

**RESOLUTION NO. 2012-19**

**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 \$30,163.99; 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 January 24, 2012, in the amount of \$30,163.99; 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:**

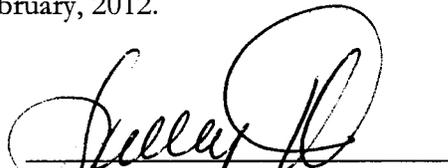
**Section 1.** The statements for attorneys' fees and costs received from FIGUEREDO & BOUTSIS, P.A., in the total amount of \$30,163.99, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 6<sup>th</sup> day of February, 2012.

Attest:

  
\_\_\_\_\_  
Meighan Alexander  
Village Clerk

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Eye A. Boutsis,  
FIGUEREDO & BOUTSIS, P.A., as Office  
of the Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore NO

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

January 25, 2012

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 January 24, 2012 in the amount of \$30,163.99. 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. 20345 dated 1/24/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 17,501.00 518.82 <b>18,019.82</b>
	<b>Total</b>		\$ <b>18,019.82</b>
<b>Please deduct from Village Attorney Account No. 5143140, Code Enforcement.</b>			
0293-002	<i>Zoning Application</i> <i>Invoice No. 20346 dated 1/24/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 629.00 12.58 <b>641.58</b>
	<b>Total</b>		\$ <b>641.58</b>
0293-004	<i>Code Enforcement</i> <i>Invoice No. 20347 dated 1/24/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 222.00 4.44 <b>226.44</b>
	<b>Total</b>		\$ <b>226.44</b>

0293-027	<i>Palmer Trinity vs. Village of Palmetto Bay</i> <i>Invoice No. 20348 dated 1/24/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$	2,664.00 616.99 <b>3,280.99</b>
0293-029	<i>Palmer Trinity vs. Village of Palmetto Bay (Appeal)</i> <i>Invoice No. 20349 dated 1/24/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$	5,716.50 1,165.33 <b>6,881.83</b>
0293-060	<i>Shores at Palmetto Bay vs. Village of Palmetto Bay</i> <i>Invoice No. 20350 dated 1/24/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$	1,091.50 21.83 <b>1,113.33</b>
	<b>Grand Total</b>		\$	<b>30,163.99</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

**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

January 24, 2012  
Matter ID: 0293-001  
General Municipal-VPB  
Invoice Number 20345

			Hours	Amount
12/21/2011	EAB	Communications with Ms. Cohen; communications with Mr. Desmond Chin; and follow up with Mr. I. Barry Blaxberg.	0.40	74.00
12/21/2011	EAB	Drafted Village Attorney update.	1.50	277.50
12/23/2011	EAB	Attention to agenda items; and communications with Mrs. Meighan Alexander and Mr. Darby Delsalle.	0.50	92.50
12/27/2011	EAB	Attention to the Florida Leagues and Claim - MDCCEPT and F.C.F.	2.50	462.50
12/28/2011	EAB	Telephone conferences with Mayor Shelley Stanczyk; drafted resolutions as to legislative agenda for Mayor Stanczyk; telephone conference with Mr. Ron Williams and Ms. Chanelle Costa; meeting with Mr. Ed Silva; drafted letter regarding Current Builders; and meeting with Mr. Delsalle on pending items.	6.00	1,110.00
12/29/2011	EAB	Revised Mayor's windstorm resolution; attention to pending matters, and telephone conference with Mayor Stanczyk.	3.00	555.00
12/30/2011	EAB	Attention to tennis RFP; and communications with staff.	0.40	74.00
12/30/2011	EAB	Continued to work with Ms. Costa on agenda items.	1.00	185.00
1/3/2012	EAB	Updated Village Attorney update; telephone conference with Mrs. Alexander; telephone conference with Mr. Williams; telephone conference with Mr. Kirk Hearin and Ms. Fanny Carmona-Gonzalez; and communications with Mr. Blaxberg.	2.40	444.00
1/3/2012	EAB	Meeting with Parks Dept. and Mr. Williams.	2.00	370.00
1/4/2012	EAB	Meeting with Parks Department.	1.30	240.50
1/4/2012	EAB	Attention to Kimley Horn Contract.	0.40	74.00
1/4/2012	EAB	Telephone conference with Mr. Manny Diaz, and follow up on MDCCEPT matter.	0.70	129.50
1/4/2012	EAB	Attention to Villagio matter; Mr. Blaxberg and staff.	0.40	74.00
1/4/2012	EAB	Drafted contract for temporary services; communications with Ms.	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.

## CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

Carmona- Gonzalez and vendor.

1/4/2012	EAB	Attention to subpoena served upon Mr. Efren Nunez.	0.30	55.50
1/5/2012	EAB	Attention to Villagio; telephone conference with Mr. Delsalle; telephone conference with Mr. Silva; communications with Mr. Simon Ferro; telephone conference with CP Howard Tendrich; and attention to AIPP; attention to selection committee; telephone conference with Ms. Carmona-Gonzalez; attention to subpoena; attention to FPL matter; communications with other city attorneys regarding same; and attention to Pinecrest Cost Recovery opposition.	4.50	832.50
1/6/2012	EAB	Telephone conference with Mrs. Carmona-Gonzalez; revised interim agreement; and revised memorandum and draft letter.	1.00	185.00
1/6/2012	EAB	Attention to charter school summit; attention to FPL meeting; communications with Mayor Stanczyk; and communications with Building and Zoning relating to development approvals and state legislation.	0.30	55.50
1/9/2012	EAB	Attention to agenda items; telephone conference with Mayor Stanczyk; telephone conference with Mr. Williams; telephone conference with Mrs. Alexander and Mayor Stanczyk; communications with Ms. Olga Cadaval and her assistant; attention to legislative agenda; and communications with Commander Greg Truitt.	2.50	462.50
1/9/2012	EAB	Revised AIPP ordinance.	0.60	111.00
1/9/2012	EAB	Prepared for and attended Council meeting.	4.40	814.00
1/10/2012	EAB	Telephone conference with Mr. Williams; follow up on tennis cone of silence, lifting; telephone conference with Mrs. Alexander; telephone conference with Mr. Delsalle; follow up and drafted letter regarding Villagio; and follow up with PW regarding indemnification and hold harmless provisions.	1.20	222.00
1/10/2012	EAB	Revised draft landscaping code with P&Z; telephone conference with Mr. Olga Cadaval as to personnel plan; and attention to MDCCEPT item.	3.00	555.00
1/11/2012	EAB	Communications with MDCCEPT relating to Sochin complaint; and telephone conference with Ms. Carmona.	0.70	129.50
1/11/2012	EAB	Analyzed legislative agenda and follow up on local municipal opposition to FPL and legislative items relating to same and forwarded information to council; and telephone conference with VM Brian Pariser.	1.00	185.00
1/11/2012	EAB	Revised landscaping ordinance; telephone conference with Mr. Delsalle regarding same; communications with Mrs. Alexander regarding sign ordinance; attention to queries regarding recall and charter; and telephone conference with Mr. Delsalle and Mr. Williams regarding sign ordinance.	3.00	555.00
1/12/2012	EAB	Meeting with Mr. Williams and Mr. Delsalle (1.5); revised signage	5.00	925.00

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ordinance; research relating to section 166.041, F.S; telephone conference with Mr. JC Planas; follow up on COW items; follow up on zoning items; meeting with Mrs. Alexander on pending items; telephone conference with Mayor Stanczyk; and telephone conference with VM Pariser.

1/12/2012	EAB	Attention to concessions matter (.3); and finalized agreement for parks (.3).	0.60	111.00
1/13/2012	EAB	Attention to COW agenda items; telephone conference with Mrs. Alexander regarding agendas and advertising; telephone conference with Mr. Delsalle; and revised ordinance drafts and cover memoranda.	1.70	314.50
1/13/2012	EAB	Attention to advertising requirements; telephone conference with Mr. Tucker Gibbs; telephone conference with Coral Gables city clerk; telephone conference with Mr. John Dellagloria; telephone conference with Mr. Brian Adler; and legal research relating to same.	2.40	444.00
1/13/2012	EAB	Telephone conference with Ms. Lynn Matos, of Remax regarding POAs and foreclosure bank properties.	0.40	74.00
1/17/2012	EAB	Attention to COW items; meeting with Mr. Williams, Mrs. Alexander and CP Tendrich; meeting with Mr. Silva and and Mr. Delsalle; approved advertisement for LPA; and telephone conference with Mayor Stanczyk on pending items.	2.70	499.50
1/17/2012	EAB	Communications with Ms. Miriam Ramos of MDCEPT.	0.30	55.50
1/17/2012	EAB	Revised and edited AIPP RFQ.	1.50	277.50
1/18/2012	EAB	Fielded inquiries from Council; prepared for COW; follow up on agenda items; and attended COW.	5.00	925.00
1/19/2012	EAB	After action to COW agenda; revised AIPP cover memo; telephone conference with Council Persons on pending items; attention to educational compact; and telephone conference with Mrs. Alexander on pending items.	2.30	425.50
1/19/2012	EAB	Drafted audit response letter.	2.50	462.50
1/20/2012	EAB	Telephone conference with Mr. Beau Jackson FCE; follow up on documents for FCE; communications with counsel; and telephone conference with Mr. Ben Kuehne.	2.00	370.00
1/20/2012	EAB	Communications with Mr. Blaxberg; communications with Mr. Bruce Boiko; reviewed use agreement with Palmetto Baseball; attention to Isaac Dixie Holdings; attention to variance procedures per request of CP Patrick Fiore; telephone conference with Mr. Delsalle and Mrs. Alexander; attention to Current Builders correspondence; telephone conference with VM Pariser; and telephone conference with Mr. Williams.	2.70	499.50
1/20/2012	EAB	Completed audit response letter.	1.50	277.50
1/20/2012	EAB	Prepared February village attorney update.	1.00	185.00

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1/23/2012	EAB	Revisions to 30-30; and Friends of Thalatta.	0.60	111.00
1/23/2012	EAB	Drafted Ed Compact Committee resolution.	1.40	259.00
1/23/2012	EAB	Telephone conference with Mr. Jackson; Mr. Williams; Mr. Kuehne; and attention to pending matter.	2.00	370.00
1/23/2012	EAB	Revised staff memoranda on Friends of Thalatta, School Compact Committee, revisions to 30-30 and AIPP.	1.50	277.50
1/24/2012	EAB	Prepared for and attended MDCCOEPT board meeting.	5.30	980.50
1/24/2012	EAB	Follow up on changes to state law and proposed changes to county code on procurement; provided update to council.	1.50	277.50
1/24/2012	EAB	Updated and revised staff reports; telephone conference with Mr. Williams; telephone conference with Mr. Delsalle; communications with Ms. Corrice Patterson regarding signs.	3.00	555.00
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			Total Professional Services	17,501.00

**Rate Summary**

Eve A. Boutsis	94.60 hours at \$185.00/hr	17,501.00
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Total hours:	<hr/> 94.60	<hr/> 17,501.00
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**Disbursements**

12/12/2011	Federal Express	22.22
12/22/2011	Federal Express	42.56
12/31/2011	Database Legal research	104.02
1/24/2012	Disbursements incurred - 2.0%	350.02

**Payments and Credits**

1/18/2012	Check No.: 14205	13,065.14
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Sub-total Payments:	<hr/> 13,065.14
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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	17,501.00
For Disbursements Incurred	518.82
	<hr/>
Current Balance:	18,019.82
Previous Balance:	13,065.14
Payments - Thank you	13,065.14
	<hr/>
<b>Total Due</b>	<b>18,019.82</b>

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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

January 24, 2012  
 Matter ID: 0293-002  
 Zoning Applications  
 Invoice Number 20346

			Hours	Amount
1/3/2012	EAB	Telephone conference with Mr. Darby Delsalle; analyzed Division 30-30; and attention to charter school application - new.	1.20	222.00
1/4/2012	EAB	Telephone conference with Mr. Simon Ferro; analyzed declaration of restrictions; and drafted response to Mr. Ferro.	1.20	222.00
1/5/2012	EAB	Attention to zoning pending items with P&Z Dept.	1.00	185.00
				629.00
			Total Professional Services	629.00

**Rate Summary**

Eve A. Boutsis	3.40 hours at \$185.00/hr	629.00
	Total hours: 3.40	629.00

1/24/2012	Disbursements incurred - 2.0%	12.58
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**Payments and Credits**

1/18/2012	Check No.: 14205	2,170.05
		Sub-total Payments: 2,170.05

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	629.00
For Disbursements Incurred	12.58
	<hr/>
Current Balance:	641.58
Previous Balance:	2,170.05
Payments - Thank you	2,170.05
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<b>Total Due</b>	<b>641.58</b>

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

**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

January 24, 2012  
Matter ID: 0293-004  
Code Enforcement  
Invoice Number 20347

			Hours	Amount
12/29/2011	EAB	Telephone conference with Mr. Jeff Roth regarding Isaacs Dixie Roofing.	0.50	92.50
12/30/2011	EAB	Attention to permitting issue with counsel for commercial property.	0.30	55.50
1/24/2012	EAB	Communications with Mr. Michael Holness regarding Perrine Seventh Day Adventist School.	0.40	74.00
			Total Professional Services	222.00

**Rate Summary**

Eve A. Boutsis 1.20 hours at \$185.00/hr 222.00

Total hours: 1.20 222.00

1/24/2012 Disbursements incurred - 2.0% 4.44

**Payments and Credits**

12/6/2011 Check No.: 13985 94.35

Sub-total Payments: 94.35

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	222.00
For Disbursements Incurred	4.44
	<hr/>
Current Balance:	226.44
Previous Balance:	94.35
Payments - Thank you	94.35
	<hr/>
<b>Total Due</b>	<b>226.44</b>

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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

January 24, 2012  
Matter ID: 0293-027  
Palmer Trinity Private School,  
Invoice Number 20348

			Hours	Amount
12/29/2011	EAB	Communications with Mr. Jeff Hochman as to motion for sanctions; and follow up on discovery; and attention to status of production of computer by CCOCI.	2.00	370.00
12/30/2011	EAB	Legal research as to memorandum of law filed by PT; communications with Mr. Hochman and Mr. Gill; and communications with Village Council.	6.00	1,110.00
1/10/2012	EAB	Communications with Mr. Hochman.	0.30	55.50
1/13/2012	EAB	Communications with Mr. Hochman.	0.40	74.00
1/17/2012	EAB	Telephone conference with CP Joan Lindsay; telephone conference with Mr. Tucker Gibbs; follow up on order; follow up with Mr. Hochman and Krull; and attention to opposition memorandum and new federal opinion.	3.50	647.50
1/18/2012	EAB	Follow up on status conference and memorandum in opposition.	0.70	129.50
1/19/2012	EAB	Communications with Counsel; attention to Krull Forensics matters; and follow up on status conference.	0.60	111.00
1/20/2012	EAB	Attention to Forensic Consultant; telephone conference with Mr. Ted Krill; follow up with Mrs. Meighan Alexander regarding same; and communications with counsel regarding same.	0.50	92.50
1/23/2012	EAB	Attention to forensic expert; and communications with counsel.	0.40	74.00
			Total Professional Services	2,664.00

**Rate Summary**

Eve A. Boutsis	14.40 hours at \$185.00/hr	2,664.00
Total hours:		14.40
		2,664.00

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**Disbursements**

12/31/2011	Database Legal research	563.71
1/24/2012	Disbursements incurred - 2.0%	53.28

**Payments and Credits**

1/18/2012	Check No.: 14205	7,901.66
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Sub-total Payments:	<u>7,901.66</u>
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For Professional Services	2,664.00
For Disbursements Incurred	616.99
	<u>3,280.99</u>
Current Balance:	7,901.66
Previous Balance:	7,901.66
Payments - Thank you	7,901.66
<b>Total Due</b>	<b><u>3,280.99</u></b>

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

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

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Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

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

January 24, 2012  
Matter ID: 0293-029  
Palmer Trinity v. VPB - Appeal  
Invoice Number 20349

			Hours	Amount
12/23/2011	EAB	Attention to appellate decision; telephone conference with Mr. Ron Williams; and communications with Justice Raoul Cantero.	3.00	555.00
12/28/2011	EAB	Communications with Council; communications with Justice Cantero; and attention to shade session.	1.50	277.50
12/29/2011	EAB	Communications with Justice Cantero; telephone conference with Mayor Shelley Stanczyk; communications with VM Brian Pariser and CP Patrick Fiore; telephone conference with Mr. Tucker Gibbs; and telephone conference with CP Howard Tendrich.	3.50	647.50
12/30/2011	EAB	Coordinated shade session and communications with council. Analyzed legal issues relating to a possible appeal.	2.00	370.00
1/3/2012	EAB	Telephone conference with Mr. Gibbs.	0.60	111.00
1/3/2012	EAB	Communications with Mr. Cantero and council.	0.40	74.00
1/4/2012	EAB	Coordinated shade session; and telephone conference with Council Persons.	1.00	185.00
1/6/2012	EAB	Telephone conference with CP Joan Lindsay.	0.40	74.00
1/6/2012	EAB	Telephone conference with Justice Cantero and Mr. Ron Williams.	0.70	129.50
1/7/2012	EAB	Prepared for attended shade session.	3.00	555.00
1/10/2012	EAB	Telephone conference with Mr. Gibbs.	0.30	55.50
1/17/2012	EAB	Communications with Justice Cantero; and attention to mandate on mandate and legal ramifications of same.	1.00	185.00
1/18/2012	EAB	Attention to October transcript and began review of draft.	0.50	92.50
1/18/2012	EAB	Began research for appeal.	2.50	462.50
1/20/2012	EAB	Review and commented on appeal; communications with Justice Cantero; and telephone conference with Mr. Gibbs.	4.00	740.00
1/22/2012	EAB	Reviewed brief, and communications with Justice Cantero.	3.50	647.50

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

1/23/2012	EAB	Began draft.	3.00	555.00
				5,716.50
Total Professional Services				5,716.50

**Rate Summary**

Eve A. Boutsis	30.90 hours at \$185.00/hr	5,716.50
Total hours:		30.90
		5,716.50

**Disbursements**

1/7/2012	Court reporter	1,051.00
1/24/2012	Disbursements incurred - 2.0%	114.33

**Payments and Credits**

1/18/2012	Check No.: 14205	74.00
Sub-total Payments:		74.00

For Professional Services	5,716.50
For Disbursements Incurred	1,165.33
Current Balance:	6,881.83
Previous Balance:	74.00
Payments - Thank you	74.00
<b>Total Due</b>	<b>6,881.83</b>

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

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

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

January 24, 2012  
Matter ID: 0293-060  
Shores at Palmetto Bay vs. VPB  
Invoice Number 20350

			Hours	Amount
1/12/2012	EAB	Attention to charter school appeal.	1.50	277.50
1/13/2012	EAB	Attention to charter school appeal; statutory authority; standards on appeal; communications with school board; attention to record; communications with staff regarding record; and legal research.	4.00	740.00
1/17/2012	EAB	Telephone conference with Court Reporter.	0.40	74.00
				1,091.50
			Total Professional Services	1,091.50

**Rate Summary**

Eve A. Boutsis 5.90 hours at \$185.00/hr 1,091.50

Total hours: 5.90 1,091.50

1/24/2012 Disbursements incurred - 2.0% 21.83

For Professional Services 1,091.50

For Disbursements Incurred 21.83

Current Balance: 1,113.33

Previous Balance: 0.00

Payments - Thank you 0.00

**Total Due** 1,113.33

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