

RESOLUTION NO. 05-48

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 \$18,685.80; 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 June 27, 2005, in the amount of \$18,685.80; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

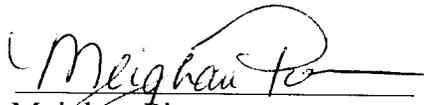
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

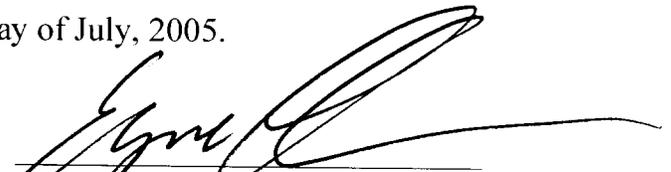
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$18,685.80, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 11<sup>th</sup> day of July, 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             YES

Vice-Mayor Linda Robinson              YES

Mayor Eugene P. Flinn, Jr.               YES

# NAGIN GALLOP FIGUEREDO<sup>PA.</sup>

*Attorneys & Counselors*

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

July 5, 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 June 27, 2005. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 17604 dated 6/27/05</i>	Prof'l Services	\$	15,133.00
		Disbursements		344.90
		Total		15,477.90
0293-004	Code Enforcement <i>Statement No. 17589 dated 6/27/05</i>	Prof'l Services	\$	906.50
		Disbursements		18.13
		Total		924.63
0293-007	Old Cutler Presbyterian Church <i>Statement No. 17590 dated 6/27/05</i>	Prof'l Services	\$	2,238.50
		Disbursements		44.77
		Total		2,283.27
	<b>TOTAL CURRENTLY DUE</b>		\$	<b>18,685.80</b>

Letter to Charles D. Scurr, Village Manager  
July 5, 2005  
Page 2 of 2

Please do not hesitate to call me if you have any questions regarding these statements.

Very truly yours,

A handwritten signature in black ink, appearing to read "Eve A. Boutsis", written in a cursive style.

Eve A. Boutsis,  
Office of the Village Attorney

EAB/blr

Enclosures

cc: Mayor and Village Council

# NAGIN GALLOP FIGUEREDO<sup>PA.</sup>

*Attorneys & Counselors*

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

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

June 27, 2005  
Matter ID: 0293-001  
General Municipal  
Statement No. 17604

			Hours	Amount
5/26/2005	LRF	Teleconference with condemnation counsel on status of appraisal.	0.40	74.00
5/26/2005	EAB	Began analyzing ORC related issues.	3.00	555.00
5/26/2005	EAB	Attention to condemnation appraisal reports.	0.10	18.50
5/27/2005	LRF	Reviewed Interlocal Agreement between village and County re: NPPEs; teleconference with Mayor Eugene Flinn regarding sex offender ordinance.	1.10	203.50
5/31/2005	LRF	Status conference with Mr. Charles Scurr regarding Jane Foreman contract.	0.50	92.50
6/1/2005	LRF	Prepared for meeting with county regarding library; attended meeting with Mr. Scurr and councilman John Breder with county.	3.00	555.00
6/1/2005	LRF	Meeting with city hall selection committee. Reviewed appraisal report. Teleconference with condemnation counsel regarding report.	3.20	592.00
6/1/2005	NDH	Attended library negotiation with Mr. Figueredo.	2.50	462.50
6/2/2005	LRF	Prepared letter to Florida League of Cities regarding sex offender ordinance.	0.90	166.50
6/2/2005	LRF	Prepared resolution for budget appropriation.	1.00	185.00
6/2/2005	LRF	Reviewed revised draft of library interlocal agreement.	1.00	185.00
6/3/2005	LRF	Teleconference with councilman Breder regarding revisions to Interlocal; teleconference with county attorney Mr. Del Castillo.	0.80	148.00
6/3/2005	LRF	Teleconference with councilman Breder and Mr. Scurr regarding Mr. Scott Silver's e-mails concerning proposal to sell building; and teleconference with Mr. Breder and Mr. Silver.	2.10	388.50
6/6/2005	CVH	Conferred with and advised Ms. Henry regarding application of Florida Sunshine laws to intellectual property claims by governmental entities and suggested avenues of investigation as to Lanham Act and trademark issues.	0.30	55.50
6/6/2005	LRF	Council meeting.	3.00	555.00

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.

6/9/2005	EAB	Attention to pending projects; telephone conference with Mr. Scurr, Ms. Olga Cadaval and Ms. Ana Garcia regarding parks related items; telephone conference with mayor Flinn; and telephone conference with council member Neidhart regarding park architectural contracts.	2.40	444.00
6/9/2005	NDH	Continued analyzing and preparing the Anti-cybersquatting memorandum re: the "Palmetto Bay" mark.	3.00	555.00
6/10/2005	EAB	Telephone conference with Mr. Scurr; attention to zoning agenda; continued analysis of LDC revisions as to nuisances; analyzed zoning agenda items; and telephone conference with Ms. Garcia and Mr. Scurr regarding Wolfberg negotiations and pending items.	3.50	647.50
6/10/2005	NDH	Reviewed memorandum re: analysis of the "Village of Palmetto Bay"; provided the same to Ms. Boutsis; refiled documents for future review.	0.90	166.50
6/13/2005	LRF	Teleconference with Mr. Scurr regarding village hall.	0.40	74.00
6/13/2005	EAB	Attention to FPL interest in tree trimming ordinance and attention to lobbying issue; completed analysis of zoning agenda and provided comments to mayor Flinn regarding same; attention to rescinding architectural services bid list resolution request by mayor Flinn; attention to Wolfberg item; and county meeting on pending park and library contracts.	1.00	185.00
6/13/2005	EAB	Meeting with Mr. Scurr and Ms. Arleen Weintraub regarding CDMP, ORC, and LDC related items; and telephone conference with mayor Flinn regarding pending items.	2.50	462.50
6/13/2005	EAB	Attended P&Z hearing.	4.00	740.00
6/14/2005	EAB	Telephone conference with mayor Flinn regarding P&Z agenda, elderly tax exemption, green government initiatives and other items; began drafting resolution rescinding bid selection and moving forward with new selection of architect pool; telephone conference with Mr. Ferrer from FPL regarding line clearing ordinance; and e-mail communications with Ms. Liz Hernandez regarding county sign ordinance and Dade League meeting to discuss the sign ordinance.	0.50	92.50
6/15/2005	EAB	Prepared for and attended county sub committee meeting on Perrine Park Acquisition, Library contract, and Safe Parks Grant; and telephone conferences with mayor Flinn regarding items.	3.00	555.00
6/15/2005	EAB	Luncheon meeting with Mayor Flinn.	1.50	277.50
6/15/2005	EAB	Drafted resolution rescinding bid lists; and drafted ad valorem tax break ordinance to homestead residents over 65 with income under \$20,000.	1.60	296.00
6/16/2005	LRF	Conference with Ms. Eve Boutsis regarding OCPC.	0.50	92.50
6/16/2005	EAB	Attention to Atrio matter and drafted letter to Mr. Atrio.	0.40	74.00
6/16/2005	EAB	Telephone conference with Ms. Cadaval, Mr. Scurr, and Ms. Garcia regarding Wolfberg contract; revised and finalized Wolfberg	3.00	555.00

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		contract; analyzed Florida's Competitive Negotiation Act and procurement of architectural services and piggy backing; provided recommendation to staff; and revised bid list resolution.		
6/16/2005	EAB	Continued analysis of new drafts of LDC and provided comments to same.	2.00	370.00
6/17/2005	EAB	E-mail communications with Ms. Weintraub and staff regarding LDC meeting, coordinating meeting with Mr. Atrio and pending road closing request (e-mail conference with Mr. Ron Williams); telephone conference with Ms. Garcia regarding Wolfberg contract; telephone conference with Mr. Scurr regarding library contract; telephone conference with Mr. Aris of Wolfberg, Ms. Garcia, Ms. Cadaval, and Mr. Scurr; and completed final edits to the architectural contract.	2.30	425.50
6/20/2005	EAB	E-mail communications with Mr. Ferrer regarding FPL draft ordinance on line clearing; attention to Atrio meeting; coordinated breakfast meeting with mayor and village manager; and attention to South Florida Regional Council letter regarding South Miami Dade Watershed Study.	0.60	111.00
6/21/2005	EAB	Analyzed draft sexual predator legislation; e-mail communications with county attorney's office regarding sexual predator legislation; attention to Jane Foreman contract and e-mail communications with Ms. Foreman's counsel; telephone conference with mayor Flinn regarding sexual predator ordinance and coordinated lunch meeting; and e-mail communication with county attorney's office with recommendations on draft sexual predator ordinance.	1.00	185.00
6/22/2005	EAB	Meeting with Ms. Weintraub, Ms. Miller, county staff working on Franjo Mixed Use District (Ms. Maria Crowley) and Kimley Horn representative regarding ORC report; meeting with Mr. Scurr and mayor Flinn regarding COW and OCPC; meeting with Mr. Atrio, Ms. Weintraub, Mr. Rodriguez regarding sign related item; meeting with Mr. Vera, Ms. Miller, and Ms. Weintraub regarding LDC; meeting with Ms. Weintraub and Mr. Rodriguez regarding permitting issues; meeting with code enforcement staff regarding permitting issues; telephone conference with Mr. Scurr regarding pending items; and attended COW meeting and special agenda meeting.	16.00	2,960.00
6/23/2005	EAB	Telephone conference with mayor Flinn regarding pending items and after action summary; attention to FPL meeting with Mr. Ferrer; began review of Mr. Atrio's documents; analyzed charter, procedures codes, and ethics codes regarding civility; analyzed Foreman contract and drafted default letter to counsel for Ms. Foreman; attention to a/c transcript request by mayor Flinn; attention to providing ordinances to Mr. Vera for inclusion in draft LDC; and Mr. Scurr.	2.20	407.00
6/24/2005	EAB	Telephone conference with Mr. Scurr, telephone conference with council person Breder; telephone conference with council person Feller and meeting with staff on pending items.	2.50	462.50
6/25/2005	EAB	Telephone conference with mayor Flinn.	0.50	92.50

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6/26/2005	EAB	Telephone conference with mayor Flinn.	1.60	296.00
6/27/2005	EAB	Meeting with council member Ed Feller; telephone conference with Mr. Scurr; and telephone conference with council member Breder regarding pending items.	2.00	370.00
			<hr/>	
Total Professional Services				15,133.00

**Rate Summary**

Catherine A. Van Horn	0.30 hours at \$185.00/hr	55.50
Luis R. Figueredo	17.90 hours at \$185.00/hr	3,311.50
Eve A. Boutsis	57.20 hours at \$185.00/hr	10,582.00
Nakia D. Henry	6.40 hours at \$185.00/hr	1,184.00
Total hours:		<hr/>
	81.80	15,133.00

**Disbursements**

5/6/2005	Database Legal research	13.49
5/11/2005	Database Legal research	24.01
5/31/2005	Mileage	2.16
6/27/2005	Disbursements incurred - 2.0%	305.24

**Payments and Credits**

5/2/2005	Check No. 3144	7,928.37
6/17/2005	Check No. 3297	15,985.77
6/23/2005	Check No. 3317	3,570.50
		<hr/>
		27,484.64

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.

For Professional Services	15,133.00
For Disbursements Incurred	344.90
Current Balance:	<u>15,477.90</u>
Previous Balance:	45,647.36
Payments - Thank you	27,484.64
<b>Total Due</b>	<b><u>33,640.62</u></b>

To be properly credited, please indicate Statement 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.

# NAGIN GALLOP FIGUEREDO<sup>P.A.</sup>

*Attorneys & Counselors*

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

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Facsimile: (305) 854-5351

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

June 27, 2005  
Matter ID: 0293-002  
Zoning Applications  
Statement No. 17588

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## Payments and Credits

6/23/2005	Check No. 3317	5,698.00
6/17/2005	Check No. 3297	4,044.27
		<hr/>
		9,742.27
	For Professional Services	0.00
	For Disbursements Incurred	0.00
		<hr/>
	Current Balance:	0.00
	Previous Balance:	13,297.35
	Payments - Thank you	9,742.27
		<hr/>
	<b>Total Due</b>	<b>3,555.08</b>

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

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

June 27, 2005  
Matter ID: 0293-004  
Code Enforcement  
Statement No. 17589

			Hours	Amount
6/10/2005	NDH	Conferred with Luis in Code Enforcement re: two upcoming issues for the special master hearing.	0.30	55.50
6/21/2005	NDH	Conferred with code compliance officers re: agenda; attended and participated in code compliance hearing; briefly conferred with Ms. Boutsis re: the same.	4.20	777.00
6/22/2005	NDH	Located prior e-mail re: abandoned vehicles; e-mailed code compliance officers re: the same, as requested by Ms. Boutsis.	0.40	74.00
				<hr/>
			Total Professional Services	906.50

## Rate Summary

Nakia D. Henry	4.90 hours at \$185.00/hr	906.50
	<hr/>	<hr/>
Total hours:	4.90	906.50

6/27/2005 Disbursements incurred - 2.0% 18.13

## Payments and Credits

6/17/2005	Check No. 3297	698.19
		<hr/>
		698.19

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.

For Professional Services	906.50
For Disbursements Incurred	18.13
	<hr/>
Current Balance:	924.63
Previous Balance:	1,508.01
Payments - Thank you	698.19
	<hr/>
<b>Total Due</b>	<b>1,734.45</b>

To be properly credited, please indicate Statement 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.

# NAGIN GALLOP FIGUEREDO<sup>PA.</sup>

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

June 27, 2005  
Matter ID: 0293-007  
Old Cutler Presby. Church  
Statement No. 17590

			Hours	Amount
6/9/2005	EAB	Attention to OCPC litigation; and e-mail communications with Ms. Diane O'Quinn Williams regarding final analysis of lot coverage.	0.20	37.00
6/13/2005	EAB	OCPC: Meeting with Ms. Arleen Weintraub; meeting with Mr. Charles Scurr, Ms. Weintraub, and Mr. John Shubin; meeting with Mr. Scurr, Ms. Weintraub and Mr. Tucker Gibbs regarding OCPC settlement; and telephone conference with mayor Flinn regarding litigation.	3.00	555.00
6/16/2005	EAB	Telephone conference with Mr. John Shubin.	0.20	37.00
6/17/2005	EAB	Telephone conference with mayor Flinn regarding negotiations; and telephone conferences with Mr. Shubin regarding same.	0.40	74.00
6/20/2005	EAB	E-mail and voicemail communications with Mr. Shubin regarding possible settlement negotiations; legal research of Fla. Supreme Court cases regarding argument raised by plaintiffs; and began memorandum to council in anticipation of a/c session.	2.60	481.00
6/21/2005	EAB	Telephone conference with Mr. Shubin regarding settlement; finalized a/c memorandum; and issued e-mail response to Mr. Shubin regarding elder's meeting.	2.00	370.00
6/23/2005	EAB	Telephone conference with Mr. Gibbs and Mr. Scurr.	0.60	111.00
6/24/2005	EAB	Telephone conferences with Mr. Gibbs regarding notice of voluntary dismissal; and prepared e-mail to council regarding possible dismissal.	0.60	111.00
6/27/2005	EAB	Prepared for and attended attorney-client session regarding Pastorella v. VPB and OCPC.	2.50	462.50
			Total Professional Services	2,238.50

## Rate Summary

Eve A. Boutsis 12.10 hours at \$185.00/hr 2,238.50

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.

Total hours: 12.10 2,238.50

6/27/2005 Disbursements incurred - 2.0% 44.77

**Payments and Credits**

6/17/2005 Check No. 3297 719.44

719.44

For Professional Services 2,238.50

For Disbursements Incurred 44.77

Current Balance: 2,283.27

Previous Balance: 1,328.09

Payments - Thank you 719.44

**Total Due** 2,891.92

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

# NAGIN GALLOP FIGUEREDO<sup>PA.</sup>

*Attorneys & Counselors*

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Miami, Florida 33133

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Eugene P. Flinn, Jr.

June 27, 2005

Mayor

Matter ID: 0293-010

Village of Palmetto Bay

Hurst v. Village of Palmetto Bay

8950 SW 152nd Street

Statement No. 17591

Palmetto Bay, Florida 33157

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For Professional Services	0.00
For Disbursements Incurred	0.00
Current Balance:	<u>0.00</u>
Previous Balance:	37.00
Payments - Thank you	0.00
<b>Total Due</b>	<u>37.00</u>

State Number: 17591

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

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