

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

RESOLUTION NO. 2012-93

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 \$11,968.47; 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 November 20, 2012, in the amount of \$11,968.47; 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:

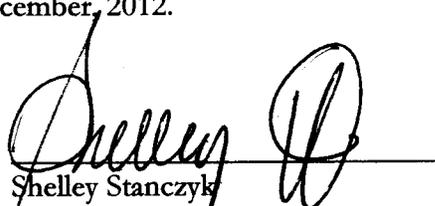
Section 1. The statements for attorneys' fees and costs received from FIGUEREDO & BOUTSIS, P.A., in the total amount of \$11,968.47, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 3rd day of December, 2012.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

FINAL VOTE AT ADOPTION:

- Council Member Patrick Fiore YES
- Council Member Tim Schaffer YES
- Council Member Joan Lindsay YES
- Vice-Mayor John DuBois 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

December 3, 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 November 20, 2012 in the amount of **\$12,006.21**. 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. 20476 dated 11/20/12</i> | Prof'l Services | \$ | 8,343.50 |
| | | Disbursements | | 1,172.61 |
| | | Total Due | | 9,553.11 |
| | Total | | \$ | 9,553.11 |
| Please deduct from Village Attorney Account No. 5143140, Code Enforcement. | | | | 9515.37 |
| 0293-002 | Zoning Application <i>Invoice No. 20477 dated 11/20/12</i> | Prof'l Services | \$ | 1,202.50 |
| | | Disbursements | | 24.05 |
| | | Total Due | | 1,226.55 |
| | Total | | \$ | 1,226.55 |
| 0293-004 | Code Enforcement <i>Invoice No. 20478 dated 11/20/12</i> | Prof'l Services | \$ | 555.00 |
| | | Disbursements | | 11.10 |
| | | Total Due | | 566.10 |

| | | | |
|----------|---|--|---------------------------------------|
| 0293-027 | <i>Palmer Trinity vs. VPB</i> <i>Invoice No. 20472 dated 11/20/12</i> | Prof'l Services Disbursements Total Due | \$ 370.00 7.40 377.40 |
| 0293-029 | <i>Palmer Trinity Private School(Appeal)</i> <i>Invoice No. 20479 dated 11/20/12</i> | Prof'l Services Disbursements Total Due | \$ 185.00 3.70 188.70 |
| 0293-060 | <i>Shores of Palmetto Bay vs. VPB</i> <i>Invoice No. 20474 dated 11/20/12</i> | Prof'l Services Disbursements Total Due | \$ 92.50 1.85 94.35 |
| | Grand Total | | \$ 12,006.21 |

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

11,968.47

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

November 20, 2012
Matter ID: 0293-001
General Municipal-VPB
Invoice Number 20476

| | | | Hours | Amount |
|------------|-----|--|-------|--------|
| 10/30/2012 | EAB | Attention to agenda items (.1); telephone conference with VM Brian Pariser (.2); attention to HOA/golf cart inquiries (.3); attention to changes in MDC Code relating to red light cameras and incorporations (.4); and attention to election related matters (.1). | 1.10 | 203.50 |
| 10/30/2012 | EAB | Reviewed bid for water fountain pump system and provided direction to staff regarding same. | 1.00 | 185.00 |
| 10/30/2012 | EAB | Attention to and revisions to updated employment manual. | 1.00 | 185.00 |
| 10/30/2012 | EAB | Communications with Mr. Chris Stearns regarding the Anctil litigation; and attention to same. | 0.40 | 74.00 |
| 10/31/2012 | EAB | Attention to pending items (.4); telephone conference with Mayor Shelley Stanczyk (.3); telephone conference with Commander Gregory Truitt (.4); discussion with Mr. Ron Williams (.3); and attention to golf cart regulations (.2). | 1.60 | 296.00 |
| 10/31/2012 | EAB | Telephone conference with Mr. Stearns regarding Anctil matter. | 0.30 | 55.50 |
| 10/31/2012 | EAB | Attention to subpoena for records for third party trial. | 0.40 | 74.00 |
| 11/1/2012 | EAB | Telephone conference with Mr. Ed Silva (.3); attention to RFP/Q process and recommendations going forward regarding same (.4); telephone conference with Mr. Silva on agenda items (.2); attention to communication by MDCCEPT (1.0); telephone conference with Ms. Corrice Patterson (.2); communications with Mr. Will Griffin of ISD (.2); follow up on same; (.3) telephone conference with Mrs. Meighan Alexander (.3); attention to agenda items/ordinances and inquiries (1.0); and attention to utilities and owner's affidavit's (easement communications with Comcast) (.3); attention to FPL litigation (.3). | 4.50 | 832.50 |
| 11/2/2012 | EAB | Drafted letter to ISD. | 1.00 | 185.00 |
| 11/5/2012 | EAB | Attention to Final and receipt of same (.4); attention to AIPP contract (.4); and telephone conference with Mrs. Alexander (.3); telephone conference with CP Tendrich (.3) and attention to election related matters (.6). | 2.00 | 370.00 |

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

| | | | | |
|------------|-----|--|------|--------|
| 11/5/2012 | EAB | Attention to agenda items (1.2); telephone conference with Mrs. Alexander on pending items (.2); telephone conference with Mr. Delsalle on agenda items (.3); telephone conference with Mr. Williams on agenda items (.1); telephone conference with Mr. Jerry Proctor regarding Alexander Montesorri School and NPO (.1); and communications with Mr. John Shubin regarding Westminster and NPO (.2). | 2.00 | 370.00 |
| 11/5/2012 | EAB | Prepared for and attended council meeting. | 3.50 | 647.50 |
| 11/6/2012 | EAB | Revised and finalized approved agenda items (1.8); attention to agenda items (.4); and communications with Mr. Shubin regarding follow up communication on NPO (.1); and communications with Mr. Proctor regarding follow up communication on NPO (.2). | 2.50 | 462.50 |
| 11/6/2012 | EAB | Reviewed and revised AIPP water fountain contract. | 0.30 | 55.50 |
| 11/7/2012 | EAB | Telephone conference with Mayor Stanczyk (.2); updated charter amendments based upon vote/adoption (.7); telephone conference with Mr. John DuBois (.2); and attention to contract for AIPP for further revisions (.4). | 1.50 | 277.50 |
| 11/7/2012 | EAB | Research on public records opinions (.5); and communications with Mr. Joe Centorino regarding same (.3). | 0.80 | 148.00 |
| 11/8/2012 | EAB | Meeting with Mr. Silva and Comcast (1.3); meeting with Mr. Delsalle on pending matters including relating to inspection warrants (.7); and attention to pending matters with Mrs. Alexander and Mr. Williams (.5). | 2.50 | 462.50 |
| 11/8/2012 | EAB | Telephone conference with Mr. Centorino (.2); and analyzed cases and provided direction to mayor (.5). | 0.70 | 129.50 |
| 11/9/2012 | EAB | Attention to public records (.3); telephone conference with Mrs. Alexander (.2); revised ordinances (.7); attention to Quality Paving (.4); revised CRP contract (.5); communications with Mr. Delsalle (.1); telephone conference with Mayor Stanczyk (.3); and attention to absentee ballots and election related scheduling (.5). | 3.00 | 555.00 |
| 11/9/2012 | EAB | Attention to absentee ballot. | 0.40 | 74.00 |
| 11/13/2012 | EAB | Attention to Comcast and personnel plan modifications/updates. | 0.60 | 111.00 |
| 11/13/2012 | EAB | Telephone conference with Mr. Howard Cohen and Mr. Bill Kress. | 0.40 | 74.00 |
| 11/13/2012 | EAB | Attended conference call on Quality Paving. | 0.50 | 92.50 |
| 11/15/2012 | EAB | Attended meeting with Mr. Williams and Ms. Patterson on Quality Paving (3.0), attention to pending matters (1.0); and meeting with Ms. Alexander (.5). | 4.50 | 832.50 |
| 11/16/2012 | EAB | Drafted audit response letter. | 2.50 | 462.50 |
| 11/16/2012 | EAB | Updated monthly Village attorney report. | 0.60 | 111.00 |
| 11/16/2012 | EAB | Telephone conference with Mr. Silva on pending matters. | 0.40 | 74.00 |
| 11/16/2012 | EAB | Telephone conference with Mr. Mike Piper re: Borhani. | 0.40 | 74.00 |

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

| | | | | |
|------------|-----|---|-----------------------------|----------|
| 11/19/2012 | EAB | Attention to DOAH filings in FP&L matters (.3); attention to Quality Paving and ISD and communications with Ms. Patterson regarding same (.7). | 1.00 | 185.00 |
| 11/20/2012 | EAB | Attention to elections issues (.8); attention to Elections Code Chapter 10 (.6); telephone conference with Mayor Stanczyk (.4); provided direction regarding same; telephone conference with Commander Gregory Truitt (.3); telephone conference with Mr. Williams (.2); communications with CP Joan Lindsay (.3); and communications with all council persons (.4) | 3.00 | 555.00 |
| 11/20/2012 | EAB | Attention to senior tax exemption. | 0.70 | 129.50 |
| | | | | 8,343.50 |
| | | | Total Professional Services | 8,343.50 |

Rate Summary

| | | |
|----------------|----------------------------|----------|
| Eve A. Boutsis | 45.10 hours at \$185.00/hr | 8,343.50 |
| | Total hours: 45.10 | 8,343.50 |

Disbursements

| | | |
|------------|-------------------------------|------------------|
| 10/31/2012 | Database Legal research | 1,005.00 |
| 11/20/2012 | Disbursements incurred - 2.0% | 166.87 |
| | For Professional Services | 8,343.50 |
| | For Disbursements Incurred | 1,171.87 |
| | Current Balance: | 9,515.37 |
| | Previous Balance: | 15,832.81 |
| | Payments - Thank you | 0.00 |
| | Total Due | 25,348.18 |

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

November 20, 2012
Matter ID: 0293-002
Zoning Applications
Invoice Number 20477

| | | | Hours | Amount |
|------------|-----|---|------------------------------------|-----------------|
| 10/23/2012 | EAB | Telephone conference with Mr. Darby Delsalle; and worked on Paradise Point resolution. | 1.10 | 203.50 |
| 10/30/2012 | EAB | Telephone conference with Mr. John Shubin regarding possible Westminster application. | 0.60 | 111.00 |
| 10/30/2012 | EAB | Reviewed and revised zoning confirmation letter to Alexander Montessori school; and telephone conference with Mr. Darby Delsalle. | 1.00 | 185.00 |
| 10/30/2012 | EAB | Reviewed unity of title document. | 0.30 | 55.50 |
| 10/31/2012 | EAB | Reviewed zoning resolutions in preparation of zoning analysis for second Montessori site with Mr. Delsalle (1.0); and attention to representation and "lobbying" registration provisions relating to zoning discussion with Mr. Delsalle (.5) | 1.50 | 277.50 |
| 10/31/2012 | EAB | Attention to Calvin Giordano contract; and provided direction on same. | 0.60 | 111.00 |
| 11/5/2012 | EAB | Covenant research for 17777 Old Culter Road for P&Z. | 0.30 | 55.50 |
| 11/5/2012 | EAB | Attention to Paradise Point resolution. | 0.20 | 37.00 |
| 11/14/2012 | EAB | Telephone conference with Mr. Delsalle on pending items and applications. | 0.60 | 111.00 |
| 11/19/2012 | EAB | Attention to South Motors BMW. | 0.30 | 55.50 |
| | | | | |
| | | | Total Professional Services | 1,202.50 |

Rate Summary

| | | |
|----------------|---------------------------|----------|
| Eve A. Boutsis | 6.50 hours at \$185.00/hr | 1,202.50 |
| Total hours: | | 1,202.50 |

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

| | | | |
|------------|-------------------------------|-------|------------------------|
| 11/20/2012 | Disbursements incurred - 2.0% | 24.05 | |
| | For Professional Services | | 1,202.50 |
| | For Disbursements Incurred | | 24.05 |
| | Current Balance: | | <u>1,226.55</u> |
| | Previous Balance: | | 1,792.65 |
| | Payments - Thank you | | 0.00 |
| | Total Due | | <u>3,019.20</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.

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

November 20, 2012
 Matter ID: 0293-004
 Code Enforcement
 Invoice Number 20478

| | | | Hours | Amount |
|------------|-----|---|-----------------------------|--------|
| 10/30/2012 | EAB | Attention to Hencile Dorsey matter and claim of lien due to tax deed certificate sale. | 1.00 | 185.00 |
| 11/2/2012 | EAB | Attention to Dorsey matter. | 0.30 | 55.50 |
| 11/5/2012 | EAB | Telephone conference with Mr. Steven Vinson regarding Comcast Lien. | 0.20 | 37.00 |
| 11/9/2012 | EAB | Telephone conference with Special Master attention to AGO 2002-62. | 0.40 | 74.00 |
| 11/13/2012 | EAB | Attention to 17255 SW 95th Avenue release of lien. | 0.30 | 55.50 |
| 11/15/2012 | EAB | Attention to partial release of lien (.2); communications with lawyer for closing on condominium with lien (.2); and attention to communication from Mr. Eber, regarding Hencile Dorsey (.2). | 0.60 | 111.00 |
| 11/19/2012 | EAB | Follow up on Hencile Dorsey matter. | 0.20 | 37.00 |
| | | | | 555.00 |
| | | | Total Professional Services | 555.00 |

Rate Summary

| | | | |
|------------|-------------------------------|---------------------------|--------|
| | Eve A. Boutsis | 3.00 hours at \$185.00/hr | 555.00 |
| | | Total hours: 3.00 | 555.00 |
| 11/20/2012 | Disbursements incurred - 2.0% | | 11.10 |

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 | 555.00 |
| For Disbursements Incurred | 11.10 |
| Current Balance: | <u>566.10</u> |
| Previous Balance: | 868.02 |
| Payments - Thank you | 0.00 |
| Total Due | <u>1,434.12</u> |

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

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

| | |
|----------------------------|-----------------|
| For Professional Services | 370.00 |
| For Disbursements Incurred | 7.40 |
| | <hr/> |
| Current Balance: | 377.40 |
| Previous Balance: | 2,307.43 |
| Payments - Thank you | 0.00 |
| | <hr/> |
| Total Due | 2,684.83 |

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

**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

November 20, 2012
Matter ID: 0293-029
Palmer Trinity v. VPB - Appeal
Invoice Number 20479

| | | | Hours | Amount |
|------------|-----|---|------------------------------------|--------|
| 11/13/2012 | EAB | Communications with Justice Raoul Cantero (.3); telephone conferences with Mayor Shelley Stanczyk(.2); VM Brian Pariser (.2), CP Joan Lindsay (.2); and telephone conference with Mr. Tucker Gibbs (.1) | 1.00 | 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 |
| 11/20/2012 | Disbursements incurred - 2.0% | | 3.70 |
| | For Professional Services | | 185.00 |
| | For Disbursements Incurred | | 3.70 |
| | Current Balance: | | 188.70 |
| | Previous Balance: | | 868.02 |
| | Payments - Thank you | | 0.00 |
| | | Total Due | 1,056.72 |

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.

