

RESOLUTION NO. 04-02

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 \$9,775.78; 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 November 30, 2003, in the amount of \$9,775.78; and,

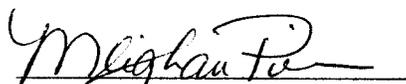
WHEREAS, the amounts are reasonable and were necessarily incurred.

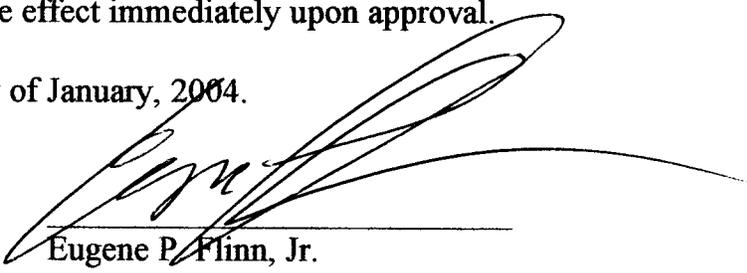
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$9,775.78, copies of which are attached, are approved for payment

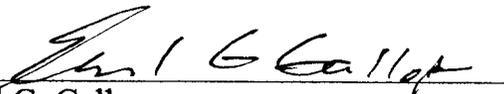
Section 2. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 5th day of January, 2004.

Attest: 
Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Earl G. Gallop,
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member John Breder	<u>YES</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>

\\02srvplaw\prolaw\Documents\0293\DA\20706.doc - Reso - NGF December 2003 Statements

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.

December 9, 2003

Mayor

Matter ID: 0293-001

Village of Palmetto Bay

General Municipal

9100 S. Dadeland Boulevard

Statement No. 15199

Suite 1000

Miami, Florida 33156

			Hours	Amount
10/31/2003	EGG	Reviewed agenda documents.	1.50	277.50
11/01/2003	EAB	E-mail communication with Ms. Diane O'Quinn Williams and a representative of unsafe structure board regarding upcoming issues at VPB.	0.20	37.00
11/03/2003	EGG	Telephone conference with mayor Flinn regarding agenda items and other matters.	0.50	92.50
11/03/2003	EGG	Prepared for and attended village council meeting.	4.00	740.00
11/05/2003	EAB	Revised notices of violation and notices transferring violation to unsafe structure board; and finalized SFWMD grant agreement and authorized execution of grant.	0.60	111.00
11/06/2003	EAB	Attended state of the village address.	3.00	0.00
11/08/2003	EAB	Attended to request from Mr. Raul Rodriguez regarding status report on title search request for unsafe structure; and provided directions to staff to follow up on obtaining the report.	0.20	37.00
11/10/2003	EAB	Finalized opinion of counsel for Suntrust agreement; reviewed, and confirmed agreement was in final form; and addressed several remaining issues with representative of Suntrust.	0.50	92.50
11/12/2003	EAB	Telephone conference with county P&Z, Ms. Nubia Harquin, meeting with property purchaser; analyzed documents relating to Storob property which is seeking release of unity of title; drafted release of unity of title; telephone conference with Mr. Scurr and property purchaser; analyzed warranty deed; and authorized release of unity of title.	1.70	314.50
11/12/2003	EAB	Analyzed request by Mr. Ron Williams regarding noise ordinance and Florida statute regarding trespass; and provided Mr. Williams with recommendation.	0.40	74.00
11/14/2003	EGG	Attended meeting with mayor Flinn regarding status fo pending matters.	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.

11/17/2003	EGG	Attention to issue concerning change to programs at FW Martin Elementary School; telephone conference with mayor Flinn; instructions to work attorney to review interlocal agreement and supplements, and to contact school board liaison; attention to further handling needs.	1.00	185.00
11/17/2003	EGG	Attention to question regarding use of city logo on banner and web sites; viewed same; reviewed ordinance adopting village seal and criminal status imposing penalty for unauthorized use; formulated advice.	0.60	111.00
11/17/2003	EGG	Telephone conference with Ms. Scurr, Ms. Diane O'Quinn Williams and Mr. Al Torres, M-DC P & Z department, regarding zoning workshop; prepared for and attended committee of the whole workshop on variety of municipal matters.	5.00	925.00
11/17/2003	EAB	Analyzed ABC documents; extensive telephone conference with Ms. Brown, chairperson of ABC committee; analyzed interlocal with school board; telephone conference with mayor Flinn regarding school board and school density issues; and drafted memo to file on these items.	3.00	555.00
11/20/2003	EGG	Responded to request by Ms. Nancy Rabun, legal advisor, M-DC Planning & Zoning Department, for copies of village zoning ordinances, zoning decisions and administrative decisions.	0.20	37.00
11/20/2003	EGG	Reviewed e-mail communications regarding FC Martin ABC; prepared letter to Mr. Johnny Brown, school board attorney, regarding possible Sunshine law violation; transmitted same to mayor and council.	0.70	129.50
11/20/2003	EAB	Attention to proposed ABC action and school feeder plan issues.	0.30	55.50
11/22/2003	EAB	Analyzed revised personnel policy and provided comments to Ms. Cadaval regarding revisions.	2.00	370.00
11/24/2003	EGG	Attended meeting with mayor Flinn; attention to zoning amendments.	1.50	277.50
11/24/2003	EGG	Final preparation of resolution vacating right-of-way.	0.30	55.50
11/25/2003	EGG	Telephone conference with Mr. Scurr regarding zoning amendments and other matters.	0.30	55.50
11/25/2003	EGG	Reviewed proposed policy on use of village logo and display of banners; same regarding FC Martin resolution and suggested revisions.	0.50	92.50

Total Professional Services 4,810.00

Rate Summary

Earl G. Gallop	17.10 hours at \$185.00/hr	3,163.50
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Eve A. Boutsis	3.00 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	8.90 hours at \$185.00/hr	1,646.50

Total hours: 29.00

Expenses

Mileage	9.50
Telefacsimile charge	32.00
Postage Charge	2.03

Sub-total Expenses: 43.53

Payments

11/25/2003	Payment	Ck#1456	15,917.11
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Sub-total Payments: 15,917.11

For Professional Services	4,810.00
For Disbursements Incurred	43.53

Current Balance: 4,853.53

Previous Balance: 24,223.53

Payments - Thank you 15,917.11

Total Due 13,159.95

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

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Eugene P. Flinn, Jr.

December 9, 2003

Mayor

Matter ID: 0293-001

Village of Palmetto Bay

General Municipal

9100 S. Dadeland Boulevard

Statement No. 15199

Suite 1000

Miami, Florida 33156

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11/08/2003	EAB	Attended to request from Mr. Raul Rodriguez regarding status report on title search request for unsafe structure; and provided directions to staff to follow up on obtaining the report.	0.20	37.00
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11/12/2003	EAB	Telephone conference with county P&Z, Ms. Nubia Harquin, meeting with property purchaser; analyzed documents relating to Storob property which is seeking release of unity of title; drafted release of unity of title; telephone conference with Mr. Scurr and property purchaser; analyzed warranty deed; and authorized release of unity of title.	1.70	314.50
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Matter ID: 0293-001 Statement No.: 15199

Page: 2

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11/20/2003	EGG	Reviewed e-mail communications regarding FC Martin ABC; prepared letter to Mr. Johnny Brown, school board attorney, regarding possible Sunshine law violation; transmitted same to mayor and council.	0.70	129.50
11/20/2003	EAB	Attention to proposed ABC action and school feeder plan issues.	0.30	55.50
11/22/2003	EAB	Analyzed revised personnel policy and provided comments to Ms. Cadaval regarding revisions.	2.00	370.00
11/24/2003	EGG	Attended meeting with mayor Flinn; attention to zoning amendments.	1.50	277.50
11/24/2003	EGG	Final preparation of resolution vacating right-of-way.	0.30	55.50
11/25/2003	EGG	Telephone conference with Mr. Scurr regarding zoning amendments and other matters.	0.30	55.50
11/25/2003	EGG	Reviewed proposed policy on use of village logo and display of banners; same regarding FC Martin resolution and suggested revisions.	0.50	92.50
			Total Professional Services	4,810.00

Rate Summary

Earl G. Gallop	17.10 hours at \$185.00/hr	3,163.50
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Eve A. Boutsis	3.00 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	8.90 hours at \$185.00/hr	1,646.50

Total hours: 29.00

Expenses

Mileage	9.50
Telefacsimile charge	32.00
Postage Charge	2.03

Sub-total Expenses: 43.53

Payments

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Sub-total Payments: 15,917.11

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For Disbursements Incurred	43.53

Current Balance:	<u>4,853.53</u>
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Previous Balance:	24,223.53
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Payments - Thank you	15,917.11
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Total Due 13,159.95

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Eugene P. Flinn, Jr.
 Mayor
 Village of Palmetto Bay
 9100 S. Dadeland Boulevard
 Suite 1000
 Miami, Florida 33156

December 9, 2003
 Matter ID: 0293-002
 Zoning Applications

Statement No. 15200

			Hours	Amount
11/04/2003	EAB	Telephone conference with Ms. Bonnie Rodenberry regarding zoning decision for site plan approval request by Old Cutler Presbyterian Church; analysis of documents produced by Ms. Rodenberry; second telephone conference with Ms. Rodenberry requesting copy of appeal documents; telephone conference with and e-mail communication with Ms. Meighan Pier regarding appeal documents; and analyzed documents provided by village; and e-mail communication with Ms. Diane O'Quinn Williams and Mr. Ron Conally regarding process for administrative appeal.	2.00	370.00
11/05/2003	EGG	Attention to status of development permits and appeal of administrative waiver regarding Old Cutler Presbyterian Church.	0.20	37.00
11/05/2003	EAB	E-mail communication with Ms. Quinn Williams regarding Old Cutler Presbyterian Church appeal.	0.20	37.00
11/06/2003	EAB	Telephone conference with Mrs. Roddenberry, and e-mail communication with Ms. O'Quinn Williams, and ordered county's file; and brief meeting with Mr. and Mrs. Roddenberry regarding Old Cutler Presbyterian Church appeal.	0.50	92.50
11/08/2003	EAB	Attention to Old Cutler Presbyterian appeal and provided directions to staff to contact Ms. Lynn Toleda, county scheduling clerk, or Mr. Ron Connally to obtain appeal file.	0.10	18.50
11/10/2003	EAB	Attention to and obtained copy of Old Cutler Presbyterian appeal file; and telephone conference with Mr. Scurr on this item.	0.40	74.00
11/11/2003	EGG	Attention to request to modify covenant for Paradise Point to allow limited boat slip sales or rentals.	0.30	55.50
11/12/2003	EAB	Analyzed partially produced file by county; telephone conference with Mr. Ron Connally regarding remainder of file; and telephone conference with Mr. Scurr on this item.	0.30	55.50
11/12/2003	EAB	Telephone conference with Mr. Conally regarding Old Cutler site plans, administrative modifications and appeal process; and drafted memorandum to file on this issue.	0.50	92.50

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Matter ID: 0293-002 Statement No.: 15200

Page: 2

11/17/2003	EGG	Attention to controversy regarding Old Cutler Prebys. Church development plans, status of appeal and red-tagging construction activity; telephone conferences with Mr. John Shubin, counsel for church, and Mr. Scurr; reviewed documents provided by Mr. Shubin and inquired about status of county documents.	1.50	277.50
11/17/2003	EAB	Attention to Old Cutler Presbyterian file.	0.20	37.00
11/20/2003	EGG	Reviewed and approved draft zoning verification letter regarding Burger King property.	0.30	55.50
11/20/2003	EGG	Attention to status of appeals of basic compliance determinations for OCP and stop work order on construction; telephone conference with Mr. Shubin; e-mail communication to Mr. Scurr.	0.60	111.00
11/22/2003	EAB	Attention to South Dade Development application file; and provided direction to Ms. Pier on how to proceed.	0.20	37.00
11/25/2003	EGG	Telephone conference with mayor Flinn and Mr. Scurr regarding OCP, meetings with Mr. Silver and request for written opinion regarding propriety of meetings with developers, and discussed other matters; prepared opinion.	1.00	185.00
				1,535.50
			Total Professional Services	

Rate Summary

Earl G. Gallop	3.90 hours at \$185.00/hr	721.50
Eve A. Boutsis	4.40 hours at \$185.00/hr	814.00
Total hours:		8.30

Expenses

Mileage	1.75
Parking Charge	2.00
Sub-total Expenses:	3.75

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For Professional Services	1,535.50
For Disbursements Incurred	3.75
Current Balance:	<u>1,539.25</u>
Previous Balance:	0.00
Payments - Thank you	0.00
Total Due	<u>1,539.25</u>

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Eugene P. Flinn, Jr.
Mayor
Village of Palmetto Bay
9100 S. Dadeland Boulevard
Suite 1000
Miami, Florida 33156

December 9, 2003
Matter ID: 0293-005
Real Property

Statement No. 15275

			Hours	Amount
11/03/2003	LRF	Prepared proposed language for section 4.0.	0.30	55.50
11/03/2003	EAB	Telephone conference with Mr. Ron Williams regarding notice to neighbors and county regarding vacating ROW.	0.10	18.50
11/04/2003	EAB	E-mail communication with Mr. Mark J. Pettit, DERM code enforcement officer II, Natural Resources Division, regarding receipt of "no action letter."	0.30	55.50
11/05/2003	EAB	Telephone conference with Mr. Robert Fiallo of MDPD attorney's office; meeting with Mr. Figueredo on pending property issues.	0.40	74.00
11/06/2003	EAB	Received assignments; and telephone conference with councilman Breder regarding assessed value and highest and best use.	0.50	92.50
11/08/2003	EAB	Drafted e-mail communication to Mr. Charles Scurr regarding next steps in the DeLamour forfeiture.	0.10	18.50
11/10/2003	EAB	Telephone conference with Mr. Scurr on request for funding from Safe Parks to purchase DeLamour property.	0.20	37.00
11/11/2003	EGG	Reviewed "comfort" letter from Mr. Stilwill, DERM, regarding LeLamour property.	0.20	37.00
11/12/2003	EAB	Telephone conference with Mr. Scurr regarding upcoming park grant meeting; coordinated meeting with appraiser, and prepared package of information for appraiser and Safe Parks committee.	0.40	74.00
11/13/2003	EAB	Attention to Roberts subdivision ROW vacating ordinance; e-mail communication with Ms. Pier, and Mr. Williams on this matter.	0.40	74.00
11/13/2003	EAB	Attended Safe Neighborhoods grant meeting.	2.50	462.50
11/14/2003	EGG	Telephone conferences with Mr. Bob Fiallo and Mr. Bob Canaady, attorneys of M-DC police department about settlement agreement, intervention and transfer of title to DeLamour property; with Mr. Scurr and attention to further handling needs.	1.00	185.00
11/14/2003	EAB	Telephone conference with Mr. Fiallo, Mr. Bob Knabe, and Mr.	1.00	185.00

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		Gallop regarding intervention, settlement and final judgment.		
11/17/2003	EAB	Attended telephone conference with Ms. O'Quinn Williams, Mr. Al Torres, Mr. Scurr, and Mr. Gallop regarding Omni Point patches; and attention to deadlines for five year transportation plan and provided direction to staff on deadlines.	0.80	148.00
11/18/2003	EAB	Attended Omni Point patches meeting headed by Ms. Diane O'Quinn Williams and her staff.	3.50	647.50
11/18/2003	EAB	Attention to file; drafted memorandum on process; revised motion to intervene, motion and order on final judgment; and completed research on cases supporting intervention.	1.40	259.00
11/19/2003	EAB	Analyzed title report; analyzed police interlocals; drafted memorandum to file on interlocals and application to DeLamour property; and forwarded title report to Mr. Scurr and Mr. Fiallo.	1.00	185.00
11/19/2003	EAB	Analyzed title search for unsafe structure; and e-mail communication with staff enclosing the title report.	0.50	92.50
11/20/2003	EGG	Attention to further handling needs to close on acquisition of De Lamour property.	0.30	55.50
11/24/2003	EGG	Final preparation of letter to Mr. Brown, school board attorney, regarding FC Martin attendance boundaries commission meetings; telephone conferences with mayor Flinn and Mr. Scurr regarding same.	0.30	55.50
11/24/2003	EGG	Reviewed demand letter from Mr. Shubin regarding OCP and transmitted same to Mr. Scurr with inquiry regarding status of red-tag.	0.20	37.00
11/24/2003	EAB	Drafted cover memorandum to council regarding vacating ROW.	2.00	370.00
11/25/2003	EAB	Telephone conference with Mr. Gallop and Mr. Lott regarding intervention in DeLamour forfeiture.	0.30	55.50
11/26/2003	EGG	Telephone conference with Mr. Scurr regarding right-of-way item and OCP.	0.20	37.00
11/26/2003	EAB	Telephone conference with Mr. Williams regarding ROW vacating.	0.30	55.50
			Total Professional Services	3,367.00

Rate Summary

Earl G. Gallop	2.20 hours at \$185.00/hr	407.00
Luis R. Figueredo	0.30 hours at \$185.00/hr	55.50
Eve A. Boutsis	15.70 hours at \$185.00/hr	2,904.50

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Total hours: 18.20

Expenses

Telefacsimile charge 16.00

Sub-total Expenses: 16.00

Payments

11/25/2003 Payment Ck#1456 3,959.00

Sub-total Payments: 3,959.00

For Professional Services 3,367.00

For Disbursements Incurred 16.00

Current Balance: 3,383.00

Previous Balance: 8,388.50

Payments - Thank you 3,959.00

Total Due 7,812.50

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