

RESOLUTION NO. 05-05

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 \$12,337.91; 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 January 26, 2005, in the amount of \$12,337.91; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

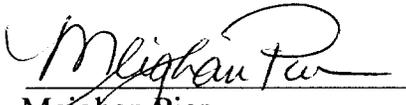
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

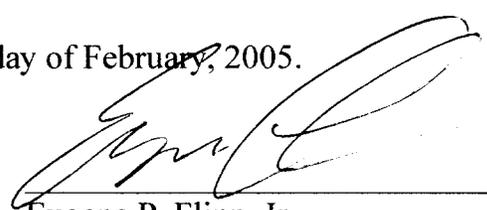
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$12,337.91, copies of which are attached, are approved for payment.

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

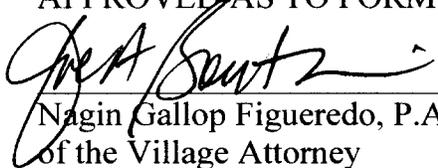
PASSED and ADOPTED this 7th day of February, 2005.

Attest:


Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


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 John Breder ABSENT _____

Vice-Mayor Linda Robinson YES _____

Mayor Eugene P. Flinn, Jr. YES _____

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

3225 Aviation Avenue - Third Floor
Miami, Florida 33133-4741
Telephone: (305) 854-5353 *Facsimile:* (305) 854-5351

February 1, 2005

Charles D. Scurr, 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. Scurr:

Enclosed are our statements for professional services rendered and for costs advanced for the period ending January 26, 2005. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 16935 dated 1/26/05</i>	Prof'l Services	\$	8,954.00
		Disbursements		74.79
		Total		9,028.79
0293-002	Zoning Applications <i>Statement No. 16936 dated 1/26/05</i>	Prof'l Services	\$	185.00
		Disbursements		0.00
		Total		185.00
0293-004	Code Enforcement <i>Statement No. 16938 dated 1/26/05</i>	Prof'l Services	\$	74.00
		Disbursements		0.00
		Total		74.00
0293-007	Old Cutler Presbyterian Church <i>Statement No. 16940 dated 1/26/05</i>	Prof'l Services	\$	2,867.50
		Disbursements		151.77
		Total		3,019.27
0293-008	Doug DeWhitt – EEOC Claim <i>Statement No. 16941 dated 1/26/05</i>	Prof'l Services	\$	0.00
		Disbursements		16.36
		Total		16.36

Letter to Charles D. Scurr, Village Manager
February 1, 2005
Page 2 of 2

0293-009	Palmetto Bay Foundation, Inc. <i>Statement No. 16943 dated 1/26/05</i>	Prof'l Services	\$	0.00
		Disbursements		14.49
		Total		14.49
TOTAL CURRENTLY DUE				\$ 12,337.91

Please 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/gr

Enclosures

cc: Mayor and Village Council

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

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

January 26, 2005
Matter ID: 0293-001
General Municipal

Statement No. 16935

			Hours	Amount
1/4/2005	EAB	Telephone conference with mayor Eugene Flinn regarding COW; telephone conference with Mr. Charles Scurr regarding park agreement and library negotiations; attention to request by Ms. Meighan Pier regarding notice of special master hearings; and COW hearing assistance requirements.	1.30	240.50
1/6/2005	EAB	Prepared for and attended Library negotiations and Perrine Park negotiations.	3.00	555.00
1/6/2005	EAB	Attended meeting with Mr. Scurr, Ms. Arlene Weintraub, Chief Michael Mouring, and building staff regarding unsafe structures; and prepared for and attended COW meeting.	4.50	832.50
1/7/2005	EAB	Attended breakfast meeting with mayor Flinn and Mr. Scurr.	1.40	259.00
1/10/2005	LRF	Reviewed agenda - attended Village of Palmetto Bay meeting.	2.80	518.00
1/11/2005	LRF	Worked on draft of Term Sheet for Library deal.	0.90	166.50
1/12/2005	LRF	Conference with Eve Boutsis regarding Charter School project. Teleconference with Jerry Proctor.	0.40	74.00
1/12/2005	EAB	Meeting with Ms. Miller, Mr. Scurr, and Dr. Carlo Rodriguez regarding Charter Schools; drafted public record request for supporting documentation to the Charter School USA application; and follow up on assignments related to charter schools.	1.70	314.50
1/13/2005	EAB	Analyzed draft P&Z, notice, and hearing procedures ordinance and began providing comments and revisions to the draft ordinances.	1.00	185.00
1/13/2005	EAB	Telephone conference with Ms. Olga Cadaval, Ms. Weintraub, and Mr. Scurr regarding lobbying ordinance.	0.20	37.00
1/14/2005	EAB	Attended meeting with building staff and Mr. Peter Capua regarding unsafe structure.	2.50	462.50
1/14/2005	EAB	Began analyzing and providing comments on zoning ordinance.	0.50	92.50
1/17/2005	LRF	Continued to work on Library Term Sheet.	2.30	425.50

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.

Nagin Gallop Figueredo P.A.**Matter ID: 0293-001 Statement No.: 16935****Page: 2**

1/17/2005	EAB	Edited and revised draft zoning ordinance.	1.50	277.50
1/18/2005	LRF	Teleconference with Mr. Scurr regarding revised Term Sheet.	1.00	185.00
1/18/2005	EAB	Meeting with Ms. Weintraub regarding draft consultant expense recovery ordinance and zoning procedures ordinance; began revising consultant expense ordinance; attended meeting with code enforcement staff regarding the village's first special master hearing; attended hearings; attended after action meeting with staff; meeting with Mr. Scurr regarding Mr. Capua's client's unsafe structure matter; meeting with vice-mayor regarding Delamour property; and drafted public record request to school board regarding Charter Schools USA.	8.00	1,480.00
1/19/2005	LRF	Attended Committee of the Whole meeting to Discuss CDMP.	2.00	370.00
1/19/2005	EAB	Attention to and telephone conference with Mr. Capua regarding unsafe structure.	0.30	55.50
1/20/2005	EAB	Attended meeting with Mr. Scurr, Mr. Raul Rodriguez, Ms. Cadaval, Ms. Garcia and representatives of development for Charter Schools USA; and attention to pending matters; and e-mail communications with Mr. Rodriguez regarding unsafe structures matters.	3.50	647.50
1/21/2005	EAB	Prepared for and attended meeting with County on library contract.	2.00	370.00
1/21/2005	EAB	Telephone conference with Mr. Jorge Mestre regarding Fern street notice of demolition; telephone conferences with Mr. Capua regarding unsafe structure; follow up with staff on this issue; and follow-up with consultant on zoning code revisions.	0.90	166.50
1/23/2005	EAB	Follow-up on zoning ordinance and e-mail communications with Mr. Vera regarding draft ordinance; and continued to edit zoning procedures ordinance and provided comments to village staff on edits and recommendations.	1.00	185.00
1/24/2005	EAB	Pre-meeting with Mr. Rodriguez regarding Capua/Gager property; meeting with Mr. Rodriguez and Mr. Capua regarding unsafe structure; meeting with Mr. Luis Carcamo regarding revising Special Master Agenda, notices of hearing, citations and courtesy citations; meeting with Ms. Weintraub regarding same; prepared letter to Mr. Capua confirming 60 day compliance requirement; telephone conference with Mr. Mestre regarding Fern Street; and attention to special master orders issued.	4.90	906.50
1/25/2005	EAB	Analyzed draft orders of special master and provided direction to Mr. Carcamo on issue of minutes and issuing the orders.	0.40	74.00
1/26/2005	EAB	E-mail communications with staff regarding zoning ordinance; and e-mail communication with Ms. Judy Miller regarding recommended revisions.	0.40	74.00

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Total Professional Services 8,954.00

Rate Summary

Luis R. Figueredo	9.40 hours at \$185.00/hr	1,739.00
Eve A. Boutsis	39.00 hours at \$185.00/hr	7,215.00
	<hr/>	
Total hours:	48.40	

Expenses

Postage Charge	5.67
Mileage	69.12
Photocopies	0.00
Telefacsimile charge	0.00

Sub-total Expenses:

74.79

For Professional Services	8,954.00
For Disbursements Incurred	74.79
	<hr/>
Current Balance:	9,028.79
Previous Balance:	24,108.91
Payments - Thank you	0.00
	<hr/>
Total Due	33,137.70

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

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

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Miami, Florida 33133

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

January 26, 2005
Matter ID: 0293-002
Zoning Applications
Statement No. 16936

			Hours	Amount
1/23/2005	EAB	Analyzed Alliance Development documents surrounding the Alemar Investments Corp. certiorari "appeal" of community council decision to reject mixed use project for SW 97th Avenue and SW 178th Street; and opinion of court granting relief requested; and provided analysis to village staff on the decision and provided direction to staff on future proceedings.	1.00	185.00
				<hr/>
Total Professional Services				185.00

Rate Summary

Eve A. Boutsis	1.00 hours at \$185.00/hr	185.00
		<hr/>
Total hours:	1.00	

For Professional Services	185.00
For Disbursements Incurred	0.00
Current Balance:	<hr/> 185.00
Previous Balance:	20,426.18
Payments - Thank you	0.00
Total Due	<hr/> 20,611.18

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

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

January 26, 2005
Matter ID: 0293-003
Comprehensive Plan
Statement No. 16937

For Professional Services	0.00
For Disbursements Incurred	0.00
Current Balance:	<u>0.00</u>
Previous Balance:	462.50
Payments - Thank you	0.00
Total Due	<u>462.50</u>

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Village of Palmetto Bay
9100 S. Dadeland Boulevard
Suite 1000
Miami, Florida 33156

January 26, 2005
Matter ID: 0293-004
Code Enforcement

Statement No. 16938

			Hours	Amount
1/7/2005	EAB	Telephone conference with Mr. George Lott regarding title searches and ordered title searches in order to start unsafe structure process.	0.40	74.00
				<hr/>
Total Professional Services				74.00

Rate Summary

Eve A. Boutsis	0.40 hours at \$185.00/hr	74.00
		<hr/>
Total hours:	0.40	

For Professional Services	74.00
For Disbursements Incurred	0.00
Current Balance:	<hr/> 74.00
Previous Balance:	0.00
Payments - Thank you	0.00
Total Due	<hr/> 74.00

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

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

January 26, 2005
Matter ID: 0293-005
Real Property

Statement No. 16939

For Professional Services	0.00
For Disbursements Incurred	0.00
Current Balance:	<u>0.00</u>
Previous Balance:	3,479.59
Payments - Thank you	0.00
Total Due	<u>3,479.59</u>

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

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

January 26, 2005
Matter ID: 0293-007
Old Cutler Presby. Church
Statement No. 16940

			Hours	Amount
1/10/2005	LRF	Teleconference with Mr. Tucker Gibbs regarding Old Cutler Presby. Church (OCPC)	0.70	129.50
1/21/2005	LRF	Teleconference with Mr. Gibbs regarding Motion For Remand in OCPC. Review pertinent case law regarding reconsideration by zoning Board of approved development order.	1.30	240.50
1/21/2005	EAB	Prepared for and attended meeting with Ms. Diane O'Quinn Williams.	1.00	185.00
1/23/2005	EAB	Analyzed citations and caselaw in briefs in preparation for oral argument.	2.00	370.00
1/24/2005	LRF	Teleconference with Mr. John Shubin regarding Old Cutler Presby. Church.	0.50	92.50
1/24/2005	EAB	Telephone conference with Mr. Shubin; analyzed new motions filed by Mr. Gibbs requesting to remand the action; and e-mail communications with Ms. Diane O'Quinn Williams.	1.00	185.00
1/25/2005	EAB	Telephone conference with Mr. Shubin and e-mail communications with Ms. O'Quinn Williams.	0.40	74.00
1/25/2005	EAB	Analyzed cases cited in proceeding; re-reviewed transcripts, etc; and prepared for oral argument; e-mail communications with Mr. Shubin.	6.00	1,110.00
1/25/2005	NDH	Located zoning cases within the Florida Law Weekly Supplement for Ms. Boutsis' use in her upcoming oral argument; provided the same to Ms. Boutsis' assistant.	0.60	111.00
1/26/2005	EAB	Attention to order denying stay of certiorari action; attention to and analyzed pleadings and supporting caselaw to OCPC's opposition to stay, remand and request by OCPC to village not to reconsider decision.	2.00	370.00

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Total Professional Services 2,867.50

Rate Summary

Luis R. Figueredo	2.50 hours at \$185.00/hr	462.50
Eve A. Boutsis	12.40 hours at \$185.00/hr	2,294.00
Nakia D. Henry	0.60 hours at \$185.00/hr	111.00

Total hours:	15.50	2,867.50
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Disbursements

1/7/2005	Outside copy job	24.55
1/21/2005	Legal research	59.63
1/21/2005	Legal research	10.08

1/26/2005	Disbursements incurred - 3.0%	57.51
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For Professional Services	2,867.50
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For Disbursements Incurred	151.77
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Current Balance:	3,019.27
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Previous Balance:	11,671.72
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Payments - Thank you	0.00
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Total Due	14,690.99
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To be properly credited, please indicate Statement Number on your remittance check.

NAGIN GALLOP FIGUEREDO^{PA.}

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

January 26, 2005
 Matter ID: 0293-008
 Doug DeWhitt - EEOC Claim
 Statement No. 16941

Expenses

1/21/2005	Legal research	15.99
1/26/2005	Postage Charge	0.37
	Sub-total Expenses:	<u>16.36</u>

For Professional Services	0.00
For Disbursements Incurred	16.36
Current Balance:	<u>16.36</u>
Previous Balance:	3,748.13
Payments - Thank you	0.00
Total Due	<u>3,764.49</u>

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

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

January 26, 2005
Matter ID: 0293-009
Palmetto Bay Foundation, Inc.

Statement No. 16943

Expenses

1/18/2005	Federal Express on November 18, 2004.	14.49
	Sub-total Expenses:	<u>14.49</u>
	For Professional Services	0.00
	For Disbursements Incurred	14.49
	Current Balance:	<u>14.49</u>
	Previous Balance:	274.25
	Payments - Thank you	0.00
	Total Due	<u>288.74</u>

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

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