

RESOLUTION NO. 06-55

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 \$17,557.56; 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 May 30, 2006, in the amount of \$17,557.56; 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 \$17,557.56, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 5 day of June, 2006.

Attest:



Meighan Pier  
Village Clerk



Eugene P. Flinn, Jr.  
Mayor

APPROVED AS TO FORM:



Eve A. Boutsis,  
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<sup>PA.</sup>

*Attorneys & Counselors*

18001 Old Cutler Road – Suite 556  
Telephone: (305) 854-5353 Miami, Florida 33157-6416 Facsimile: (305) 854-5351

May 31, 2006

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:

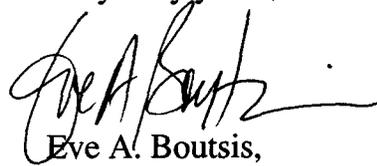
Enclosed are our statements for professional services rendered and for costs advanced for the period ending May 30, 2006. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 18479 dated 5/30/06</i>	Prof'l Services	\$	12,395.00
		Disbursements		838.40
		Total		13,233.40
0293-002	Zoning Applications <i>Statement No. 18480 dated 5/30/06</i>	Prof'l Services	\$	3,496.50
		Disbursements		72.86
		Total		3,569.36
0293-004	Code Enforcement <i>Statement No. 18481 dated 5/30/06</i>	Prof'l Services	\$	370.00
		Disbursements		7.40
		Total		377.40
0293-009	Palmetto Bay Foundation, Inc. <i>Statement No. 18482 dated 5/30/06</i>	Prof'l Services	\$	370.00
		Disbursements		7.40
		Total		377.40
	<b>TOTAL CURRENTLY DUE</b>		\$	<b>17,557.56</b>

Letter to Charles D. Scurr, Village Manager  
May 31, 2006  
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 over the typed name.

Eve A. Boutsis,  
Office of the Village Attorney

EAB/blr

Enclosures

cc: Mayor and Village Council

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

*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

May 30, 2006  
Matter ID: 0293-001  
General Municipal  
Invoice Number 18479

			Hours	Amount
3/24/2006	CVH	E-mail from Ms. Eve Boutsis regarding filing of trademark applications; e-mails with Mr. Braswell regarding preparation, transmission and storage of digitized image of VPB banner. [no charge].	0.30	0.00
4/26/2006	CVH	Reviewed correspondence regarding "Village of Parks" trademark registration for Ms. Boutsis; checked PTO website to verify that registration application was properly received and processed. [no charge].	0.30	0.00
4/26/2006	EAB	Attention to Forman matter; telephone conference with Mr. Charles Scurr regarding same; telephone conference with Ms. Diamela Del Castillo and email communications with Ms. Castillo regarding Forman and county charter, Article 6 item; telephone conference with Mr. Craig Collier of MDC Attorney's office, regarding charter issue; email communications with Mr. Collier and village charter revision commission; and telephone conference with Mr. Tom Ringel regarding same.	1.00	185.00
4/26/2006	EAB	Continued attention to and revisions to Forman contract; and meeting with mayor Eugene Flinn.	1.60	296.00
4/27/2006	EAB	Analyzed, reviewed, edited and commented on draft police contract; attended police negotiations; meeting with Mr. Scurr, council person John Breder, and Ms. Ana Garcia regarding village of parks program; meeting with mayor Flinn regarding pending items; meeting with Mr. Desmond Chin regarding Forman; telephone conferences with Ms. Jane Forman, Mr. Robert Rossano's office, Ms. Forman's accountant regarding audit; and received direction on additional change to Forman contract from council and continued to revise memorandum, ordinance, and contract.	8.00	1,480.00
4/28/2006	EAB	Continued to draft final revised (option 2) to Forman contract; e-mail communications with Ms. Forman regarding same; telephone conference with Ms. Del Castillo; e-mail communications with MDPD staff regarding police negotiations and redlining of draft contract; coordinated tour of CSM facilities for police communications research; e-mail communications with Ms. Olga	1.50	277.50

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.

		Cadaval, Ms. Meighan Pier, and Ms. Judy Miller regarding pending items; and approved final contracts with O'Leary.		
4/28/2006	EAB	Drafted bus contract; finalized letter to Total Bank; e-mail communications with Ms. Miller regarding Engel; and e-mail communications with Ms. Cadaval regarding Total Bank and other pending items.	1.00	185.00
4/28/2006	EAB	Attended municipal attorneys luncheon with commission on ethics regarding updates and revisions to ethics code.	2.00	370.00
4/28/2006	EAB	Analyzed redlined revisions issued by MDPD; and issued additional red-lining of the draft contract to MDPD.	2.00	370.00
5/1/2006	EAB	Analyzed agenda and prepared for council meeting; attention to Forman contract; telephone conferences with staff and Mr. Rossano regarding same; attention to Engel ROW matter on agenda; meeting with Mr. Scurr regarding pending items, assignments, and agenda; telephone conference with Mr. Ringel regarding Charter Revision Commission; drafted memorandum for Mr. Ringel regarding ballot questions and CRC meetings; attention to e-mails from community regarding Forman (forwarded by mayor and staff) matter; and attended council meeting.	10.00	1,850.00
5/2/2006	EAB	E-mail communications with Mr. Rossano; attention to Forman final details and revisions; attended communications review of other facilities as related to MDPD negotiations; e-mail communications with MDPD attorney regarding draft agreement and revisions; finalized charter revision as to first section and recognition of first CRC; meeting with Ms. Arleen Weintraub regarding pending items; drafted baseball contract and resolution; and telephone conference with Ms. Garcia and Ms. Cadaval regarding parks items and pending draft contracts.	4.00	740.00
5/3/2006	EAB	Finalized baseball resolution; attention to police negotiations; e-mail communications with MDPD; telephone conference with Ms. Cadaval regarding pending items; attention to cable bill at state level; analyzed revisions to Al Ribas contract and provided comments to staff regarding same; telephone conference with Ms. Garcia regarding same; e-mail communications with Mr. Stuart Sobel regarding A2 contract; telephone conference with Ms. Ana Garcia; e-mail communications with Mr. Rossano regarding Forman; and finalized Dr. Ed Feller's edits to contract; telephone conference with Mr. Gary Allen Reuse of Community News regarding Charter Revisions; and completed final edits to same.	3.00	555.00
5/8/2006	EAB	Attention to Forman matter; e-mail communications with mayor Flinn and Ms. Garcia regarding same; and attention to animal control ordinance, FT&I, and coordinated next LDC meeting.	0.40	74.00
5/9/2006	EAB	Prepared for and attended meeting with Mr. Luis Figueredo and Mayor Flinn; and attended meeting with Neighbors Grocery representatives, Mr. Scurr, Mr. Figueredo, and council person John Breder.	3.00	555.00
5/11/2006	EAB	E-mail communications with Mr. Rossano, Dr. Feller, Ms. Garcia, Ms. Forman regarding Forman contract; and final attention to	0.40	74.00

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		same.		
5/12/2006	EAB	Began drafting stormwater management fee contract; telephone conference with and e-mail communications with Mr. Ron Williams regarding same; attention to T. Smith claim; drafted letter to attorney for T. Smith regarding same; telephone conference with Ms. Pier; e-mail communications with Mr. Jorge Vera; research on property appraisals and generators per request of vice-mayor Linda Robinson; and telephone conference with Mr. Jerry Proctor regarding pending zoning issues, LDC, and Palmer Trinity.	2.30	425.50
5/15/2006	EAB	Attention to and edited draft LDC provisions relating to procedures, school location, and alcohol use.	4.50	832.50
5/16/2006	EAB	Meeting with Ms. Cadaval regarding design build contract, attention to Forman matter; meeting with Mr. Chin regarding Forman matter; attention to both design build and A2's projects; telephone conference with Ms. Weintraub regarding pending items; attention to vice-mayor's request regarding resolution on tax appraiser's powers and installation of generators; and follow up with Mr. Bifano regarding vice-mayor's request.	1.50	277.50
5/18/2006	EAB	Attention to A2 matter; e-mail communications with Mr. Sobel, and Mr. Ribas regarding finalized document; and e-mail communications and attention to Forman contract.	0.60	111.00
5/19/2006	EAB	Attention to and analyzed various city compacts with school board; e-mail communications with Ms. Liz Hernandez regarding same; e-mail communications with mayor Flinn regarding compacts; attention to Forman matter, finalized contract with all edits; telephone conference with Ms. Cadaval regarding A2, Forman, and nonprofit; telephone conference with Ms. Miller regarding Victoria Estates and Engel matter; and attention to inquiry by Mr. Mickey Marrero, counsel to Perrine Baptist Church.	2.00	370.00
5/22/2006	EAB	Attention to C100 management plan; meeting with Ms. Cadaval regarding same; received assignments; meeting with Ms. Corrice Patterson regarding stormwater utility ordinance application; and e-mail communications and telephone conferences with with Mr. Richard Weiss and Mr. Mitch Bierman regarding "war lord ordinance."	1.40	259.00
5/23/2006	EAB	Attention to pending items; and meeting with Mr. Scurr regarding same.	0.50	92.50
5/24/2006	EAB	Communications with Mssrs. Sobel and Ribas finalizing price term; analyzed Recreational Design comments, provided comments to same; communications with staff on request by RD; attention to COW agenda; telephone conference with Ms. Pier and Mr. Chin regarding same; and analyzed proposed bond documents.	1.00	185.00
5/24/2006	EAB	Attended COW meeting.	2.60	481.00
5/25/2006	EAB	Breakfast meeting with Mayor Flinn; and attended MDPD negotiations; communications with Mr. Sobel regarding cm at risk finalized language; telephone conference with Ms. Weintraub regarding summer zoning agenda and schedule; drafted e-mail to	5.20	962.00

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village council regarding same; analyzed draft SunTrust commitment letter; telephone conference with Mr. Chin regarding same; e-mail communications with village council regarding same; analyzed and prepared for conference call; attended conference call with Mr. Ribas, Mr. Sobel, and Ms. Cadaval; and e-mail communications with Mr. Rossano regarding Forman start date.

5/26/2006	EAB	Researched new eminent domain law and domain ballot question for November 2006 election per request of Mayor Flinn; provided analysis of same; attention to and analysis of County Watershed issues and e-mail communications with Mayor regarding same; telephone conferences with and communications with Ms. Cadaval and Mr. Sobel; e-mail communications with State Representative Julio Robaina regarding ballot questions; analyzed revised agreement and provided comments to all; and attention to legislative proposed item regarding homestead legislation.	4.00	740.00
5/30/2006	EAB	Telephone conference with Ms. Pier and Mr. Scurr regarding parks projects and advertising of workshops; received assignments; email communications with individual village council members regarding legislative agenda; drafted SunTrust loan agreement resolution; email communications with Mr. Rossano regarding Forman proposed changes to the draft contract; telephone conference with Mr. Scurr regarding pending items; telephone conference with Ms. Cadaval regarding A2'd and C-100 Bayfront property; analyzed Master Association plans for PBVC and compliance with declaration of restrictions in lieu of unity of title.	3.50	647.50
			Total Professional Services	12,395.00

**Rate Summary**

Catherine A. Van Horn	0.60 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	67.00 hours at \$185.00/hr	12,395.00
Total hours:		67.60
		12,395.00

**Disbursements**

3/29/2006	Outside copy job - Court copies	41.00
3/29/2006	Parking Charge	3.75
4/3/2006	Database Legal research	101.03
4/12/2006	Meal Charge - Lunch with clients	16.05
4/18/2006	Mileage	11.52
4/19/2006	Mileage	7.20

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4/25/2006	Database Legal research	159.95
4/28/2006	Municipal Professional Membership - Miami-Dade County League of Cities	500.00
5/9/2006	Seminar - 25th Annual Seminar of the Florida Municipal Attorneys Association	-250.00
5/30/2006	Disbursements incurred - 2.0%	247.90
	For Professional Services	12,395.00
	For Disbursements Incurred	838.40
	Current Balance:	<u>13,233.40</u>
	Previous Balance:	25,785.33
	Payments - Thank you	0.00
	<b>Total Due</b>	<u><b>39,018.73</b></u>

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

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

*Attorneys & Counselors*

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

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

May 30, 2006  
Matter ID: 0293-002  
Zoning Applications  
Invoice Number 18480

			Hours	Amount
5/3/2006	EAB	Drafted animal control ordinance and pooper scooper regulations.	2.00	370.00
5/4/2006	EAB	Analyzed implications of Solantic LLC v. City of Neptune Beach, which federal case struck down Florida's uniform, model sign ordinance; analyzed draft sign ordinance prepared by Mr. Jorge Vera; and materially modified same.	6.00	1,110.00
5/17/2006	EAB	Attended LDC meeting with Ms. Arleen Weintraub, Ms. Judy Miller, and Mr. Vera.	5.00	925.00
5/18/2006	EAB	Attention to Engel matter, issue raised by neighbor as to undedicated ROW; and e-mail communications with Ms. Miller, Mr. Williams, and Ms. Weintraub regarding same.	0.40	74.00
5/22/2006	EAB	Attended meeting with neighbor to Mr. Engel, Mr. Williams, and Ms. Weintraub regarding pending ROW matter; and meeting with Ms. Weintraub, and Fred of county zoning department regarding lot coverage issue related Royal Harbor Yacht Club.	1.50	277.50
5/22/2006	EAB	Began analysis of Master Association Declaration of Restrictions for PBVC.	1.50	277.50
5/23/2006	EAB	Attention to pending zoning applications with Ms. Weintraub and staff; and analyzed, revised, and discussed policy decisions as to new zoning procedures ordinance.	2.50	462.50
			Total Professional Services	3,496.50

## Rate Summary

Eve A. Boutsis      18.90 hours at \$185.00/hr      3,496.50

Total hours:      18.90      3,496.50

## Disbursements

4/18/2006      Database Legal research      2.93

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.

5/30/2006	Disbursements incurred - 2.0%	69.93
	For Professional Services	3,496.50
	For Disbursements Incurred	72.86
	Current Balance:	<u>3,569.36</u>
	Previous Balance:	11,842.26
	Payments - Thank you	0.00
	<b>Total Due</b>	<b><u>15,411.62</u></b>

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# 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

May 30, 2006  
Matter ID: 0293-004  
Code Enforcement  
Invoice Number 18481

			Hours	Amount
5/16/2006	EAB	Analyzed agenda, prepared for hearing, and attended special master hearing.	2.00	370.00
				<hr/>
Total Professional Services				370.00

## Rate Summary

Eve A. Boutsis	2.00 hours at \$185.00/hr	370.00
Total hours:		<hr/>
		2.00
		<hr/>
		370.00

5/30/2006	Disbursements incurred - 2.0%	7.40	
	For Professional Services	370.00	
	For Disbursements Incurred	7.40	
	Current Balance:	<hr/>	
		377.40	
	Previous Balance:	1,113.33	
	Payments - Thank you	0.00	
			<hr/>
<b>Total Due</b>			<b>1,490.73</b>

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

May 30, 2006  
Matter ID: 0293-009  
Palmetto Bay Foundation, Inc.  
Invoice Number 18482

			Hours	Amount
5/3/2006	EAB	Drafted employment policy, employment agreement, harassment, procurement, and accounting policies (required for nonprofits).	2.00	370.00
				<hr/>
Total Professional Services				370.00

## Rate Summary

Eve A. Boutsis	2.00 hours at \$185.00/hr	370.00
Total hours:		<hr/>
		2.00
		<hr/>
		370.00

5/30/2006	Disbursements incurred - 2.0%	7.40	
	For Professional Services	370.00	
	For Disbursements Incurred	7.40	
			<hr/>
	Current Balance:	377.40	
	Previous Balance:	0.00	
	Payments - Thank you	0.00	
			<hr/>
<b>Total Due</b>			<b>377.40</b>

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