

**RESOLUTION NO. 06-96**

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 \$10,284.15; 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 September 28, 2006, in the amount of \$10,284.15; and,

WHEREAS, the amounts are reasonable and were necessarily incurred.

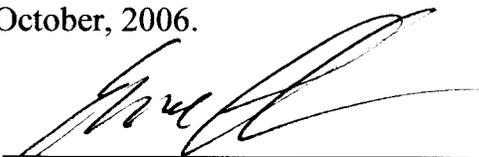
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

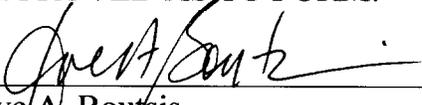
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$10,284.15, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 4<sup>th</sup> day of October, 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 YES

Council Member Paul Neidhart YES

Council Member Shelley Stanczyk YES

Vice-Mayor Linda Robinson YES

Mayor Eugene P. Flinn, Jr. YES

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

*Attorneys & Counselors*

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

September 29, 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:

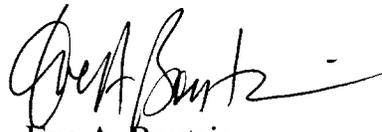
Enclosed are our statements for professional services rendered and for costs advanced for the period ending September 28, 2006. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 18603 dated 8/31/06</i>	Prof'l Services	\$	7,548.00
		Disbursements		150.96
		Total		7,698.96
0293-002	Zoning Applications <i>Statement No. 18604 dated 8/31/06</i>	Prof'l Services	\$	1,887.00
		Disbursements		37.74
		Total		1,924.74
0293-004	Code Enforcement <i>Statement No. 18605 dated 8/31/06</i>	Prof'l Services	\$	647.50
		Disbursements		12.95
		Total		660.45
	<b>TOTAL CURRENTLY DUE</b>		\$	10,284.15

Letter to Charles D. Scurr, Village Manager  
September 29, 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", with a long horizontal flourish extending to the right.

Eve A. Boutsis,  
Office of the Village Attorney

EAB/lcm

Enclosures

cc: Mayor and Village Council

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

*Attorneys & Counselors*

18001 Old Cutler Road, Suite 556  
Telephone: (305) 854-5353

Miami, Florida 33157  
Facsimile: (305) 854-5351

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

September 28, 2006  
Matter ID: 0293-001  
General Municipal  
Invoice Number 18644

			Hours	Amount
8/31/2006	EAB	Telephone conference with Ms. Victoria Frigo of MDCCEPT and Mr. Joseph Centorino of S.A. office regarding campaign related issues.	0.40	74.00
8/31/2006	EAB	Telephone conference with Mr. Charles Scurr and Ms. Olga Cadaval regarding liens on Perrine Park; telephone conference with Mr. Hugo Benitez of MDC attorney's office regarding liens; and coordinated removal of same.	0.40	74.00
9/1/2006	EAB	Telephone conference with Mr. Scurr; attention to election related issues; attention to impact fees issue; and Palmer Trinity matter; drafted closing instructions letter for Haas closing; and attention to Perrine Park closing.	1.00	185.00
9/5/2006	EAB	Attended Perrine Park closing; attention to voting precincts and voter related issues; attention to pending code enforcement items; and attended meeting with Mr. Scurr on pending items.	3.50	647.50
9/6/2006	EAB	Attention to charter issues relating to budget, run-off, and meetings; telephone conference with possible donor; prepared budget and run-off memorandum; telephone conferences with Ms. Meighan Pier, Ms. Corrice Patterson, and Ms. Monica Inguanzo regarding pending matters; attended police negotiations; legal research on chapters 166 and 200, Florida Statutes, preemption, budget deadlines, TRIM, etc; attention clerk position and charter amendments; attention to approved charter amendments; and regulations on run-offs.	4.50	832.50
9/7/2006	EAB	Attention to storm water contracts; attention to run-off issues and communication with village council regarding same; telephone conference with Ms. Pier regarding upcoming meetings and COW meetings; attention to naming of Old Cutler park resolution; email communications with Ms. Karcher; attention to Jane Forman contract, and coordinated meeting with Mr. Simon Ferro.	1.30	240.50
9/8/2006	EAB	Attended meeting with Mr. Figueredo, Mr. Scurr, Ms. Cadaval and South Motors representatives; attention to campaign financing matters; and meeting with Mr. Scurr, Mayor Flinn, Mr. Figueredo and Ms. Pier regarding canvassing board and pending park and	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.

		village hall matters.		
9/11/2006	EAB	Analyzed VPB budget; attention to cm contract; attention to deadlines on CM renewal deadlines; attention to budget issues; attended meeting regarding Perrine Wayside and neighbor property for code compliance, amongst other issues, and analyzed 200.065, Fla. Stat., in anticipation of upcoming meeting; communications with Mr. John Hearn and Ms. Nina Boninske regarding mitigation; prepared notice of cancelation and roll-over of zoning agenda; telephone conference with Ms. Weintraub regarding run-off, charter, and upcoming zoning agendas; research of SFWMD rules and administrative codes relating to no wake zones; and attention to 200.065 related to rescheduling second hearing.	4.80	888.00
9/11/2006	EAB	Attended budget hearing and special council meeting regarding canvassing board.	1.70	314.50
9/12/2006	EAB	Legal research into copyright issues associated with showing films in park; analyzed same and provided analysis to staff; attention to no wake zone ordinance; drafted resolution naming park near VPB library.	2.60	481.00
9/13/2006	EAB	Finalized park resolution; attention to public movie and licensing issues; luncheon meeting with Mr. Scurr and Mayor Eugene Flinn.	2.00	370.00
9/13/2006	EAB	Attended staff meeting.	1.50	277.50
9/14/2006	EAB	Analyzed RFQ 2006-001; analyzed response to RFQ and drafted IT Services agreement with Astec Consulting; completed background investigation on corporation and principles of same; and drafted accomplishments for 2005-2006 budget.	3.00	555.00
9/15/2006	EAB	Preconference meeting with Mr. Angel Rivas, Mr. Rene Rodriguez; meeting with Mr. Hinke regarding roof matter; after action meeting; meeting with Mr. White regarding code enforcement (lot clearing) violation; telephone conference with Mr. Scurr regarding revisions to proposed budget; telephone conference with Ms. Cadaval regarding budget, ordinance for millage and budget in anticipation of second hearing; and attention to no wake ordinance; telephone conferences and email communications with SFWMD; drafted letter to Mr. Hinke canceling depositions; and telephone conference with Mr. Jose Fuentes and Mr. Evan Scornick regarding Florida Fish and Wildlife Commission.	4.20	777.00
9/18/2006	EAB	Attention to newsletter item; attention to park naming; legal research of Fla. Stat. and FAC regarding canal hazards and public safety; attention to mitigation; telephone conference with Mr. Allen Richard of Fla. Fish and Wildlife; telephone conference with and email Mr. Skornick of SFWMD; analyzed CSA resolution; finalized IT contract; analyzed TPL title commitment documents and corrected errors; telephone conference with Mr. Sontag's architect; and telephone conference with Ms. Pier regarding pending items.	3.20	592.00
9/19/2006	EAB	Attention to concurrency ROW issue and arsenic inquiry by resident; analyzed IKON and IOS Capital state and local	3.20	592.00

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.

government master agreement for copier leases; legal research of FDOT model traffic concurrency ordinance; telephone conference with FDOT and FDOT legal counsel Ms. Pamela Leslie regarding same; telephone conference with Mr. Hearn, Doral attorney, regarding mitigation matter; email communications with Ms. Boninske, Ms. Prkic, and Mr. Hearn regarding same; telephone conference with Mr. Scurr; follow up conversations with Mr. Hearn and Ms. Boninske and scheduled conference call regarding mitigation.

9/20/2006	LRF	Telephone conference with Nina Boniske, John Hearn Christina Prkic.	0.50	92.50
				7,548.00
Total Professional Services				7,548.00

**Rate Summary**

Luis R. Figueredo	0.50 hours at \$185.00/hr	92.50
Eve A. Boutsis	40.30 hours at \$185.00/hr	7,455.50
	Total hours: 40.80	7,548.00

9/28/2006	Disbursements incurred - 2.0%	150.96
	For Professional Services	7,548.00
	For Disbursements Incurred	150.96
	Current Balance:	7,698.96
	Previous Balance:	12,036.30
	Payments - Thank you	0.00
	<b>Total Due</b>	<b>19,735.26</b>

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

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

*Attorneys & Counselors*

18001 Old Cutler Road, Suite 556  
Telephone: (305) 854-5353

Miami, Florida 33157  
Facsimile: (305) 854-5351

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

September 28, 2006  
Matter ID: 0293-002  
Zoning Applications  
Invoice Number 18645

			Hours	Amount
9/5/2006	EAB	Attended conference with Mr. Tom Meeks and Ms. Arleen Weintraub; meeting with Ms. Weintraub, Mr. Nunez, and Mr. Jorge Vera regarding LDC chapters; attention to pending zoning applications and transfer station issue.	4.00	740.00
9/6/2006	EAB	Prepared for and attended conference with Mr. Nunez, Mr. Sontag and his attorney regarding site plan and substantial compliance.	0.70	129.50
9/11/2006	EAB	Attention to Genzmer v. Rodman Roofing matter; and telephone conference with Mr. Drew Hinis regarding same.	0.30	55.50
9/12/2006	EAB	Telephone conference with Ms. Weintraub regarding: Palmer Trinity rezoning request; Sontag variance request, and re-zoning request by FT&I.	0.20	37.00
9/12/2006	EAB	Analyzed and commented upon the PBVC declarations of covenants, restrictions, and firestation proposed declarations; provided comments to Mr. Scott Silver, Mr. Jerry Proctor, Ms. Weintraub, Mr. Charles Scurr, and Ms. Evans.	1.50	277.50
9/13/2006	EAB	Attended LDC meeting with Mr. Nunez, Ms. Weintraub, and Mr. Vera; and attention to several pending zoning applications and set back issues.	3.50	647.50
				<hr/>
			Total Professional Services	1,887.00

## Rate Summary

Eve A. Boutsis	10.20 hours at \$185.00/hr	1,887.00
	<hr/>	<hr/>
Total hours:	10.20	1,887.00

9/28/2006 Disbursements incurred - 2.0% 37.74

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	1,887.00
For Disbursements Incurred	37.74
Current Balance:	<u>1,924.74</u>
Previous Balance:	11,812.62
Payments - Thank you	0.00
<b>Total Due</b>	<b><u>13,737.36</u></b>

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

# NAGIN GALLOP FIGUEREDO<sup>PA.</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

September 28, 2006  
Matter ID: 0293-004  
Code Enforcement  
Invoice Number 18646

			Hours	Amount
9/6/2006	EAB	Prepared for and attended code enforcement compliance meeting with Mr. Raul Rodriguez, and Ms. Capua's POA.	1.50	277.50
9/19/2006	EAB	Prepared for and attended special master hearing.	2.00	370.00
				<hr/>
			Total Professional Services	647.50

## Rate Summary

Eve A. Boutsis	3.50 hours at \$185.00/hr	647.50
	<hr/>	<hr/>
Total hours:	3.50	647.50

9/28/2006	Disbursements incurred - 2.0%	12.95
	For Professional Services	647.50
	For Disbursements Incurred	12.95
		<hr/>
	Current Balance:	660.45
	Previous Balance:	3,528.69
	Payments - Thank you	0.00
		<hr/>
	<b>Total Due</b>	<b>4,189.14</b>

To be properly credited, please indicate Invoice 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.