

**RESOLUTION NO. 2011-57**

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 \$15,854.68; 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 September 22, 2011, in the amount of \$15,854.68; 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 \$15,854.68, copies of which are attached, are approved for payment.

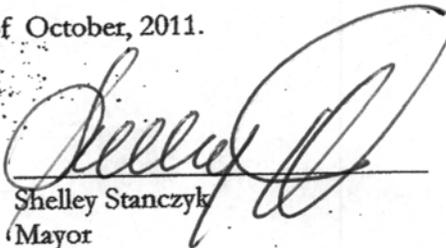
**Section 2.** This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 3<sup>rd</sup> day of October, 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

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore \_\_\_\_\_

Council Member Howard J. Tendrich \_\_\_\_\_

Council Member Joan Lindsay \_\_\_\_\_

Vice-Mayor Brian W. Pariser \_\_\_\_\_

Mayor Shelley Stanczyk. \_\_\_\_\_

**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

September 22, 2011  
 Matter ID: 0293-001  
 General Municipal-VPB  
 Invoice Number 20303

			Hours	Amount
8/31/2011	EAB	Telephone conference with Lydecker firm relating to Trujillo; telephone conference with Mr. Ed Silva; telephone conference with Ms. Fanny Carmona; analyzed PACE interlocal; telephone conference with Mayor Shelley Stanczyk; drafted resolution as to PACE program; telephone conference with Mr. Chad Friedman; follow upon PACE program details; telephone conference with Ms. Meighan Alexander; telephone conference with Mr. Darby Delsalle; follow up on agenda items; follow up on the JFTA matter; attention to FPL deadlines; and follow up on occupational licenses inquiry.	3.00	555.00
9/1/2011	EAB	Attended meeting with Mr. Silva and the Plumbing Inspector - telephone conference with Lydecker firm and attention to pending items and discussion with Mr. Delsalle on pending items (1.5); revised IT contract; and edited Booster Club use agreement relating to batting cages; provided direction relating to same; attention to unemployment appeal and provided direction to staff regarding appeal process and documents; telephone conference with Mr. John Shubin; attention to community concern; telephone conference with Ms. Carmona, Mr. John Hearin, and Mr. Silva; and finalized draft agreement regarding baseball batting cages.	4.00	740.00
9/2/2011	EAB	Telephone conference with Mr. Delsalle regarding BTR.	0.10	18.50
9/2/2011	EAB	Telephone conference with Ms. Olga Cadaval as to unemployment appeal; attention to JFTA.	0.60	111.00
9/2/2011	EAB	Communications with Mr. Shubin.	0.30	55.50
9/6/2011	EAB	Telephone conference with Mr. Ron Williams, Mrs. Alexander; attention to PACE program; communications with VM Brian Pariser; and communications with Mr. Friedman regarding PACE program; and communications with Mr. Shubin.	0.60	111.00
9/7/2011	EAB	Telephone conference with Ms. Carmona and finalized revisions to tennis facility agreement; attention to charter provision; attention to JFTA; telephone conference with Mayor Stanczyk; follow up with TCB as to Green Corridor; telephone conference with Ms. Carmona and Mr. Williams; telephone conference with Mr. Scott Sarason	4.40	814.00

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.

## CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

and revised batting cage agreement; and drafted term sheet; provided same to Mr. Silva and Mr. Williams; telephone conference with Mr. Delsalle regarding food trucks; and attention to Council meeting items and budget items.

9/9/2011	EAB	Attention to pending items; communications with Mr. Shubin; telephone conference with CP Howard Tendrich; and telephone conference with Mayor Stanczyk.	0.40	74.00
9/12/2011	EAB	Attention to tennis contracts; attention to Quality Paving; attention to public records requests and protest procedures; and telephone conference with Mr. Silva; and communications with Mr. Shubin regarding Burch site.	0.90	166.50
9/12/2011	EAB	Attention to agenda; telephone conference with VM Pariser; and telephone conference with Mayor Stanczyk.	2.00	370.00
9/12/2011	EAB	Attended budget hearing and council meeting.	5.00	925.00
9/13/2011	EAB	Attention to tennis/CRP RFP matter; communications with Mr. Williams; communications with Mr. Kirk Hearin and Ms. Carmona; and attention to inquiries.	0.70	129.50
9/14/2011	EAB	Attention to Williamson matter; telephone conference with MDCHR division; and attention to public records requests.	0.50	92.50
9/15/2011	EAB	Drafted revisions to B-2 district to include gun shop use.	1.60	296.00
9/15/2011	EAB	Analyzed RFQ and provided updates to Staff; telephone conference with Mr. Williams as to pending items; and communications with Mr. John Delagloria regarding alcohol sales.	0.90	166.50
9/15/2011	EAB	Telephone conference with Mr. Bruce Boiko and telephone conference with Mr. Williams.	0.50	92.50
9/15/2011	EAB	Telephone conference with Mayor Stanczyk; and telephone conference with VM Pariser.	0.30	55.50
9/16/2011	EAB	Attention to public records law revisions by state legislature; drafter ordinance on Green Corridor; drafted ordinance relating to public comments during board and committee meetings; drafted staff reports relating to same; revised Green ordinance; communications with Mr. Friedman; and follow up on the Burch property/communications with Mr. Shubin; draft gun shop ordinance cover memo; and finalized draft ordinance; and telephone conference with Mr. Joe Centorino.	5.50	1,017.50
9/16/2011	EAB	Attention to RFP for tennis; follow up on same; meeting with Ms. Carmona and Mr. Williams; and telephone conference with Mr. Boiko.	1.20	222.00
9/19/2011	EAB	Telephone conference with Mayor Stanczyk; attention to CS/HB 45; telephone conference with Mr. Friedman; and attention to Green interlocal; and attention to public record request and communications with Mr. Boiko.	1.30	240.50
9/19/2011	EAB	Telephone conference with Mr. Delsalle; telephone conference with	2.50	462.50

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.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

Mr. Silva; attention to Horner matter; ABC Management; research as to CS 402, and 45; and communications with other cities and municipal lawyers regarding same; and analyzed storm water collection modification agreement with MDC; attention to advertising on the gun ordinance; communications with VM Pariser, Clerk and Planning Director regarding same; and telephone conference with City Attorneys regarding ordinance.

9/20/2011	EAB	Attention to advertising requirements.	0.20	37.00
9/20/2011	EAB	Drafted update to Village Attorney report.	1.00	185.00
9/21/2011	EAB	Conference call with Boosters to Palmetto Baseball Senior High; revised second amendment to Tennis agreement; communications with Mr. Boiko; telephone conference with Mayor Stanczyk; and communications with Mr. Friedman.	1.00	185.00
				7,122.50
Total Professional Services				7,122.50

**Rate Summary**

Eve A. Boutsis	38.50 hours at \$185.00/hr	7,122.50
	Total hours: 38.50	7,122.50

**Disbursements**

8/31/2011	Database Legal research	666.42
9/22/2011	Disbursements incurred - 2.0%	142.45
	For Professional Services	7,122.50
	For Disbursements Incurred	808.87
		7,931.37
	Current Balance:	
	Previous Balance:	10,340.37
	Payments - Thank you	0.00
	<b>Total Due</b>	<b>18,271.74</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.

**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

September 22, 2011  
Matter ID: 0293-002  
Zoning Applications  
Invoice Number 20304

			Hours	Amount
9/12/2011	EAB	Telephone conference with Mr. Darby Delsalle; attention to 7th Day Adventist unity of title; communications with Mr. Ed Ludovici regarding same; analyzed unity of title; documents; telephone conference with Mr. Delsalle and Mr. Efren Nunez; telephone conference with Mr. John Dellagloria regarding Crown Liquors; telephone conference with Mr. Delsalle regarding liquor sales; and follow up with Mr. Dellagloria.	1.40	259.00
9/14/2011	EAB	Attention to charter school matter; telephone conference with Mr. Delsalle; attention to ABC Management; communications with Akerman firm and counsel; communications with Mr. Scott Silver relating to CP; attention to B-2 district use modifications; drafted title; analyzed title for Charter School matter; and follow up on ABC matters.	1.40	259.00
9/15/2011	EAB	Telephone conference with Mr. Delsalle on charter school; and gun ordinance and pending items.	0.30	55.50
9/19/2011	EAB	Prepared for P&Z hearing.	1.00	185.00
9/19/2011	EAB	Attended P&Z meeting.	0.50	92.50
9/20/2011	EAB	Telephone conference with Mr. Nunez on pending applications.	0.30	55.50
9/21/2011	EAB	Telephone conference with Mr. Delsalle regarding charter school application.	0.20	37.00

Total Professional Services 943.50

**Rate Summary**

Eve A. Boutsis

5.10 hours at \$185.00/hr

943.50

Total hours: 5.10

943.50

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.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

9/22/2011	Disbursements incurred - 2.0%	18.87	
	For Professional Services		943.50
	For Disbursements Incurred		18.87
			<hr/>
	Current Balance:		962.37
	Previous Balance:		2,207.79
	Payments - Thank you		0.00
			<hr/>
		<b>Total Due</b>	<b>3,170.16</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.

**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

September 22, 2011  
 Matter ID: 0293-004  
 Code Enforcement  
 Invoice Number 20305

			Hours	Amount
9/20/2011	EAB	Attention to short sale and bank foreclosure/special master mitigation.	0.20	37.00
9/21/2011	EAB	Telephone conferences with Mr. Darby Delsalle and Mr. Desmond Chin; and drafted letter to Ocean Bank.	0.70	129.50
				166.50
<b>Total Professional Services</b>				<b>166.50</b>

**Rate Summary**

Eve A. Boutsis	0.90 hours at \$185.00/hr	166.50
<b>Total hours:</b>	<u>0.90</u>	<u>166.50</u>

9/22/2011 Disbursements incurred - 2.0% 3.33

For Professional Services	166.50
For Disbursements Incurred	3.33
	169.83
Current Balance:	
Previous Balance:	622.71
Payments - Thank you	0.00
<b>Total Due</b>	<b>792.54</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.

**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

September 22, 2011  
 Matter ID: 0293-027  
 Palmer Trinity Private School,

Invoice Number 20306

			Hours	Amount
9/6/2011	EAB	Attention to deposition dates; communications with Mr. Tucker Gibbs; and telephone conference with Mayor Stanczyk on pending dates; attention to production by Mr. Gibbs; and follow up on depositions.	0.80	148.00
9/8/2011	EAB	Attended deposition of Ms. Joan Lindsay and after action.	10.00	1,850.00
9/9/2011	EAB	Attended deposition of Mr. Jerry Templar.	6.50	1,202.50
9/12/2011	EAB	Telephone conference with Mr. Jeffrey Hochman; and attention to discovery	0.40	74.00
9/13/2011	EAB	Attended deposition of Ms. Betty Pegram.	6.00	1,110.00
9/14/2011	EAB	Attention to scheduling order and communications with counsel.	0.20	37.00
			<b>Total Professional Services</b>	<b>4,421.50</b>

**Rate Summary**

Eve A. Boutsis                      23.90 hours at \$    185.00/hr                      4,421.50

Total hours:    23.90

**Expenses**

9/8/2011	Parking Charge-Attendance at deposition of Joan Lindsay	18.00
9/8/2011	Mileage-Attendance at deposition of Joan Lindsay	15.84
9/9/2011	Mileage-Attendance at deposition of Jerry Templar	15.84
9/9/2011	Parking Charge-Attendance at deposition of Jerry Templar	18.00

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.

**Figueredo Boutsis & Montalvo,**

**Matter ID: 0293-027 Statement No.: 20306**

**Page: 2**

Sub-total Expenses: 67.68

For Professional Services	4,421.50
For Disbursements Incurred	67.68
	<hr/>
Current Balance:	4,489.18
Previous Balance:	2,884.30
Payments - Thank you	0.00
	<hr/>
<b>Total Due</b>	<b>7,373.48</b>

Invoice Number: 20306

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

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.



Figueredo Boutsis & Montalvo,

Matter ID: 0293-029 Statement No.: 20307

Page: 2

Total hours: 9.40

**Expenses**

8/31/2011	Database Legal research	562.93
	Sub-total Expenses:	<u>562.93</u>
	For Professional Services	1,739.00
	For Disbursements Incurred	562.93
	Current Balance:	<u>2,301.93</u>
	Previous Balance:	3,111.44
	Payments - Thank you	0.00
	<b>Total Due</b>	<u>5,413.37</u>

Invoice Number: 20307

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

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.

# FIGUEREDO & BOUTSIS, P.A.

Attorneys & Counselors

18001 Old Cutler Road - Fifth Floor

Telephone: (305) 235-9344

Miami, Florida 33157-6417

Facsimile: (305) 235-9372

September 22, 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:

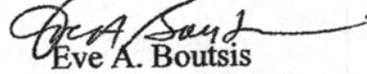
Enclosed are our invoices for professional services rendered and for costs advanced for the period ending September 22, 2011 in the amount of \$15,854.68. I have tabulated the amounts *currently due* on each individual file as follows:

<b>Please deduct from Village Attorney Account No. 5143110, General Legal.</b>			
0293-001	Non-Retainer Legal Services <i>Invoice No. 20303 dated 9/22/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 7,122.50 808.87 <b>7,931.37</b>
	<b>Total</b>		\$ <b>7,931.37</b>
<b>Please deduct from Village Attorney Account No. 5143140, Code Enforcement.</b>			
0293-002	<i>Zoning Application</i> <i>Invoice No. 20304 dated 9/22/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 943.50 18.87 <b>962.37</b>
	<b>Total</b>		\$ <b>962.37</b>
0293-004	<i>Code Enforcement</i> <i>Invoice No. 20305 dated 9/22/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 166.50 3.33 <b>169.83</b>
0293-027	<i>Palmer Trinity Private School vs. VPB-</i> <i>Invoice No. 20306 dated 9/22/11</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 4,421.50 67.68 <b>4,489.18</b>

0293-029	<i>Palmer Trinity Private School vs. VPB- Appeal Invoice No. 20307 dated 9/22/11</i>	Prof'l Services	\$	1,739.00
		Disbursements		562.93
		<b>Total Due</b>		<b>2,301.93</b>
	<b>Grand Total</b>		\$	<b>15,854.68</b>

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