

RESOLUTION NO. 05-96

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 \$18,834.77; 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 28, 2005, in the amount of \$18,834.77; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

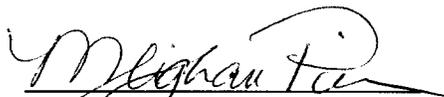
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

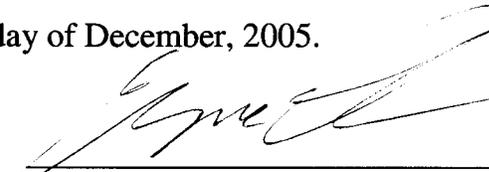
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$18,834.77, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 5th day of December, 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	<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>

NAGIN GALLOP FIGUEREDO^{P.A.}

Attorneys & Counselors

18001 Old Cutler Road – Suite 556
Miami, Florida 33157-6416

Telephone: (305) 854-5353 Facsimile: (305) 854-5351

November 30, 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:

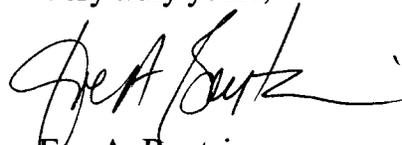
Enclosed are our statements for professional services rendered and for costs advanced for the period ending November 28, 2005. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 18048 dated 11/28/05</i>	Prof'l Services	\$	13,153.50
		Disbursements		1,069.28
		Total		14,222.78
0293-002	Zoning Applications <i>Statement No. 18049 dated 11/28/05</i>	Prof'l Services	\$	1,480.00
		Disbursements		29.60
		Total		1,509.60
0293-004	Code Enforcement <i>Statement No. 18050 dated 11/28/05</i>	Prof'l Services	\$	2,775.00
		Disbursements		119.82
		Total		2,894.82
0293-012	Susan Kabick Foreclosure <i>Statement No. 18051 dated 11/28/05</i>	Prof'l Services	\$	203.50
		Disbursements		4.07
		Total		207.57
	TOTAL CURRENTLY DUE		\$	18,834.77

Letter to Charles D. Scurr, Village Manager
November 30, 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". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Eve A. Boutsis,
Office of the Village Attorney

EAB/blr

Enclosures

cc: Mayor and Village Council

NAGIN GALLOP FIGUEREDO^{RA}

Attorneys & Counselors

18001 Old Cutler Road, Suite 556

Miami, Florida 33157

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

November 28, 2005
Matter ID: 0293-001
General Municipal
Invoice Number 18048

			Hours	Amount
10/3/2005	LRF	Conferred with Ms. Eve Boutsis; teleconference with Mr. Charles Scurr; and teleconference with Mr. Robert Schriber regarding eminent domain.	1.90	351.50
10/4/2005	LRF	Conference with Ms. Boutsis and Mr. Scurr regarding possible modification to Library project; reviewed interlocal agreement to ascertain whether project modifications require county commission approval.	2.00	370.00
10/6/2005	LRF	Meeting with Ms. Boutsis, Mr. Scurr and Ms. Arlene Weintraub regarding PBVC.	1.70	314.50
10/11/2005	LRF	Meeting with Mr. Jerry Proctor and PBVC representatives, Mr. Scurr and Ms. Weintraub.	1.80	333.00
11/1/2005	CVH	Conference with Mr. Nagin regarding status of domain name research project.	0.10	18.50
11/1/2005	EAB	Telephone conference with Ms. Weintraub regarding upcoming zoning agenda; and e-mail communications with Ms. Diane O'Quinn Williams regarding Auto Nation recommendation; and telephone conference with Ms. Victoria Frigo regarding upcoming MDCCE meeting scheduled for 11/15.	0.60	111.00
11/2/2005	CVH	Conducted additional research for and drafted portions of memorandum regarding domain name dispute, including conference with Ms. Boutsis and various city officials regarding background on selection of name for Village and research regarding treatment of recently-formed geographical locations.	4.70	869.50
11/2/2005	EAB	Telephone conference calls with mayor Eugene Flinn and Mr. Charles Scurr regarding agenda items; and attention to proposed agenda items.	0.30	55.50
11/2/2005	EAB	E-mail communications with Ms. Frigo, revised the MDCCE opinion; telephone conferences with mayor Flinn and Mr. Scurr; and LDC meeting with Ms. Weintraub and Ms. Judy Miller; and received drafting assignments from Mr. Scurr and mayor Flinn.	3.50	647.50
11/3/2005	CVH	Worked on domain name dispute, including exchange of e-mails	2.40	444.00

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		with Ms. Snavelly regarding use of Google "go-back" utility to view prior Web site content of mypalmettobay.com Web site, review of research on recently-named geographic locations and work on memorandum regarding potential causes of action.		
11/3/2005	EAB	Meeting with Mr. Scurr and mayor Flinn regarding pending items; drafted revision to lobbyist ordinance; drafted resolution regarding FEMA reimbursement; telephone conference with mayor Flinn; attention to pending building department enforcement issues.	3.50	647.50
11/3/2005	EAB	Attention to injunction matters and special master proceedings.	0.30	55.50
11/4/2005	CVH	Worked on domain name project. [no charge]	0.50	0.00
11/4/2005	EAB	Attended MDCCE update on ethics rules.	1.00	185.00
11/4/2005	EAB	Analyzed agenda and prepared for meeting; attention to Atrio matter; and drafted letter to Mr. Atrio.	2.20	407.00
11/7/2005	EAB	Telephone conference with Mr. Jorge Vera and attention to zoning items; attention to inquiry by Ms. Miller regarding upcoming zoning hearing; telephone conference with Mr. Scurr regarding pending items; attention to ROW issue; e-mail communication with staff and follow up on the ROW issue; and attention to Kabick matter.	1.40	259.00
11/7/2005	EAB	Attended council meeting; and telephone conference with Mr. Scurr regarding pending items.	3.00	555.00
11/8/2005	EAB	Attention to upcoming P&Z agenda; and e-mail communications with counsel for applicant on 11/14 agenda.	0.40	74.00
11/9/2005	EAB	Telephone conference with Mr. Ferrer, attention to Publix matter; telephone conference with council person John Breder regarding same; began revising ethics ordinance to accommodate changes to county code; began analyzing grant agreement and applicable statutes and FAC; and e-mail communications with Ms. Frigo.	2.50	462.50
11/9/2005	EAB	Meeting with Ms. Weintraub and Ms. Miller regarding upcoming zoning agenda; and LDC meeting with zoning staff and Mr. Vera.	2.50	462.50
11/10/2005	EAB	Revised ethics ordinance and lobbyist registration ordinance to include county amendments to village code and to further update the provisions of the code.	1.40	259.00
11/14/2005	EAB	Attended telephone conference with Mr. Scurr, council person Breder, and Publix representatives; attention to unity of title matter; attention to FCT grant; and attention to zoning moratorium.	1.60	296.00
11/14/2005	EAB	Meeting with Ms. Henry and Mr. Alan White regarding pending special master matters; telephone conference with Mr. Scurr regarding Fern Street property; telephone conference with Mr. Raul Rodriguez regarding same; meeting with Mr. Scurr (telephonically) and Ms. Henry regarding same; and issued e-mail regarding same.	0.70	129.50
11/14/2005	EAB	Finalized revisions to ethics and lobbying codes; and prepared cover memorandum.	0.50	92.50
11/15/2005	EAB	Attended MDCEPT meeting; telephone conferences with Ms. Weintraub and Mr. Scurr regarding after action discussion of P&Z	4.70	869.50

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		items; e-mail communications with Mr. Shubin regarding OCPC meeting; telephone conference with mayor Flinn regarding pending matters; drafted and revised P&Z resolutions.		
11/16/2005	EAB	Drafted ordinance extending moratorium; prepared for COW meeting; analyzed Forman contract; attention to P&Z resolutions; coordinated meeting with Mr. Simon Ferro; attention to IRS ruling and baseball matter; and attended LDC meeting; and COW meeting.	5.00	925.00
11/17/2005	LRF	Worked with Ms. Boutsis on extension to moratorium.	0.40	74.00
11/17/2005	EAB	Attention to MDCCEPT opinion; and e-mail communications with Ms. Frigo regarding same; attention to Forman contract; e-mail communications with Dr. Feller; telephone conference with Mr. Scurr; telephone conference with Mr. Rossano regarding Forman contract; began windstorm resolution; and completed CDMP and "takings" research; drafted memorandum to staff regarding same.	4.50	832.50
11/18/2005	CVH	Internet research regarding new mypinecrest.com Web site; Internet research on WayBack utility to view prior versions of mypalmmettobay.com Web site; revisions to draft memorandum regarding research results.	2.30	425.50
11/18/2005	LRF	Conference with Ms. Eve Boutsis regarding CDMP and legal issues related to down-zoning.	0.90	166.50
11/18/2005	EAB	Breakfast meeting with Mr. Scurr and mayor Flinn; e-mail communications with vice-mayor Robinson regarding Forman contract and windstorm resolution; telephone conference with vice mayor; and telephone conference with Dr. Feller regarding Windstorm and Jane Forman.	2.50	462.50
11/21/2005	LRF	Reviewed grant documents to confirm no conflict between FCT and TPL agreements.	1.90	351.50
11/21/2005	LRF	Reviewed Ethics opinion regarding city hall negotiations.	0.20	37.00
11/21/2005	LRF	Conference with Ms. Boutsis regarding Ms. Jane Foreman agreement.	0.50	92.50
11/21/2005	LRF	Reviewed proposed ordinance requesting legislature to amend arbitrary windstorm line.	0.50	92.50
11/21/2005	EAB	Analyzed FCT and TPL agreements for conflicts; telephone conference with TPL regarding FCT grant; provided no conflict opinion to village as to TPL and FCT; attention to Publix Park matter; e-mail communications with staff, and Publix; attention to and revised windstorm resolution; e-mail communications with vice mayor regarding Foreman contract; attention to charter and ordinance requirements as to Forman contract; e-mail communications with VPB council regarding same; and meeting with Mayor, Mr. Scurr, and Mr. Figueredo on pending items (village hall, baseball, and other pending matters).	2.70	499.50
11/22/2005	CVH	Worked on revisions to draft memorandum of results of research on domain name issues.	1.60	296.00

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11/22/2005	LRF	Conference with Ms. Boutsis, mayor Flinn, and Mr. Charles Scurr.	2.00	370.00
11/22/2005	EAB	Attention to J. Forman contract; e-mail communications with Mr. Rossano regarding same; telephone conference with mayor Flinn regarding pending items; e-mail communications with Mr. Proctor; and e-mail communications with Mr. Shubin, Ms. O'Quinn Williams and staff regarding various matters: Publix, OCPC, etc, e-mail communications with Mr. Rossano, mayor Flinn, and Dr. Feller (separately) regarding same.	1.40	259.00

Total Professional Services 13,153.50

Rate Summary

Catherine A. Van Horn	0.50 hours at \$ 0.00/hr	0.00
Catherine A. Van Horn	11.10 hours at \$185.00/hr	2,053.50
Luis R. Figueredo	13.80 hours at \$185.00/hr	2,553.00
Eve A. Boutsis	46.20 hours at \$185.00/hr	8,547.00

Total hours: 71.60 13,153.50

Disbursements

5/25/2005	Mileage	2.88
6/1/2005	Mileage	2.88
6/29/2005	Parking Charge	1.00
7/12/2005	Mileage	8.64
7/13/2005	Mileage	8.64
7/18/2005	Mileage	8.64
7/19/2005	Mileage	8.64
7/20/2005	Mileage	8.64
7/26/2005	Mileage	8.64
7/27/2005	Mileage	8.64
7/27/2005	Parking Charge	6.00
8/1/2005	Mileage	8.64
8/3/2005	Mileage	8.64

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8/5/2005	Parking Charge	1.00
8/5/2005	Mileage	8.64
8/10/2005	Mileage	8.64
8/15/2005	Mileage	8.64
8/17/2005	Mileage	8.64
8/24/2005	Mileage	8.64
8/29/2005	Mileage	8.64
8/30/2005	Mileage	8.64
8/31/2005	Mileage	8.64
9/7/2005	Mileage	8.64
9/12/2005	Mileage	8.64
9/13/2005	Mileage	8.64
9/14/2005	Mileage	8.64
9/16/2005	Federal Express	11.64
9/16/2005	Federal Express	11.64
9/30/2005	Database Legal research	560.15
11/10/2005	Mileage	10.08
11/16/2005	Fee for Luncheon on Kelo Matter (Eminent Domain)	17.50
11/28/2005	Disbursements incurred - 2.0%	263.07
Payments and Credits		
11/10/2005	Check No. 3769	11,231.85
		<hr/>
		11,231.85

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For Professional Services	13,153.50
For Disbursements Incurred	1,069.28
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Current Balance:	14,222.78
Previous Balance:	11,231.85
Payments - Thank you	11,231.85
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Total Due	14,222.78

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

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

18001 Old Cutler Road, Suite 556

Miami, Florida 33157

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

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

November 28, 2005
Matter ID: 0293-002
Zoning Applications
Invoice Number 18049

			Hours	Amount
11/2/2005	EAB	E-mail communication with Mr. John Shubin.	0.10	18.50
11/14/2005	EAB	Drafted counsel report regarding zoning agenda; and analyzed agenda in anticipation of meeting.	3.00	555.00
11/14/2005	EAB	Attending P&Z meeting.	3.00	555.00
11/18/2005	EAB	Attended meeting with Mr. Shubin, and OCPC representative.	1.50	277.50
11/21/2005	EAB	Attention to OCPC matter; e-mail communications with Ms. O'Quinn Williams and village zoning staff; and e-mail communication with Mr. Shubin.	0.40	74.00
			Total Professional Services	1,480.00

Rate Summary

Eve A. Boutsis	8.00 hours at \$185.00/hr	1,480.00
Total hours:	8.00	1,480.00

11/28/2005 Disbursements incurred - 2.0% 29.60

Payments and Credits

11/10/2005	Check No. 3769	1,585.08
		1,585.08

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For Professional Services	1,480.00
For Disbursements Incurred	29.60
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Current Balance:	1,509.60
Previous Balance:	1,585.08
Payments - Thank you	1,585.08
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Total Due	1,509.60

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

November 28, 2005
Matter ID: 0293-004
Code Enforcement
Invoice Number 18050

			Hours	Amount
11/1/2005	NDH	Attention to and analyzed the emergency motion to enter the premises located at 9220 SW 165th Street; Palmetto Bay, Florida 33157; complaint for permanent and temporary injunctive relief to enter the same property (before the County Court), and the officer affidavit; conferred with Officer Alan White re: the same; telephone conference with Office White and Ms. Arleen Weintraub re: the status of the Kabick; conferred with Officer White and Ms. Weintraub re: the same; reviewed prior special master hearing notes re: the Kabick property; e-mailed staff re: status of the Kabick property; received order re: the Kabick property; and follow up on issuance of order to Mr. Borrell, Ms. Kabick's attorney.	5.40	999.00
11/2/2005	NDH	Attention to the Yuisbell Blanca complaint and affidavit.	2.00	370.00
11/3/2005	NDH	Several teleconferences with Officer White re: the Blanca matter; updated and revised the emergency motion for injunctive relief for the Blanca matter; briefly discussed emergency motion with Ms. Boutsis; printed chapter 162 for future analysis.	3.00	555.00
11/4/2005	NDH	Attention to Blanca affidavit; conferred with Officer White re: the same.	0.90	166.50
11/8/2005	NDH	Conferred with Officer Luis Carcamco re: the upcoming special master hearing; reviewed underlying documents re: the same.	0.40	74.00
11/9/2005	NDH	E-mail to Officer White re: the Blanca affidavit.	0.20	37.00
11/10/2005	NDH	Attention to emergency motion and related documents re: the Blanca matter; meeting with Officer Carcamco re: upcoming special master hearing.	0.90	166.50
11/11/2005	NDH	Attention to the motion for temporary injunction and related documents for the 9220 southwest 165 street property.	1.00	185.00
11/18/2005	NDH	Brief teleconference with Mr. Joel E. Maxwell, counsel for Big Lots, re: the status of the special master order; drafted e-mail re: the same; conferred with Special Master Doody and Officer White re: signed order; received signed order and instructed assistant to forward the same to Mr. Maxwell.	1.20	222.00

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For Professional Services	2,775.00
For Disbursements Incurred	119.82
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Current Balance:	2,894.82
Previous Balance:	4,961.73
Payments - Thank you	4,961.73
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Total Due	2,894.82

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

NAGIN GALLOP FIGUEREDO^{RA}

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

November 28, 2005
Matter ID: 0293-012
Susan Kabick Foreclosure
Invoice Number 18051

			Hours	Amount
11/2/2005	NDH	Attention to noncompliance of the Kabick property.	0.80	148.00
11/4/2005	NDH	Attention to the Kabick matter; received and reviewed Ms. Arleen Weintraub's e-mail re: the same.	0.30	55.50
				<hr/>
			Total Professional Services	203.50

Rate Summary

Nakia D. Henry 1.10 hours at \$185.00/hr 203.50

Total hours:

 1.10

 203.50

11/28/2005	Disbursements incurred - 2.0%		4.07	
	For Professional Services			203.50
	For Disbursements Incurred			4.07
				<hr/>
	Current Balance:			207.57
	Previous Balance:			0.00
	Payments - Thank you			0.00
				<hr/>
		Total Due		207.57

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