

RESOLUTION NO. 03-26

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 NAGIN GALLOP FIGUEREDO, P.A. IN THE AMOUNT OF \$17,266.28; 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, Nagin Gallop Figueredo, P.A., submitted its statement to the village for legal services rendered, and costs advanced, for the period ending February 28, 2003, in the amount of \$17,266.28; 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:

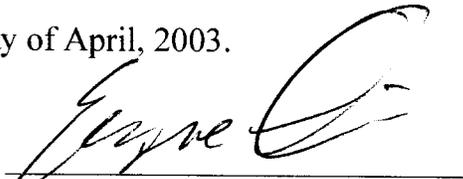
Section 1. The statement for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$17,266.28, a copy of which is attached, is approved for payment

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

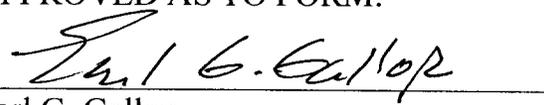
PASSED and ADOPTED this 7 day of April, 2003.

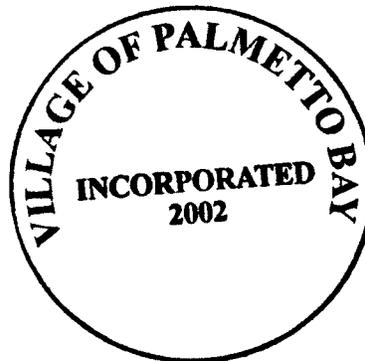
Attest:

  
Meighan Pier  
Village Clerk

  
Eugene P. Flinn, Jr.  
Mayor

APPROVED AS TO FORM:

  
Earl G. Gallop,  
Village Attorney



FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>AYE</u>
Council Member Paul Neidhart	<u>AYE</u>
Council Member John Breder	<u>AYE</u>
Vice-Mayor Linda Robinson	<u>AYE</u>
Mayor Eugene P. Flinn, Jr.	<u>AYE</u>

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# NAGIN GALLOP FIGUEREDO<sup>PA.</sup>

*Attorneys & Counselors*

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.  
Mayor  
Village of Palmetto Bay  
9100 S. Dadeland Boulevard  
Suite 1000  
Miami, Florida 33156

March 7, 2003  
Matter ID: 0293-001  
General Municipal

Statement No. 13526

			Hours	Amount
02/03/2003	EGG	Reviewed interlocal agreement with county and school board for comprehensive planning and intergovernmental coordination of development and school facilities; reviewed agenda items; analyzed Miami-Dade County code regarding final plat approval and telephone conference with Mr. Rasco regarding plat approval for Mardel Estates plat.	2.20	407.00
02/03/2003	EGG	Prepared for and attended village council meeting.	3.00	555.00
02/04/2003	EAB	E-mail communication with Mr. Ansley, of FDOR regarding finalizing Village's communication service tax ordinance.	0.20	37.00
02/04/2003	EAB	Attention to and forwarded to city clerk lobbyist registration forms from Miami Dade County Commission on Ethics.	0.10	18.50
02/04/2003	EGG	Attention to obtaining cable access for village meetings and announcements from Adelphi Cable.	0.20	37.00
02/05/2003	EAB	Attention to and finalized communications service tax and ROW ordinances.	0.50	92.50
02/05/2003	EGG	Analyzed of tennis facilities contract with Jane Forman with particular attention to whether lessee has contract right to expand facility into green space along 152nd Street; telephone conference with mayor Flinn regarding same.	1.30	240.50
02/05/2003	EGG	Telephone conference with Mr. Rasco regarding communications service tax, alarm ordinance and occupational license and other matters.	0.30	55.50
02/05/2003	MDS	Analyzed lease agreement.	2.50	462.50
02/06/2003	EGG	Telephone conference with mayor Flinn regarding Jane Forman contract and instructions to work attorney to prepare position memo and interlocal agreement.	0.40	74.00
02/06/2003	EGG	Preparing police services contract; reviewed Weston/BSO and city of Miami Lakes contracts; prepared contract outline; telephone	8.20	1,517.00

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.

		conference with comm'r. Breder		
02/06/2003	MDS	Analyzed Jane Forman Tennis Academy lease agreement. Telephone conference with Joe Rasco in regards to Jane Forman Tennis Academy lease agreement. Prepared position statement. Legal research regarding necessity of competitive bidding for lease of property. Prepared memorandum in regards to competitive bidding for lease of property. Analyzed materials for client conference in regards to interlocal agreement between client and county concerning law enforcement for client.	4.30	795.50
02/07/2003	EGG	Preparing police services agreement.	4.60	851.00
02/08/2003	EGG	Prepared police services agreement.	5.70	1,054.50
02/10/2003	EGG	Preparing police services agreement.	6.70	1,239.50
02/10/2003	EGG	Attention special comm'n. meeting on city manager selection.	1.00	185.00
02/11/2003	EGG	Reviewed city manager contracts with other cities and began preparing contract.	0.50	92.50
02/12/2003	EGG	Revised village manager contract.	3.40	629.00
02/12/2003	MDS	Analyzed proposed interlocal agreement in regards to police services.	1.00	185.00
02/13/2003	EGG	Attended meeting with Mr. Scurr, Mr. Rasco and telephone conference with mayor Flinn, and revised police services contract.	6.50	1,202.50
02/18/2003	EAB	Attention to supplement to school board interlocal agreement; analyzed supplement and provided direction to village clerk to place item on next council agenda.	0.30	55.50
02/19/2003	EGG	Telephone conference with Mr. Scurr regarding police services agreement and scheduled meeting with representatives of Univ. of Miami concerning purchase of Burger King office.	0.20	37.00
02/20/2003	EGG	Attended meeting with mayor Flinn and Mr. Baensiger regarding CM contract; attended meeting of budget and finance committee and reviewed proposed personnel policy manual; attended contract negotiations with mayor Flinn and Mr. Scurr.	4.00	740.00
02/21/2003	EAB	Began drafting flood insurance ordinance.	4.00	740.00
02/21/2003	EAB	Telephone conference with village clerk regarding advertising of special meetings.	0.20	37.00
02/21/2003	EGG	Attended meeting with Mr. Scurr, Ms. Janet Gavarrete, UM facilities planner, Mr. Stan Price and Mr. Jerry Proctor, attorneys, and Mr. Rob Curtis, planner, regarding relocating Rosensteil School of Marine and Atmospheric Science to for Burger King campus; attention to further handling needs.	2.30	425.50
02/24/2003	EAB	Attention to and began drafting alarm ordinance.	1.00	185.00

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02/24/2003	EGG	Telephone conference with mayor Flinn regarding CM contract, police services agreement and other matters.	0.20	37.00
02/24/2003	EGG	Revised CM contract	1.80	333.00
02/25/2003	EAB	Continued to draft alarm ordinance; e-mail communications with Mr. Scurr regarding implementation of the ordinance; and legal research and prepared memorandum on paying bonuses to city employees.	3.50	647.50
02/25/2003	EGG	Reviewed revised police services agreement.	1.90	351.50
02/25/2003	EGG	Attention to issue whether village is authorized to pay bonus to high performing CM.	0.20	37.00
02/25/2003	EGG	Telephone conferences with mayor Flinn, Mr. Baensiger and Mr. Scurr regarding CM contract terms; revised contract and transmitted same.	1.50	277.50
02/25/2003	EGG	Reviewed professional services contract with Kimerly-Horn and Assoc. and relevant Fla. statutes.	0.80	148.00
02/25/2003	EGG	Prepared for zoning hearing.	2.00	370.00
02/25/2003	EGG	Attended special council meeting regarding selection of Kimerly-Horn and Assoc., attended zoning hearings and attended meeting with mayor Flinn and Mr. Scurr regarding CM contract.	3.00	555.00
02/26/2003	EAB	Continued drafting alarm ordinance and prepared email communication to Mr. Scurr regarding issues with the ordinance; and telephone conferences with Ms. Pier regarding pending ordinances and coordinating council agenda items.	1.50	277.50
02/26/2003	EGG	Attention to purchase of Burger King property by Univ. of Miami; reviewed zoning resolution, restrictive covenants, DRI binding letters and other documents; reviewed MDC zoning code; attended meeting with Mr. Pete Hernandez, ass't. county manager, Ms. Dianne O'Quinn Williams, Dir. Dept. of Planning and Zoning, an ass't. county attorney, Mr. Sergio Perera and other UM representatives, and Mr. Scurr regarding zoning interpretation letter concerning research use of property.	3.50	647.50
02/26/2003	EGG	Final preparation of ordinance levying communication service tax and waiving r-o-w permit fees; prepared village attorney memo for same; prepared resolution approving village manager contract and village attorney memorandum.	2.20	407.00
02/27/2003	EAB	Received assignments; attention to burglar alarm ordinance, procurement and administrative procedures ordinances; and cone of silence contract provision to be added to RFP procedures and contracts.	2.50	462.50
02/27/2003	EGG	Instructions to work attorney regarding pending assignments, including preparation of ordinances relating to alarm permits, occupational licenses, special master, procurement code, flood	0.30	55.50

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		Insurance and general administrative code.		
02/27/2003	EGG	Reviewed email by Mr. Ludovici suggesting amendment to condition of zoning resolution concerning application by Mr. and Mrs. Hamel; prepared amendment and transmitted same to council members with suggested procedure for effecting technical amendment.	0.30	55.50
02/28/2003	EAB	Attention to supplement to interlocal school board agreement; and began drafting ordinance approving supplement.	0.40	74.00
02/28/2003	EGG	Reviewed decision in Levy v. MDC, with particular attention to requirement to use MDC specialized police services and to pay mitigation money.	1.00	185.00
			<hr/>	
			Total Professional Services	16,872.00

**Rate Summary**

Eve A. Boutsis	14.20 hours at \$185.00/hr	2,627.00
Earl G. Gallop	69.20 hours at \$185.00/hr	12,802.00
Michael D. Spivack	7.80 hours at \$185.00/hr	1,443.00
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Total hours:	91.20	

**Expenses**

	Parking Charge	11.00
	Legal research	19.58
	Postage Charge	1.20
	Photocopies	197.50
02/27/2003	City Attorney Annual Membership Dues - Miami-Dade League of Cities	165.00
		<hr/>
	Sub-total Expenses:	394.28

**Payments**

02/13/2003	Payment	Ck#1042	6,853.93
			<hr/>
	Sub-total Payments:		6,853.93

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For Professional Services	16,872.00
For Disbursements Incurred	394.28
Current Balance:	<hr/> 17,266.28
Previous Balance:	18,283.07
Payments - Thank you	6,853.93
<b>Total Due</b>	<hr/> <b>28,695.42</b>

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

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