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2 **RESOLUTION NO. 2011-01**
3

4 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE
5 VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ATTORNEYS'
6 FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR FIGUEREDO &
7 BOUTSIS, P.A. IN THE AMOUNT OF \$21,626.40; PROVIDING AN
8 EFFECTIVE DATE.
9

10
11 **WHEREAS**, the Village Council of the Village of Palmetto Bay approved resolution no. 02-
12 05, authorizing payment of Village Attorney non-retainer attorneys' fees and costs; and,
13

14 **WHEREAS**, FIGUEREDO & BOUTSIS, P.A., submitted its statements to the village for
15 legal services rendered, and costs advanced, for the period ending December 31, 2010, in the
16 amount of \$21,626.40; and,
17

18 **WHEREAS**, the amounts are reasonable and were necessarily incurred.
19

20 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
21 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**
22

23 **Section 1.** The statements for attorneys' fees and costs received from FIGUEREDO &
24 BOUTSIS, P.A., in the total amount of \$21,626.40, copies of which are attached, are approved for
25 payment.
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27 **Section 2.** This resolution shall take effect immediately upon approval.
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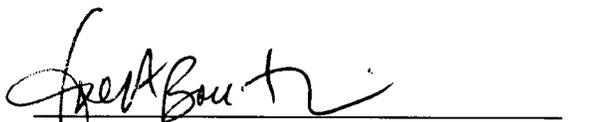
29 PASSED and ADOPTED this 10th day of January, 2011.
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31

32
33 Attest:

34 
35 Meighan Alexander
36 Village Clerk
37

38 
39 Shelley Stanczyk
40 Mayor
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42 APPROVED AS TO FORM:
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44 
45 Eve A. Boutsis,
FIGUEREDO & BOUTSIS, P.A., as Office
of the Village Attorney

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FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	<u>YES</u>
Council Member Howard J. Tendrich	<u>YES</u>
Council Member Joan Lindsay	<u>YES</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Shelley Stanczyk.	<u>YES</u>

FIGUEREDO & BOUTSIS, P.A.

Attorneys & Counselors

18001 Old Cutler Road - Fifth Floor

Telephone: (305) 235-9344

Miami, Florida 33157-6417

Facsimile: (305) 235-9372

January 3, 2011

Ron Williams, Village Manager
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, FL 33157

Re: STATEMENTS FOR PROFESSIONAL SERVICES
The Village of Palmetto Bay

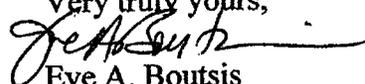
Dear Mr. Williams:

Enclosed are our invoices for professional services rendered and for costs advanced for the period ending December 31, 2010, in the amount of \$21,626.40. I have tabulated the amounts *currently due* on each individual file as follows:

Please deduct from Village Attorney Account No. 5143110, General Legal.			
0293-001	Non-Retainer Legal Services <i>Invoice No. 20186 dated 12/31/10</i>	Prof'l Services Disbursements Total Due	\$ 7,622.00 842.83 8,464.83
	Total		\$ 8,464.83
Please deduct from Village Attorney Account No. 5143140, Code Enforcement.			
0293-002	<i>Zoning Application</i> <i>Invoice No. 20187 dated 12/31/10</i>	Prof'l Services Disbursements Total Due	\$ 3,977.50 79.55 4,057.05
	Total		\$ 4,057.05
0293-004	<i>Code Enforcement</i> <i>Invoice No. 20188 dated 12/31/10</i>	Prof'l Services Disbursements Total Due	\$ 388.50 7.77 396.27
0293-027	<i>Palmer Trinity Private School vs. VPB</i> <i>Invoice No. 20189 dated 12/31/10</i>	Prof'l Services Disbursements Total Due	\$ 4,218.00 1,176.75 5,394.75

0293-029	Palmer Trinity v, VPB-Appeal <i>Invoice No. 20190 dated 12/31/10</i>	Prof'l Services Disbursements Total Due	\$	3,256.00 57.50 3,313.50
	Grand Total		\$	21,626.40

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

Very truly yours,

 Eve A. Boutsis
 Office of the Village Attorney

EAB/lcm
 Enclosures
 cc: Mayor and Village Council

**FIGUEREDO & BOUTSIS. P.A.
ATTORNEYS & COUNSELORS**

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk
Village of Palmetto Bay
9705 E. Hibiscus Street
Palmetto Bay, Florida 33157

December 31, 2010
Matter ID: 0293-001
General Municipal-VPB
Invoice Number 20186

			Hours	Amount
11/22/2010	EAB	Telephone conference with CA Patrick Fire (.2)) and attention to/updated December City Attorney update.	0.60	111.00
11/22/2010	EAB	Reviewed AIPP contract for services.	0.50	92.50
11/22/2010	EAB	Attention to and updated/revised agenda items.	0.50	92.50
11/22/2010	EAB	Attention to charter school community meeting; communications with Village Council on the community meeting and meaning of "a/c session and privilege."	0.40	74.00
11/29/2010	EAB	Attention to subpoena and charter school/mixed use application; and telephone conference with Mr. Ron Williams.	0.60	111.00
11/30/2010	EAB	Telephone conference with VM Pariser on CITT resolution; and drafted resolution regarding same.	0.70	129.50
11/30/2010	EAB	Analyzed WASD easement; and provided comments to Ms. Olga Cadaval regarding same; attention to CAM agreement with Ms. Fanny Carmona; and approved building permit application/authorization.	0.70	129.50
12/2/2010	EAB	Communications with Mr. Ed Silva; attention to street signs and attention to traffic circle punch list; attention to subpoena for building and zoning permits; forwarded CAM agreement to MDC Library Dept. legal counsel, follow up on preservation of evidence in Dog Park incident with Ms. Carmona, attention to SB 360 litigation and follow up on WASD covenant; and attention to public record request by Grant Miller.	1.60	296.00
12/2/2010	EAB	Attended staff meeting; discussion with Mr. Williams; meeting with Ms. Carmona; follow up on opinion of title; follow up with Building Department on document production; follow up with League Counsel on the Tramutola claim litigation covered by insurance (personal injury - small claim); follow up on home closing for pay out on code enforcement liens; telephone conference with Ms. Vanessa Bencorno; and telephone conference with Ms. Bilbaut.	1.80	333.00
12/2/2010	EAB	Draft attorney audit response letter regarding pending and possible	2.70	499.50

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.

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litigation claims; communications with League counsel on pending cases.

12/3/2010	EAB	Meeting with Ms. Corrice Patterson regarding PW contract related matters, analyzed Florida Statutes; drafted letter to surety and International Sign; finalized same; communications with Ms. Patterson regarding same; telephone conference with Mr. Williams regarding FPL/PSC matter; research relating to PSC and Mr. Knowles; analyzed title commitment policy; attention to opinion of title - drafted same; communications with Ms. Cadaval and Mr. Silva; attention to FPL contract and photovoltaic energy contract; and attention to Trujillo subpoena; telephone conference with Ms. Cadaval; telephone conference with Mr. Silva; analyzed Bill History on 2010-011 municipal prompt payment bill enacted for 10/1/2010; and application of same.	4.50	832.50
12/3/2010	EAB	Meeting with Manager; meeting with Village Manager, Clerk and CA Patrick Fire.	2.50	462.50
12/6/2010	EAB	Attention to inquiries regarding agenda.	0.40	74.00
12/6/2010	EAB	Attended meeting with Mr. Williams, Mr. Julian Perez, Mayor Shelley Stancyk; attended meeting with Mr. Williams, Mr. Perez and CA Joan Lindsay.	2.50	462.50
12/6/2010	EAB	Attention to new lawsuit filed by Victor Garcia (dog park matter); communications with Mr. Chris Stearns regarding preparing responsive pleading.	0.40	74.00
12/6/2010	EAB	Telephone conference with International Sign; telephone conference with Ms. Patterson; drafted conforming letter regarding same (.4); and telephone conference with VM Pariser regarding agenda items (.3)	0.70	129.50
12/6/2010	EAB	Prepared update to title opinion (new request of FPL); communications with Ms. Cadaval and Mr. Silva; telephone conference with and email communications with FPL representatives regarding 768.28, F.S. and insurance requirements/compliance with same for village hall.	0.50	92.50
12/6/2010	EAB	Attended council meeting.	1.50	277.50
12/7/2010	EAB	Finalized letter to ISD regarding replacing finials; drafted attorney client session and confirmed court reporter; communications with Mr. Robert Meyers and Mr. Joe Centorino regarding confirmation of sunshine and ethics seminar for 12/16; telephone conference with Ms. Patterson; and finalized audit response letter to auditors.	1.50	277.50
12/7/2010	EAB	Meeting with Manager on pending items; meeting with Manager, Clerk and CA Lindsay regarding "orientation."	2.50	462.50
12/8/2010	EAB	Attention to PBVC Firestation; telephone conference with BMO regarding amicus brief in Weston litigation; telephone conference with Mr. Williams on pending items; and telephone conference with Eddie Suarez regarding survey and Village Hall; follow up on pending items; and communications with VM Brian Pariser	2.00	370.00

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regarding Firestation.

12/9/2010	EAB	Attention to Firestation matter; communications with Mr. Scott Silver; follow up on CITT matter; and telephone conference with Mr. Williams on pending items and lobbyist agenda.	0.70	129.50
12/9/2010	EAB	Reviewed grant agreement and provided direction to Mr. Perez regarding Historic Preservation Grant/video archive.	0.40	74.00
12/10/2010	EAB	Communications with Building Dept. regarding extension request by attorney; attention to charter school matter; and attention to fire station.	0.40	74.00
12/13/2010	EAB	Attention to pending matters; discussion with Mr. Williams.	0.50	92.50
12/13/2010	EAB	Communications with Ms. Carmona regarding preservation of evidence in dog park litigation (based upon move).	0.10	18.50
12/14/2010	EAB	Attention to pending matters; communications with Mr. Centorino and Mr. Meyers; and meeting with Mr. Williams and Ms. Meighan Alexander.	1.00	185.00
12/14/2010	EAB	Legal research on conflict of interest, recusal and bias.	1.00	185.00
12/15/2010	EAB	Telephone conference with Mr. Silva regarding pending application; and attention to FPL compliance.	0.40	74.00
12/15/2010	EAB	Analyzed 163.3177, 163.3184, 163.3187, F.S. and procedures for adopting CIE annual updates; drafted analysis relating to same.	0.70	129.50
12/16/2010	EAB	Analyzed bank contract and provided detailed comments to Finance Department (1.5); telephone conference with Mr. Centorino (.2); telephone conference with Mr. Meyers (.2).	1.90	351.50
12/16/2010	EAB	Attended Ethics and Sunshine Seminar with Mr. Meyers and Mr. Centorino.	2.00	370.00
12/17/2010	EAB	Attention to FPL filings and updates; and communications with Mr. Chin.	0.30	55.50
12/20/2010	EAB	Telephone conference with Mr. Silva; follow up with him regarding Village Hall.	0.30	55.50
12/20/2010	EAB	Follow up with Mr. Chris Stearns regarding Garcia v. VPB matter and motion to dismiss; and drafted Village Attorney January update.	1.00	185.00
12/21/2010	EAB	Revised agreement regarding pineland preserve area maintenance (.7); attention to SB 360 appellate brief (.3).	1.00	185.00
12/22/2010	EAB	Attention to FPL scheduling order approval.	0.10	18.50
12/29/2010	EAB	Attention to ADA matter.	0.30	55.50
			Total Professional Services	7,622.00

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Rate Summary

Eve A. Boutsis	41.20 hours at \$185.00/hr	7,622.00
	Total hours: 41.20	7,622.00

Disbursements

11/30/2010	Database Legal research	634.94
12/10/2010	Mileage	3.61
12/10/2010	Parking Charge	24.00
12/20/2010	Parking Charge	12.00
12/20/2010	Mileage	15.84
12/31/2010	Disbursements incurred - 2.0%	152.44

Payments and Credits

12/14/2010	Check No.: 12043	14,861.99
	Sub-total Payments:	14,861.99

For Professional Services	7,622.00
For Disbursements Incurred	842.83
	8,464.83
Current Balance:	
Previous Balance:	14,861.99
Payments - Thank you	14,861.99
	Total Due
	8,464.83

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

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**FIGUEREDO & BOUTSIS, P.A.
ATTORNEYS & COUNSELORS**

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk
Village of Palmetto Bay
9705 E. Hibiscus Street
Palmetto Bay, Florida 33157

December 31, 2010
Matter ID: 0293-002
Zoning Applications
Invoice Number 20187

			Hours	Amount
12/2/2010	EAB	Follow up with Mr. Perez regarding Charter School pending matter and production of documents requested.	0.20	37.00
12/3/2010	EAB	Telephone conference with Mr. Perez on charter school item.	0.30	55.50
12/6/2010	EAB	Attention to charter school contracts and communications with charter school; follow up with Ms. Jian Santana and Ms. Meighan Alexander for compliance with subpoena; and attention to charter school disclosures.	0.40	74.00
12/6/2010	EAB	Follow up on Calvian, Giordano & Assoc. traffic analysis review.	0.40	74.00
12/7/2010	EAB	Attention to Parkside matter; discussion with Manager Ron Williams; discussion with Mr. Perez; and began analyzing Giordano traffic response.	0.60	111.00
12/7/2010	EAB	Attended community meeting on Parkside application.	2.00	370.00
12/8/2010	EAB	Attention to pending matters; and telephone conference with Mr. Julian Perez.	0.30	55.50
12/13/2010	EAB	Telephone conference with Mr. Perez and analyzed SW charette and FT&I ordinance in relating to MN/MM zoning and charter school; and meeting with Mr. Efen Nunez and Mr. Perez to review plans and FT&I ordinance, in detail.	2.70	499.50
12/14/2010	EAB	Telephone conference with Traffic Consultant Giordano Group and Mr. Perez on traffic analysis/review of mixed use/charter school application; attention to SB 360 litigation; communications with Susan Trevarthen, counsel for Weston; communications with Village Council regarding same; and Communications with Florida League of Cities on SB 360.	2.50	462.50
12/15/2010	EAB	Telephone conference with Mr. Perez on zoning uses relating to applicant for sports store; meeting with Mr. Perez on CIE, DIA, and CIP and review of same; analyzed CSM Code on schools; discussion with Mr. Perez and Mr. Williams; communications with VM regarding same; attention to FT&I road dedication requirements and analysis relating to same.	3.30	610.50

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12/16/2010	EAB	Telephone conference with Ms. Arleen Weintraub regarding application of FT&I; telephone conference with Mr. Perez; analyzed MDC Charter School application, check list, etc; analyzed requirements and proposed CSM ordinance.	1.00	185.00
12/17/2010	EAB	Telephone conference with Mr. Perez and communications with MDC regarding FT&I charette.	0.40	74.00
12/20/2010	EAB	Follow up with Mr. Michael Kesti.	0.30	55.50
12/20/2010	EAB	Attended FT&I meeting with Miami Dade County Planning Staff, Mr. Perez and Mr. Nufez.	3.00	555.00
12/20/2010	EAB	Telephone conference with Mr. Michael Kesti; telephone conference with Mr. Planas; communication with council regarding Jennings; and telephone conference with Mr. Perez and Mr. Williams regarding same.	0.50	92.50
12/22/2010	EAB	Began drafting staff analysis regarding appeal of administrative determination - Dunkin Donuts plaza (2.0); and communications with traffic consultant regarding charter school application.	2.30	425.50
12/27/2010	EAB	Attention to Cutler Shopping Center.	0.30	55.50
12/30/2010	EAB	Attention to Parkside memorandum and revised same.	1.00	185.00
				3,977.50
			Total Professional Services	3,977.50

Rate Summary

Eve A. Boutsis	21.50 hours at \$185.00/hr	3,977.50
	Total hours: 21.50	3,977.50

12/31/2010	Disbursements incurred - 2.0%	79.55
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Payments and Credits

12/14/2010	Check No.: 12043	3,647.97
		Sub-total Payments: 3,647.97

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For Professional Services	3,977.50
For Disbursements Incurred	79.55
	<hr/>
Current Balance:	4,057.05
Previous Balance:	3,647.97
Payments - Thank you	3,647.97
	<hr/>
Total Due	4,057.05

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

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Shelley Stanczyk
Village of Palmetto Bay
9705 E. Hibiscus Street
Palmetto Bay, Florida 33157

December 31, 2010
Matter ID: 0293-004
Code Enforcement
Invoice Number 20188

			Hours	Amount
11/22/2010	EAB	Attended meeting with Code Compliance, Mr. Julian Perez and Mr. Roberts (sweat lodge) matter.	1.50	277.50
12/2/2010	EAB	Telephone conference with Mr. Perez on upcoming and pending code compliance matters; and telephone conference with Mr. Jerry Proctor.	0.60	111.00
Total Professional Services				388.50

Rate Summary

Eve A. Boutsis	2.10 hours at \$185.00/hr	388.50
Total hours:		2.10
		388.50

12/31/2010	Disbursements incurred - 2.0%	7.77
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Payments and Credits

12/14/2010	Check No.: 12043	1,160.51
Sub-total Payments:		1,160.51

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.

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For Professional Services	388.50
For Disbursements Incurred	7.77
	<hr/>
Current Balance:	396.27
Previous Balance:	1,160.51
Payments - Thank you	1,160.51
	<hr/>
Total Due	396.27

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Total hours: 22.80

Expenses

11/8/2010	Transcripts	264.25
12/10/2010	Photocopies	62.50
12/13/2010	Transcripts-Attorney/Client Seesion	850.00
	Sub-total Expenses:	<u>1,176.75</u>

Payments

12/14/2010	Payment	Check No.: 12043	17,395.69
	Sub-total Payments:		<u>17,395.69</u>

For Professional Services	4,218.00
For Disbursements Incurred	1,176.75

Current Balance:	<u>5,394.75</u>
Previous Balance:	17,395.69
Payments - Thank you	17,395.69

Total Due 5,394.75

Invoice Number: 20189

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

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For Professional Services	3,256.00
For Disbursements Incurred	57.50
Current Balance:	<hr/> 3,313.50
Previous Balance:	4,490.75
Payments - Thank you	4,490.75
Total Due	<hr/> 3,313.50

Invoice Number: 20190

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