubin; telephone conference with Mr. Shubin; telephone conference with Mr. Williams; follow up with Mr. Ed Silva; and telephone conference with Mr. Silva.	1.00	185.00
			<b>Total Professional Services</b>	<b>11,747.50</b>

**Rate Summary**

Eve A. Boutsis	63.50 hours at \$185.00/hr	11,747.50
<b>Total hours:</b>	<b>63.50</b>	<b>11,747.50</b>

**Disbursements**

11/30/2010	Database Legal research	268.69
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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

10/31/2011	Database Legal research	814.00
12/21/2011	Disbursements incurred - 2.0%	234.95

**Payments and Credits**

12/6/2011	Check No.: 13985	13,663.78
12/15/2011	Check No.: 002136	11,636.70

Sub-total Payments: 25,300.48

For Professional Services	11,747.50
For Disbursements Incurred	1,317.64
	<u>13,065.14</u>
Current Balance:	
Previous Balance:	25,300.48
Payments - Thank you	25,300.48
<b>Total Due</b>	<b><u>13,065.14</u></b>

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

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**FIGUERO & 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

December 21, 2011  
Matter ID: 0293-002  
Zoning Applications  
Invoice Number 20338

			Hours	Amount
11/22/2011	EAB	Communications with Mr. Darby Delsalle; attention to Charter School matter.	0.50	92.50
11/29/2011	EAB	Telephone conference with Mr. Delsalle and Mr. Efren Nunez on pending items.	0.30	55.50
12/8/2011	EAB	Telephone conference with Mr. Delsalle; telephone conference with Ms. Meighan Alexander; and telephone conference with CP Joan Lindsay.	1.00	185.00
12/12/2011	EAB	Telephone conference with Mayor Shelley Stanczyk; telephone conference with CP Patrick Fiore; telephone conference with Mr. Delsalle; telephone conference with Ms. Alexander; and attention to P&Z agenda items.	2.00	370.00
12/12/2011	EAB	Meeting with Mayor Stanczyk, Mrs. Alexander, and Mr. Williams; telephone conference with Mr. Ron Williams and CP Howard Tendrich; telephone conference with Mr. Williams and VM Brian Pariser.	4.00	740.00
12/13/2011	EAB	After action on P&Z item.	0.40	74.00
12/13/2011	EAB	Communications with Mr. Ed Silver; communications with Mr. Jerry Proctor.	0.40	74.00
12/15/2011	EAB	Drafted zoning resolutions; edited same; telephone conference with Mr. Delsalle; and communications with Ms. Alexander.	2.30	425.50
12/16/2011	EAB	Attention to Mr. Scott Silver inquiry relating to CP.	0.30	55.50
12/16/2011	EAB	Telephone conference with Mr. Delsalle and discussion with Mrs. Alexander on zoning resolutions.	0.30	55.50
			<b>Total Professional Services</b>	<b>2,127.50</b>

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

**Rate Summary**

Eve A. Boutsis	11.50 hours at \$185.00/hr	2,127.50
	Total hours: 11.50	2,127.50

12/21/2011	Disbursements incurred - 2.0%	42.55
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**Payments and Credits**

12/6/2011	Check No.: 13985	6,679.98
12/15/2011	Check No.: 002136	2,226.66
	Sub-total Payments:	8,906.64

For Professional Services	2,127.50
For Disbursements Incurred	42.55
	2,170.05
Current Balance:	8,906.64
Previous Balance:	8,906.64
Payments - Thank you	8,906.64
<b>Total Due</b>	<b>2,170.05</b>

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# FIGUEREDO & BOUTSIS, P.A.

*Attorneys & Counselors*

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

Telephone: (305) 235-9344

Facsimile: (305) 235-9372

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

December 22, 2011  
Matter ID: 0293-027  
Palmer Trinity Private School,  
Invoice Number 20342

			Hours	Amount
11/23/2011	EAB	Continued production of documents (10 binders, plus); communications with Mrs. Meighan Alexander and Mayor Shelley Stanzkyc regarding same.	2.00	370.00
11/28/2011	EAB	Analyzed documents produced for Mayor's deposition; and attention to depositions.	1.00	185.00
11/29/2011	EAB	Communications with Mr. Ben Kuehne and League; and communications with Mr. Jeff Hochman and Mayor Stanczyk.	0.50	92.50
11/30/2011	EAB	Attended deposition preparation for Mayor Stanczyk with Mr. Jeff Hochman.	3.50	647.50
12/1/2011	EAB	Attention to deposition scheduling; communications with Mr. Hochman and Mr. Cleary.	1.00	185.00
12/5/2011	EAB	Continued follow up with Mr. Hochman and Mr. Cleary; and League regarding discovery and depositions; communications with Mayor Stanczyk regarding documents; telephone conference with Mr. Hochman; telephone conference with Mr. Julian Perez; and communications with witnesses.	1.00	185.00
12/6/2011	EAB	Prepared for and attended deposition of Mayor Stanczyk.	8.50	1,572.50
12/9/2011	EAB	Telephone conference with Mr. Perez; attended deposition preparation for Mr. Darby Delsalle, Mr. Perez, and Mr. Ed Silva.	3.00	555.00
12/12/2011	EAB	Attention to ILA.	0.30	55.50
12/14/2011	EAB	Attended depositions of Mr. Perez and Mr. George Knox.	7.00	1,295.00
12/15/2011	EAB	Attention to discovery responses.	1.00	185.00
12/16/2011	EAB	Communications with Mr. Hochman.	0.30	55.50
12/20/2011	EAB	Attended hearing on sanctions; after action.	3.50	647.50
12/20/2011	EAB	Attention to public records request; follow up with council, staff, etc., regarding same.	3.00	555.00

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Total Professional Services 6,586.00

**Rate Summary**

Eve A. Boutsis 35.60 hours at \$ 185.00/hr 6,586.00

Total hours: 35.60

**Expenses**

11/17/2011	Courier charge	69.30
11/17/2011	Court reporter	1,129.00
12/6/2011	Parking Charge for attendance at Mayor Stanczyk's deposition	18.00
12/6/2011	Mileage for attendance at Mayor Stanczyk's deposition	15.84
12/14/2011	Parking Charge for attendance at Julian Perez' deposition.	18.00
12/14/2011	Mileage for attendance at Julian Perez' deposition.	15.84
12/20/2011	Parking Charge	15.00
12/20/2011	Mileage	15.84

Sub-total Expenses: 1,296.82

**Payments**

12/15/2011 Payment Check from Sean Celary 2735 370.00

Sub-total Payments: 370.00

**Figueredo Boutsis & Montalvo,**

**Matter ID: 0293-027 Statement No.: 20342**

**Page: 3**

For Professional Services	6,586.00
For Disbursements Incurred	1,296.82
Current Balance:	<u>7,882.82</u>
Previous Balance:	388.84
Payments - Thank you	370.00
<b>Total Due</b>	<u><b>7,901.66</b></u>

Invoice Number: 20342

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

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For Professional Services	74.00
For Disbursements Incurred	0.00
Current Balance:	<u>74.00</u>
Previous Balance:	5,363.89
Payments - Thank you	5,363.89
<b>Total Due</b>	<u>74.00</u>

Invoice Number: 20340

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

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