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**RESOLUTION NO. 2012-24**

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 \$33,179.50; 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 27, 2012, in the amount of \$33,179.50; and,

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

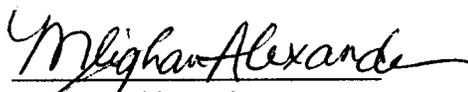
**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

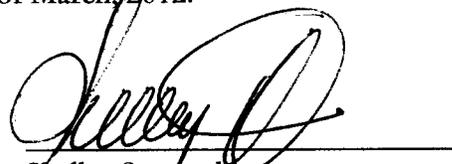
**Section 1.** The statements for attorneys' fees and costs received from FIGUEREDO & BOUTSIS, P.A., in the total amount of \$33,179.50, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 12<sup>th</sup> day of March, 2012.

Attest:

  
Meighan Alexander  
Village Clerk

  
Shelley Stanczyk  
Mayor

APPROVED AS TO FORM:

  
Eye A. Boursis,  
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 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 28, 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:

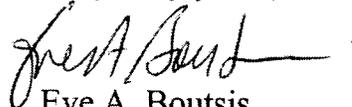
Enclosed are our invoices for professional services rendered and for costs advanced for the period ending February 27, 2012 in the amount of \$33,179.50. I have tabulated the amounts *currently due* on each individual file as follows:

<b>Please deduct from Village Attorney Account No. 5143110, General Legal.</b>			
0293-001	Non-Retainer Legal Services <i>Invoice No. 20358 dated 2/27/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 15,373.50 1,084.10 <b>16,457.60</b>
	<b>Total</b>		\$ <b>16,457.60</b>
<b>Please deduct from Village Attorney Account No. 5143140, Code Enforcement.</b>			
0293-002	<i>Zoning Application</i> <i>Invoice No. 20359 dated 2/27/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 592.00 11.84 <b>603.84</b>
	<b>Total</b>		\$ <b>603.84</b>
0293-004	<i>Code Enforcement</i> <i>Invoice No. 20360 dated 2/27/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 92.50 1.85 <b>94.35</b>
	<b>Total</b>		\$ <b>94.35</b>

0293-027	<i>Palmer Trinity vs. Village of Palmetto Bay</i> <i>Invoice No. 20361 dated 2/27/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$  <b>2,085.78</b>	1,813.00 272.78
0293-029	<i>Palmer Trinity vs. Village of Palmetto Bay (Appeal)</i> <i>Invoice No. 20362 dated 2/27/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$  <b>188.70</b>	185.00 3.70
0293-060	<i>Shores at Palmetto Bay vs. Village of Palmetto Bay</i> <i>Invoice No. 20363 dated 2/27/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$  <b>13,749.23</b>	12,265.50 1,483.73
	<b>Grand Total</b>		\$	<b>33,179.50</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

February 27, 2012  
 Matter ID: 0293-001  
 General Municipal-VPB  
 Invoice Number 20358

			Hours	Amount
1/25/2012	EAB	Telephone conference with Charter Revisions Commissions Chair Beverly Gerald on public meeting process.	0.90	166.50
1/25/2012	EAB	Attention to employee handbook revisions.	2.00	370.00
1/25/2012	EAB	Telephone conference with CP Patrick Fiore relating to variance standard; and drafted ordinance for CP Fiore, per his direction.	1.00	185.00
1/25/2012	EAB	Revised Friends of Thalatta ordinance; drafted cover memorandum relating to Friends of Thalatta; telephone conference with Mr. Darby Delsalle on pending items; telephone conference with Mrs. Meighan Alexander on pending items; and telephone conference with Mr. Ron Williams on agenda item.	1.70	314.50
1/25/2012	EAB	Attended public workshop on charter.	2.00	370.00
1/26/2012	EAB	Began inputting all the charter amendments and comments proposed by the audience at workshop.	2.00	370.00
1/26/2012	EAB	Meeting with CP Joan Lindsay on her legislative items.	1.00	185.00
1/26/2012	EAB	Drafted revisions to 30-30.3 and 30.30.11 of LDC relating to CP Lindsay's request as to modifying notice provisions.	2.00	370.00
1/26/2012	EAB	Meeting with Parks, Finance and Mr. Williams; meeting with Clerk, P&Z and Mr. Williams; meeting with Mr. Delsalle; revised Thalatta ordinance; attention to upcoming COW meeting agenda items.	3.00	555.00
1/27/2012	EAB	Communications with Mr. Joe Centorino; finalized Thalatta draft ordinance and memorandum.	1.30	240.50
1/27/2012	EAB	Analyzed case law relating to ballots - Winter Springs litigation and progeny; revised charter amendment procedures ordinance; revised notice provisions as to 30-30; discussion with Mr. Delsalle regarding same; telephone conference with Mayor Shelley Stanczyk; attention to ordinances being proposed by MDC as to ethics, swimming pool barriers, etc; finalized non hardship variance draft ordinance; finalized 30-30.11(o); forwarded same to the council persons; and began analysis of Flood Plain Management	7.20	1,332.00

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.

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## Ordinance.

1/27/2012	EAB	Attention to Borhani matter; communications with Mr. Mike Piper.	0.30	55.50
1/30/2012	EAB	Drafted revised Flood Plain Management Ordinance.	6.50	1,202.50
1/30/2012	EAB	Telephone conference with CP Lindsay and revised draft 30-30(o) ordinance.	0.40	74.00
1/30/2012	EAB	Communications with Mr. Centorino.	0.10	18.50
1/31/2012	EAB	Attention to agenda items; telephone conference with Mayor Stanczyk; telephone conference with Mr. Williams and Mrs. Alexander; telephone conference with Mr. Delsalle.	0.70	129.50
1/31/2012	EAB	Finalized floodplain management ordinance.	0.60	111.00
2/1/2012	EAB	Communications with the MDCCEPT.	0.30	55.50
2/1/2012	EAB	Drafted cover memorandum relating to floodplain management ordinance.	1.40	259.00
2/2/2012	EAB	Revised cover memoranda for March agenda items with Mr. Delsalle; telephone conference with Ms. Corrice Patterson on stormwater ordinance and pending contract issues with Quality Paving.	1.30	240.50
2/2/2012	EAB	Attended Town Hall Meeting.	2.00	370.00
2/3/2012	EAB	Telephone conference with Mayor Stanczyk; telephone conference with Mr. Williams on pending items.	0.70	129.50
2/3/2012	EAB	Attention to Villagio matter; and Flood Plain ordinance.	0.40	74.00
2/6/2012	EAB	Communications with VM Pariser; telephone conference with Mayor Stanczyk; follow up on items on agenda and prepared Friends of Thalatta Committee; telephone conference with Mr. Williams; revised Educational Compact Resolution; attention to Ethics Ordinances at MDC; telephone conference with Ms. Patterson, finalized Floodplain Ordinance; finalized landscaping ordinance and cover memorandum; attention to FPL matter; telephone conference with CP Lindsay; telephone conference with VM Brian Pariser; telephone conference with Mr. Delsalle; telephone conferences with Mayor Stanczyk; communications with Mr. Silva; communications with Ms. Chanelle Costa; communications with Mrs. Fanny Carmona Gonzalez.	7.00	1,295.00
2/6/2012	EAB	Attended council meeting.	4.00	740.00
2/7/2012	EAB	Updated edits from council meeting as to second reading ordinances and modified resolutions; drafted amendment to GameTime piggyback contract as to jurisdiction, venue, and notices; updated first reading ordinances for second reading, including modifications to memoranda; communications with staff; updated first reading ordinances and cover memoranda relating to March agenda; attention to public records inquiries; communications with Dr. Larry Feldman; telephone conference with	4.00	740.00

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Mayor Stanczyk; telephone conference with CP Joan Lindsay; revised notice ordinance, Section 30-30.2(o) relating to repeal of conflicting provisions; telephone conference with CP Fiore; telephone conference with Mr. Williams; telephone conference with Mr. Delsalle; reviewed and revised LPA advertisement for March.

2/9/2012	EAB	Telephone conference with Mr. Tucker Gibbs on pending items relating to FCE; telephone conference with Mr. Williams; meeting with Ms. Alexander on pending items.	1.50	277.50
2/10/2012	EAB	Telephone conference with Mr. Ed Silva; and attention to pending matters.	0.60	111.00
2/10/2012	EAB	Attention to quality paving.	0.40	74.00
2/16/2012	EAB	Revised RFP for tennis and for security guard services; and provided comments regarding same.	2.00	370.00
2/16/2012	EAB	Attention to public records request.	0.40	74.00
2/16/2012	EAB	Attention to Quality Paving; communications with Ms. Patterson.	0.30	55.50
2/16/2012	EAB	Attention to pending matters; telephone conference with Mrs. Alexander, Mr. Williams and Mr. Delsalle.	0.60	111.00
2/17/2012	EAB	Analyzed and revised landscaping maintenance ordinance, fee schedule and Historic Preservation Board Ordinance; attention to Marsha Madson Public Records Request; and telephone conference with Mr. Delsalle.	3.50	647.50
2/21/2012	EAB	Telephone conference with Mayor Stanczyk on pending items; communications with Ms. Miriam Ramos regarding presentation; telephone conference with Mr. Williams; and attention to revised fee schedule.	1.00	185.00
2/21/2012	EAB	Prepared procurement outline for COW meeting.	2.00	370.00
2/21/2012	EAB	Attended COW meeting and Presentation by Deputy General Counsel Ms. Ramos of the MDCCEPT.	2.00	370.00
2/22/2012	EAB	Analyzed Ethics Code and updated same and drafted repeal of conflicting provisions in Municode; analyzed and drafted updates to Cone of Silence; and communications with Ms. Ramos.	4.00	740.00
2/22/2012	EAB	Attention to agenda items.	0.60	111.00
2/23/2012	EAB	Attention to agenda items; reviewed concession agreement; revised same; finalized staff reports and ordinances on lobbying and cone of silence; and communications with MDCCEPT, Ms. Ramos re: Sochin findings.	3.40	629.00
2/24/2012	EAB	Prepared village attorney update; finalized council memoranda on pending ordinances; drafted first addendum to landscaping services; attention to Parks Master Plan items; attention to declarations of restrictions; telephone conference with CP Lindsay regarding charter amendment ordinance process; and drafted final declarations of restrictions consistent with 05-03 and 05-04.	5.00	925.00

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

2/27/2012	EAB	Finalized agenda items.	2.00	370.00
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			Total Professional Services	15,373.50
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**Rate Summary**

Eve A. Boutsis	83.10 hours at \$185.00/hr	15,373.50
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Total hours:	83.10	15,373.50
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**Disbursements**

1/24/2012	Parking Charge	15.00
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1/24/2012	Mileage	15.84
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1/31/2012	Database Legal research	745.79
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2/27/2012	Disbursements incurred - 2.0%	307.47
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**Payments and Credits**

2/17/2012	Check No.: 14373	18,019.82
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Sub-total Payments:	18,019.82
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For Professional Services	15,373.50
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For Disbursements Incurred	1,084.10
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Current Balance:	16,457.60
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Previous Balance:	18,019.82
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Payments - Thank you	18,019.82
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<b>Total Due</b>	<b>16,457.60</b>
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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

February 27, 2012  
Matter ID: 0293-002  
Zoning Applications  
Invoice Number 20359

			Hours	Amount
1/31/2012	EAB	Communications with Mr. Simon Ferro regarding Fuddruckers.	0.30	55.50
2/2/2012	EAB	Attention to Parkside resubmittal and Calvin Giordano proposal.	0.60	111.00
2/7/2012	EAB	Telephone conference with Mr. John Dellagloria; and communications with Mr. Jerry Proctor regarding alcohol sales ordinance.	0.40	74.00
2/8/2012	EAB	Follow up with Ms. Dorothy Seigel and telephone conference with Mr. Williams.	0.30	55.50
2/8/2012	EAB	Reviewed P&Z advertising.	0.20	37.00
2/8/2012	EAB	Attention to submittal by Parkside; telephone conference with Mr. Darby Delsalle; and telephone conference with Mr. Ed Silva.	0.60	111.00
2/9/2012	EAB	Telephone conference with Mr. Delsalle on pending zoning items.	0.40	74.00
2/10/2012	EAB	Analyzed Calvin Giordano contract relating to Charter School review.	0.40	74.00
<b>Total Professional Services</b>				<b>592.00</b>

**Rate Summary**

Eve A. Boutsis 3.20 hours at \$185.00/hr 592.00

Total hours: 3.20 592.00

2/27/2012 Disbursements incurred - 2.0% 11.84

**Payments and Credits**

2/17/2012 Check No.: 14373 641.58

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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Sub-total Payments:	641.58	
For Professional Services		592.00
For Disbursements Incurred		11.84
		<u>        </u>
Current Balance:		603.84
Previous Balance:		641.58
Payments - Thank you		641.58
		<u>        </u>
	<b>Total Due</b>	<b>603.84</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

February 27, 2012  
 Matter ID: 0293-004  
 Code Enforcement  
 Invoice Number 20360

			Hours	Amount
1/30/2012	EAB	Communications with Mr. William Tuttle.	0.20	37.00
2/2/2012	EAB	Telephone conference with Ms. Vanessa Bencomo; and attention to foreclosure and lien matter with Mr. Williams Tuttle.	0.30	55.50
				92.50
Total Professional Services				92.50

**Rate Summary**

Eve A. Boutsis	0.50 hours at \$185.00/hr	92.50
Total hours:		0.50
		92.50

2/27/2012	Disbursements incurred - 2.0%	1.85
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**Payments and Credits**

2/17/2012	Check No.: 14373	226.44
Sub-total Payments:		226.44

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	92.50
For Disbursements Incurred	1.85
Current Balance:	<u>94.35</u>
Previous Balance:	226.44
Payments - Thank you	226.44
<b>Total Due</b>	<u><b>94.35</b></u>

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

February 27, 2012  
 Matter ID: 0293-027  
 Palmer Trinity Private School,  
 Invoice Number 20361

			Hours	Amount
12/24/2011	EAB	Attention to appeal.	1.50	277.50
12/24/2011	EAB	Communications and attention to appeal.	2.00	370.00
12/27/2011	EAB	Attention to Palmer Trinity appellate litigation and research.	2.00	370.00
1/25/2012	EAB	Attention to filings by PT; Attention to correspondence by Mr. Jeff Hochman; Mr. Stan Price's response; and follow up on case law citations.	2.00	370.00
2/2/2012	EAB	Attended status conference; follow up with Mr. Tucker Gibbs; and communications with Council regarding same.	2.30	425.50
				1,813.00
			Total Professional Services	1,813.00

**Rate Summary**

Eve A. Boutsis	9.80 hours at \$185.00/hr	1,813.00
	Total hours: 9.80	1,813.00

**Disbursements**

9/12/2011	Mileage	15.84
9/12/2011	Parking Charge	18.00
12/20/2011	Mileage	15.84
12/20/2011	Parking Charge	15.00
1/31/2012	Database Legal research	150.00
2/12/2012	Parking Charge	6.00
2/12/2012	Mileage	15.84
2/27/2012	Disbursements incurred - 2.0%	36.26

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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**Payments and Credits**

2/17/2012	Check No.: 14373	3,280.99	
	Sub-total Payments:	<u>3,280.99</u>	
	For Professional Services		1,813.00
	For Disbursements Incurred		272.78
	Current Balance:		<u>2,085.78</u>
	Previous Balance:		3,280.99
	Payments - Thank you		3,280.99
	<b>Total Due</b>		<b><u>2,085.78</u></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

February 27, 2012  
 Matter ID: 0293-029  
 Palmer Trinity v. VPB - Appeal  
 Invoice Number 20362

			Hours	Amount
2/2/2012	EAB	Communication with Justice Cantero as to research.	0.20	37.00
2/9/2012	EAB	Attention to motion to tax costs; and communications with Mr. Raoul Cantero; and analyzed CCOCI brief.	0.50	92.50
2/22/2012	EAB	Communications with Mr. Stan Price.	0.30	55.50
				185.00
			Total Professional Services	185.00

**Rate Summary**

	Eve A. Boutsis	1.00 hours at \$185.00/hr	185.00
		Total hours: 1.00	185.00
2/27/2012	Disbursements incurred - 2.0%		3.70

**Payments and Credits**

2/17/2012	Check No.: 14373	6,881.83
	Sub-total Payments:	6,881.83

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	185.00
For Disbursements Incurred	3.70
	<hr/>
Current Balance:	188.70
Previous Balance:	6,881.83
Payments - Thank you	6,881.83
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<b>Total Due</b>	<b>188.70</b>

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



CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

	Total hours:	<u>66.30</u>	<u>12,265.50</u>
<b>Disbursements</b>			
2/23/2012	Transcripts		236.00
2/24/2012	Photocopies of all appendixes for Response to Writ of Garnishment.		1,002.42
2/27/2012	Disbursements incurred - 2.0%		245.31
<b>Payments and Credits</b>			
2/17/2012	Check No.: 14373		1,113.33
		Sub-total Payments:	<u>1,113.33</u>
	For Professional Services		12,265.50
	For Disbursements Incurred		1,483.73
	Current Balance:		<u>13,749.23</u>
	Previous Balance:		1,113.33
	Payments - Thank you		1,113.33
		<b>Total Due</b>	<b><u>13,749.23</u></b>

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