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RESOLUTION NO. 2011-10

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 FIGUEREDO & BOUTSIS, P.A. IN THE AMOUNT OF \$20,306.64; 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, FIGUEREDO & BOUTSIS, P.A., submitted its statements to the village for legal services rendered, and costs advanced, for the period ending February 23, 2011, in the amount of \$20,306.64; 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 FIGUEREDO & BOUTSIS, P.A., in the total amount of \$20,306.64, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 7th day of March, 2011.

Attest:


Meighan Alexander
Village Clerk


Shelley Stanczyk
Mayor

APPROVED AS TO FORM:


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 YES
- Council Member Howard J. Tendrich YES
- Council Member Joan Lindsay YES
- Vice-Mayor Brian W. Pariser YES
- Mayor Shelley Stanczyk. YES

FIGUEREDO & BOUTSIS, P.A.

Attorneys & Counselors

18001 Old Cutler Road - Fifth Floor

Telephone: (305) 235-9344

Miami, Florida 33157-6417

Facsimile: (305) 235-9372

February 23, 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

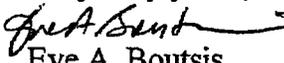
Dear Mr. Williams:

Enclosed are our invoices for professional services rendered and for costs advanced for the period ending February 23, 2011, in the amount of \$20,306.64. 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. 20208 dated 2/23/11</i>	Prof'l Services	\$	7,585.00
		Disbursements		966.56
		Total Due		8,551.56
	Total		\$	8,551.56
Please deduct from Village Attorney Account No. 5143140, Code Enforcement.				
0293-002	<i>Zoning Application</i> <i>Invoice No. 20209 dated 2/23/11</i>	Prof'l Services	\$	9,749.50
		Disbursements		194.99
		Total Due		9,944.49
	Total		\$	9,944.49
0293-004	<i>Code Enforcement</i> <i>Invoice No. 20210 dated 2/23/11</i>	Prof'l Services	\$	647.50
		Disbursements		12.95
		Total Due		660.45
0293-027	<i>Palmer Trinity Private School vs. VPB</i> <i>Invoice No. 20211 dated 2/23/11</i>	Prof'l Services	\$	185.00
		Disbursements		95.64
		Total Due		280.64

0293-029	<i>Palmer Trinity Private School vs. VPB- Appeal Invoice No. 20212 dated 2/23/11</i>	Prof'l Services	\$	869.50
		Disbursements		0.00
		Total Due		869.50
	Grand Total		\$	20,306.64

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

February 23, 2011
 Matter ID: 0293-001
 General Municipal-VPB
 Invoice Number 20208

			Hours	Amount
1/26/2011	EAB	Attention to Charter Revision Committee.	0.20	37.00
1/26/2011	EAB	Legal research of AGO and COE, and state case law on conflict opinions.	4.00	740.00
1/26/2011	EAB	Attention to Jane Forman matter and charter related reviews; attention to agenda items; and prepared same for agenda.	1.50	277.50
1/27/2011	EAB	Attention to ILA resolution and cover memo.	0.30	55.50
1/27/2011	EAB	Legal research and analysis of state, federal (Supreme Court) decisions relating time, place, manner, content/strict scrutiny review of political signs (4.0); revised draft signage code; and prepared cover memorandum regarding same.	6.00	1,110.00
1/27/2011	EAB	Telephone conference with CP Howard Tendrich and Mr. Ron Williams.	0.20	37.00
1/28/2011	EAB	Attention to Forman minutes, memorandum and communications with Ms. Meighan Alexander, Mr. Ron Williams and VM Brian Pariser.	0.40	74.00
1/28/2011	EAB	Telephone conference with Ms. Fanny Carmona and drafted lease agreement with Van Orsdel (.3); and attention to upcoming assignments.	0.60	111.00
1/28/2011	EAB	Researching campaign vendor contribution ordinance, amending Elections code; began drafting same; and communications with VM Pariser, Clerk and Manager regarding same.	2.00	370.00
1/31/2011	EAB	Finalized letter to F-AGO and and F COE; finalized legal research and completed research regarding same; and communications with Mr. Williams regarding same.	1.40	259.00
1/31/2011	EAB	Telephone conference with VM Pariser on pending items (.2); attention to police public record request (.2), follow up on same; and revised campaign contribution/vendor ordinance per direction of VM Pariser.	0.70	129.50

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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2/1/2011	EAB	Meeting with Ms. Morelian Rodriguez regarding CU form revisions.	0.20	37.00
2/2/2011	EAB	Attention to sunshine issues; telephone conference with Ms. Bev Gerald; follow up with Mr. Michael Kesti; telephone conference with Ms. Alexander and Mr. Williams; telephone conference with Ms. Irma Cohen and follow up with staff regarding same; and began revising edits to campaign contribution/vendor ordinance per direction of VM.	0.90	166.50
2/3/2011	EAB	Telephone conference with Ms. Bev Gerald regarding dual committee appointment, service, and any preclusion; and analyzed charter and code of ordinances regarding same.	0.30	55.50
2/3/2011	EAB	Communications with Ms. Corrice Patterson on Lazara matter; communications with Commander Gregory Truitt regarding same; and telephone conference with Ms. Irma Cohen of Florida League regarding same.	0.30	55.50
2/3/2011	EAB	Attention to JFTA matter.	0.30	55.50
2/3/2011	EAB	Attention to state legislative changes being proposed to Fla. Stat. 380 and 163; provided the synopsis to the Village Council.	1.00	185.00
2/3/2011	EAB	Attention to public record request with Commander Truitt, Ms. Alexander and attorney requesting records.	0.20	37.00
2/3/2011	EAB	Telephone conference with Mayor Shelley Stanczyk, VM Pariser and all council persons (separately) on pending items.	1.30	240.50
2/4/2011	EAB	Began drafting revisions to AIPP program; telephone conference with CP Tendrich regarding same; revised AIPP ordinance as to County requirements; (1.5); continued to work on ordinance regarding 2000 ft distance and vote requirement with private schools (1.5); revised and updated vendor campaign contribution ordinance (.7); and attention to pending assignments from Council; prepared cover memo on campaign contributions/vendor ordinance; telephone conference with Mr. Williams; and telephone conference with Mr. Julian Perez.	4.50	832.50
2/4/2011	EAB	Began drafting initiative/referendum ordinance revisions.	2.50	462.50
2/7/2011	EAB	Edited AIPP draft ordinance and cover memo.	0.40	74.00
2/7/2011	EAB	Telephone conference with Mr. Williams, Mr. Julian Perez, and VM Pariser; communications with Mr. Kesti; attention to agenda items; telephone conference with Ms. Alexander, Mr. Williams, and Mayor Stanczyk and analyzed charter; attention to Fence Connection matter and communications with Ms. Carmona.	2.50	462.50
2/7/2011	EAB	Finalized draft on initiative/referendum procedures ordinance.	1.00	0.00
2/7/2011	EAB	Analyzed construction lien law and notices of commencement and provided direction to Ms. Gladys Bilbraut regarding same.	0.60	111.00
2/7/2011	EAB	Attended council meeting.	3.00	555.00
2/16/2011	EAB	Attention to Sandoval building permit inquiry by Akerman firm and followed up with Mr. Ed Silva regarding same.	0.40	74.00

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2/17/2011	EAB	Attention to Sandoval matter.	0.20	37.00
2/17/2011	EAB	Telephone conference with CP. Tendrich on pending matters; and telephone conference with VM Pariser regarding pending items.	0.70	129.50
2/17/2011	EAB	Attention to Dog Park matter with staff.	0.40	74.00
2/18/2011	EAB	Communications with Mr. Randy Pope regarding permitting issue and Bank of NY - Mellon Bank merger and proof of ownership of property for permitting purposes (.4); attention to Jane Forman contract, email communications regarding same; and coordinated meeting regarding same (.4).	0.80	148.00
2/18/2011	EAB	Attention to revisions to alarm ordinance and communications with Mr. Desmond Chin regarding same; and telephone conference with Mr. Desmond Chin regarding same.	0.80	148.00
2/18/2011	EAB	Responded to inquiry by the State COE; and analyzed documents to assist in inquiry.	1.50	277.50
2/18/2011	EAB	Telephone conference with counsel for FPL; and attention to revised siting schedule.	0.40	74.00
2/18/2011	EAB	Communications with Florida League, Mr. Chris Stearns (League Counsel) and Ms. Carmona regarding dog park matter.	0.50	92.50

Total Professional Services 7,585.00

Rate Summary

Eve A. Boutsis	1.00 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	41.00 hours at \$185.00/hr	7,585.00

Total hours: 42.00 7,585.00

Disbursements

1/21/2011	Mileage	15.84
1/21/2011	Parking Charge	8.00
1/31/2011	Database Legal research	791.02
2/23/2011	Disbursements incurred - 2.0%	151.70

Payments and Credits

2/18/2011	Check No.: 12347	5,598.07
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Sub-total Payments: 5,598.07

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.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	7,585.00
For Disbursements Incurred	966.56
	<hr/>
Current Balance:	8,551.56
Previous Balance:	5,598.07
Payments - Thank you	5,598.07
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Total Due	8,551.56

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.

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

February 23, 2011
 Matter ID: 0293-002
 Zoning Applications
 Invoice Number 20209

			Hours	Amount
1/26/2011	EAB	Meeting with Mr. Julian Perez and Architect on pending matters for various clients as it relates to parking and uses; and attention to agenda items.	3.00	555.00
1/26/2011	EAB	Communications with Mr. Simon Ferro; communications with Mr. Rick Lujan; attention to petition; and provided direction regarding same.	0.60	111.00
1/27/2011	EAB	Attention to Parkside letter.	0.20	37.00
1/27/2011	EAB	Analyzed ABC Shopping Center and continued to work on analysis with Mr. Perez and request for documents.	1.00	185.00
1/27/2011	EAB	Legal research as to equitable estoppel, bad faith and laches; continued to draft analysis as to ABC Management appeal; and communications with Mr. Perez regarding same.	3.40	629.00
1/28/2011	EAB	Meeting with Mr. Perez and Mr. Tom David on CU for AA; communications with Mr. Columbo and Calvin Giordano; finalized letter to Mr. Neisen Kasdin with Mr. Perez's assistance; and telephone conference with Mr. Giordano.	1.30	240.50
1/28/2011	EAB	Revised ABC Management Staff Analysis.	0.60	111.00
1/31/2011	EAB	Attention to ABC Management Appeal with Mr. Perez; meeting with Manager and Mr. Perez regarding same; and completed analysis regarding same (3); attention to charter school matter with Mr. Perez, drafted letters regarding same; meeting with Mr. Ron Williams and Mr. Perez regarding same; telephone conference with consultant regarding same (2.5); and follow up with Mr. Perez and Calvin Giordano.	5.70	1,054.50
2/1/2011	EAB	Attention to variance request by resident - discussion with resident and Mssrs. Efen Nunez and Perez.	1.00	185.00
2/1/2011	EAB	Telephone conference with MDC P&Z and Mr. Perez; and drafted letter to MDC P&Z regarding ABC Management appeal.	0.70	129.50
2/1/2011	EAB	Attended pre-conference meeting with Mr. Perez (1.0); attended	6.00	1,110.00

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meeting with Parkside applicant, traffic consultants (applicant's and Village's), architect and Planning Staff; and Mr. Williams (3.5); analyzed comprehensive plan and FTY&I ordinance and drafted letter to Parkside (1.5); and telephone conference with Calvin Giordano.

2/2/2011	EAB	Revised letter to Mr. Palumbo (2.0); Meeting with Mr. Perez, Mr. Nunez and Mr. Williams regarding Parkside; and continued edits regarding letter to Mr. Palumbo (2.3); and attention to ABC Management (.2).	4.50	832.50
2/3/2011	EAB	Parkside at Palmetto Bay: Telephone conference with Matt Noonkester formerly with Kimley Horn; prepared memorandum regarding same; continued to assist Mr. Perez in edit of letter to Mr. Palumbo; analyzed, at length the charette, comprehensive plan, County CDMP; meeting with Mr. Williams and Mr. Perez; and telephone conference with Ms. Shelley Eichner.	4.80	888.00
2/3/2011	EAB	Parking calculations and Deering Estates, LLC.	0.60	111.00
2/7/2011	EAB	Analyzed zoning resolutions, covenants, bylaws, condominium documents, etc. relating to Padron and Paradise Point.	5.00	925.00
2/9/2011	EAB	Prepared appeal response with Mr. Perez.	8.50	1,572.50
2/16/2011	EAB	Attention to pending matters; finalized appeal - staff report; and meeting with Mr. Perez regarding same.	2.50	462.50
2/17/2011	EAB	Attended meeting with Mr. Padron.	2.00	370.00
2/18/2011	EAB	Attention to Padron matter; and attention to sign code matter; telephone conference with Mr. Perez; and drafted and communication to Mr. Padron.	0.60	111.00
2/18/2011	EAB	Telephone conferences with Mr. Fernandez; meeting with Mr. Perez; meeting with Mr. Williams; communications with council regarding same.	0.70	129.50
			Total Professional Services	9,749.50

Rate Summary

Eve A. Boutsis	52.70 hours at \$185.00/hr	9,749.50
Total hours:	52.70	9,749.50

2/23/2011 Disbursements incurred - 2.0% 194.99

Payments and Credits

2/18/2011 Check No.: 12347 8,340.54

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.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

Sub-total Payments:	<u>8,340.54</u>
For Professional Services	9,749.50
For Disbursements Incurred	194.99
Current Balance:	<u>9,944.49</u>
Previous Balance:	8,340.54
Payments - Thank you	8,340.54
Total Due	<u>9,944.49</u>

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.

**FIGUERO & 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

February 23, 2011
Matter ID: 0293-004
Code Enforcement
Invoice Number 20210

			Hours	Amount
2/2/2011	EAB	Meeting with Mr. Julian Perez and Ms. Vanessa Bencomo drafted response to counsel regarding appeal of special master matter (.2); and attention to new foreclosure action (.3).	0.50	92.50
2/18/2011	EAB	Prepared response to Quiet Title Complaint filed against VPB re: Keren vs. Binimelis.	1.50	277.50
2/18/2011	EAB	Prepared response to Quiet Title Complaint filed against VPB re: Cormia vs. Skaff.	1.50	277.50
				647.50
			Total Professional Services	647.50

Rate Summary

Eve A. Boutsis 3.50 hours at \$185.00/hr 647.50

Total hours: 3.50 647.50

2/23/2011 Disbursements incurred - 2.0% 12.95

Payments and Credits

2/18/2011 Check No.: 12347 320.79

Sub-total Payments: 320.79

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.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	647.50
For Disbursements Incurred	12.95
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Current Balance:	660.45
Previous Balance:	320.79
Payments - Thank you	320.79
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Total Due	660.45

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FIGUEREDO & BOUTSIS, P.A.
Attorneys & Counselors

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

Telephone: (305) 235-9344

Facsimile: (305) 235-9372

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

February 23, 2011
Matter ID: 0293-027
Palmer Trinity Private School,

Invoice Number 20211

			Hours	Amount
1/26/2011	EAB	Telephone conference with Mayor Shelley Stanczyk, VM Brian Pariser, and CP Patrick Fiore.	0.40	74.00
1/27/2011	EAB	Telephone conference with Mr. Tucker Gibbs.	0.30	55.50
1/28/2011	EAB	Communications with Mr. Sean Cleary regarding discovery.	0.30	55.50
				<hr/>
			Total Professional Services	185.00

Rate Summary

Eve A. Boutsis	1.00 hours at \$	185.00/hr	185.00
			<hr/>
Total hours:		1.00	

Expenses

1/31/2011	Database Legal research	95.64
		<hr/>
Sub-total Expenses:		95.64

Payments

2/18/2011	Payment	Check No.: 12347	6,594.72
			<hr/>
Sub-total Payments:			6,594.72

Payment is due upon receipt. Please notify us within 10 days of receipt 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	185.00
For Disbursements Incurred	95.64
Current Balance:	<hr/> 280.64
Previous Balance:	6,594.72
Payments - Thank you	6,594.72
Total Due	<hr/> 280.64

Invoice Number: 20211

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

FIGUEREDO & BOUTSIS, P.A.

Attorneys & Counselors

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

Telephone: (305) 235-9344

Facsimile: (305) 235-9372

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

February 23, 2011
Matter ID: 0293-029
Palmer Trinity v. VPB - Appeal

Invoice Number 20212

			Hours	Amount
2/16/2011	EAB	Telephone conference with Mr. Stanley Price; telephone conference with Mr. Tucker Gibbs; telephone conference with individual council members; and analyzed appellate decision.	3.00	555.00
2/22/2011	EAB	Legal research regarding 57.105; and drafted memorandum to council.	1.70	314.50
				<hr/>
			Total Professional Services	869.50

Rate Summary

Eve A. Boutsis	4.70 hours at \$	185.00/hr	869.50
Total hours:		4.70	

Payments

1/25/2011	Payment	Check No.: 12231	3,313.50
Sub-total Payments:			<hr/> 3,313.50

Payment is due upon receipt. Please notify us within 10 days of receipt 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	869.50
For Disbursements Incurred	0.00
Current Balance:	<u>869.50</u>
Previous Balance:	3,313.50
Payments - Thank you	3,313.50
Total Due	<u>869.50</u>

Invoice Number: 20212

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