

RESOLUTION NO. 06-83

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO MITIGATION; AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND (\$15,000.00) DOLLARS TO ADORNO & YOSS, LLP, AS ONE-THIRD PAYMENT FOR LEGAL SERVICES FOR THE VILLAGE OF PALMETTO BAY, CITY OF DORAL AND TOWN OF MIAMI LAKES IN THE EFFORT TO PHASE-OUT MIAMI-DADE COUNTY'S INCORPORATION MITIGATION FEE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, as Miami-Dade County had agreed to and established a Mitigation Task Force in order to investigate the issue of mitigation being currently only paid by the cities of Doral, Miami Lakes and Palmetto Bay; and,

WHEREAS, the Mitigation Task Force had provided their report to the County Infrastructure and Land Use Committee (INLUC), recommending that mitigation cease; and,

WHEREAS, the law firm of Adorno & Yoss has been retained by the City of Doral to provide legal representation to the three municipalities in order to effect the phase-out; and,

WHEREAS, the Village of Palmetto Bay wishes to utilize the services of Adorno & Yoss, sharing the expenses with the three municipalities.

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

Section 1: The Village of Palmetto Bay shall be represented by the law firm of Adorno & Yoss, sharing the cost with the cities of Doral and Miami Lakes, for a cost not to exceed Fifteen Thousand (\$15,000.00) Dollars. The Village Manager is authorized to execute the contract for these services.

Section 2: That this Resolution be effective upon adoption hereof.

PASSED AND ADOPTED this 7th day of August, 2006.

ATTEST:


Meighan Pier
Village Clerk


Eugene P. Flinn
Mayor

READ AND APPROVED AS TO FORM:


Eve A. Boutsis
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>

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ADORNO & YOSS

A LIMITED LIABILITY PARTNERSHIP
2525 PONCE DE LEON BOULEVARD, SUITE 400
MIAMI, FLORIDA 33134-6012
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WWW.ADORNO.COM

MIGUEL DIAZ DE LA PORTILLA

DIRECT LINE: (305) 460-1000
DIRECT FAX: (305) 356-1612
EMAIL: MDPORTILLA@ADORNO.COM

July 24, 2006

Via Facsimile # (305) 406-6720

City of Doral
c/o Sergio Purriños
City Manager
8300 N.W. 53rd Street
Suite 100
Doral, FL 33166

Village of Palmetto Bay
c/o Charles D. Scurr
Village Manager
8950 S.W. 152nd Street
Palmetto Bay, FL 33157

Town of Miami Lakes
c/o Alex Rey
Town Manager
15700 N.W. 67th Avenue
Miami Lakes, FL 33014

Re: Agreement for Legal Services

Dear Gentlemen:

I am pleased that you have decided to allow me and my firm, Adorno & Yoss, P.A., to represent Doral, Palmetto Bay, and Miami Lakes ("the Cities") before Miami Dade County Government regarding the phase-out of the county's incorporation mitigation fees for your cities.

The initial term of our engagement will be from the date of this letter to September 30, 2006. We will represent you through September 30, 2006 on the referenced matter for a flat fee of \$50,000.00, payable as follows: (1) \$10,000.00 to cover representation for the month of July, 2006; (2) \$20,000.00 for August, 2006; and (3) \$20,000.00 for September, 2006. One-third (1/3) of the fee is to be paid by each of the 3 Cities. If it becomes necessary to continue our engagement beyond September 30, 2006, you may extend our agreement on a month-to-month basis for a flat fee of \$20,000.00 per month, by notifying us in writing of your intent to do so.

We will then bill you for all disbursements and out-of-pocket expenses made or incurred on the Cities' behalf. These expenses typically include such items as document reproduction, travel expenses, long distance telephone calls, mailing charges, necessary secretarial overtime, messenger services, and filing fees. We will not incur any expenses above \$300.00, on the Cities' behalf, without your prior consent.

Occasionally it is either necessary or desirable to disclose a client's name, and furtherance of the interests of the client may also require disclosure. In addition, the Firm would like to be able to identify the Cities on its list of representative clients. Please initial below to authorize the disclosure of the Cities' names.



Initial for Authorization

(M1526728_1)

CALIFORNIA

FLORIDA

GEORGIA

NEW JERSEY

NEW YORK

WASHINGTON, D.C.

Mr. Sergio Purriños
Mr. Charles D. Scurr
Mr. Alex Rey
July 24 2006
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If the matters addressed in this letter are acceptable to you, please sign below and return a copy of this letter to me. Please do not hesitate to call me if you have any questions or concerns.

I look forward to working with you.

Sincerely,

Miguel Diaz de la Portilla, Esq.

I AM IN AGREEMENT WITH THE
UNDERSTANDING SET FORTH ABOVE.



SERGIO PURRINOS, Coral City Manager
DATED: July 22, 2006



CHARLES D. SCURR, Village of Palmetto Bay Manager
DATED: July 25, 2006

** Authorization for \$5,000.00. Balance to be approved by Village Council on August 7, 2006.*

ALEX REY, Miami Lakes Town Manager
DATED: July __, 2006

(M1526728_1)

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