

RESOLUTION NO. 03-91

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 \$14,607.07; 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 statements to the village for legal services rendered, and costs advanced, for the period ending September 30, 2003, in the amount of \$14,607.07; 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 Nagin Gallop Figueredo, P.A., in the total amount of \$14,607.07, copies of which are attached, is approved for payment

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

PASSED and ADOPTED this 3<sup>rd</sup> day of November, 2003.

Attest: Meighan Pier  
Meighan Pier  
Village Clerk

Eugene P. Flinn, Jr.  
Eugene P. Flinn, Jr.  
Mayor

APPROVED AS TO FORM:

Earl G. Gallop  
Earl G. Gallop,  
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller Yes

Council Member Paul Neidhart Yes

Council Member John Breder Yes

Vice-Mayor Linda Robinson Yes

Mayor Eugene P. Flinn, Jr. Yes

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# NAGIN GALLOP FIGUEREDO<sup>P.A.</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

October 9, 2003  
Matter ID: 0293-001  
General Municipal

Statement No. 14945

			Hours	Amount
09/02/2003	EGG	Analyzed MDC conflict of interest code and prepared ethics opinion at request of Mr. Scurr regarding Palmer Trinity School.	0.50	92.50
09/02/2003	EGG	Telephone conference with mayor Flinn and Mr. Scurr regarding work items; further handling instructions to legal assistant and to Mr. Figueredo regarding Perrine Park.	1.40	259.00
09/04/2003	EAB	Attention to finance director interlocal agreement; analysis of gas contract with county and provided comments to Mr. Ron Williams on content of gas contract.	1.00	185.00
09/05/2003	EGG	Final edits to council meeting procedures ordinance and prepared village attorney memo regarding same.	1.50	277.50
09/05/2003	EGG	Revised draft zoning moratorium ordinance; analyzed Fla. Stat. and MDC code regarding notice and meeting requirements for enactment of moratorium ordinance; reviewed MDC zoning moratorium code provisions; telephone call to Ms. Joni Coffey, ass't. county attorney; telephone conference with Mr. Scurr; transmitted same to Dr. Feller.	1.40	259.00
09/05/2003	EGG	Telephone conference with Mr. Scurr regarding pending matters and instructions to Ms. Boutsis regarding handling flood plain evaluation.	0.30	55.50
09/08/2003	EGG	Prepared for and attended village council meeting.	4.00	740.00
09/09/2003	EGG	Assignments to work attorney regarding preparing resolution and documents for vacation of right-of-way, revision to procurement ordinance, preparation of flood plain ordinance and other matters.	0.30	55.50
09/09/2003	EAB	Received assignments on revising procurement ordinance, alleyway vacation; piggy backing on procurement; and auditor contract; and e-mail communications with Town of Miami Lakes legal counsel regarding their auditor contract.	0.70	129.50
09/11/2003	EGG	Prepared for and attended village council meeting.	3.00	555.00

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.

09/12/2003	LRF	Met with Mr. Gallop and Mr. Craig Grossenbacker.	1.30	0.00
09/15/2003	EGG	Reviewed 9/10/03 letter from Gabriel Bifano	0.20	37.00
09/16/2003	EGG	Reviewed portions of MDC zoning code in preparation for telephone conference with Mr. Proctor; telephone conference with Mr. Scurr and Mr. Proctor regarding adopting ordinance authorizing Sunday liquor sales.	0.80	148.00
09/16/2003	EGG	Telephone conference with mayor Flinn.	0.20	37.00
09/17/2003	EAB	Analysis of section 166.251, Fla. Stat., and authority to charge service fee for bounced checks; and prepared e-mail memorandum to Mr. Acin on this item.	0.40	74.00
09/18/2003	EAB	Legal research on section 468.617, 603, and RAC Rule 61G19-1.009; telephone conferences with Mr. Mickey Marrero, assistant city attorney for the Town of Miami Lakes; telephone conference with Mr. Williams and Mr. Charles Scurr regarding resignation of Mr. Mariano Fernandez; the temporary selection of Mr. Raul Rodriguez; analysis of CSA contract; meeting with Mr. Luis Figueredo and telephone conference with Mr. Scurr to strategize on how to resolve building official issues; and prepared memorandum to file.	2.00	370.00
09/18/2003	EAB	Began analysis of county Omni-Point zoning patches, adoption dates, and application to VPB.	0.50	92.50
09/19/2003	LRF	Evaluated alternatives for employing building officials; and conference with Mr. Scurr and Miami Lakes administration regarding same.	0.90	166.50
09/19/2003	EAB	Telephone conference with Mr. Marrero regarding Town of Miami Lakes building official; and telephone conference with Commissioner Paul Neidhart regarding pending requests; and follow up with Ms. Diane O'Quinn Williams regarding OmniPoint patches; telephone conferences with Mr. Ralph Casals, assistant town manager, Ms. Nina Boninske, town attorney, Mr. Marrero, Mr. Scurr, Ms. Cadaval, Mr. Rodriguez regarding building official issues; and analysis of and revised audit retainer agreement for Rachlin Cohen and Holtz.	2.60	481.00
09/22/2003	EGG	Attention to e-mail communications and further handling needs regarding same.	0.50	92.50
09/22/2003	EGG	Telephone conferences with mayor Flinn, council member Breder and Mr. Scurr regarding budget items and other matters.	0.60	111.00
09/22/2003	EGG	Final preparation of lobbyist registration ordinance.	2.40	444.00
09/22/2003	EGG	Prepared for and attended special council meeting to adopt budget and millage rate.	3.00	555.00
09/22/2003	EAB	Analysis of county OmniPoint patches ordinances; drafted zoning amendment to reflect incorporation of patches into village zoning	4.00	740.00

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		code; revised procurement code; attention to alleyway vacation; telephone conference with Mr. Al Torres, Ms. Diane O'Quinn Williams and Mr. Pino of Miami-Dade County P&Z regarding vacating alleyway; legal research and analysis of chapters 28 and 33 of county zoning code; and provided memorandum to file.		
09/22/2003	EAB	Analyzed and revised contract for continuing services agreement (Professional Engineering Services).	1.40	259.00
09/23/2003	EGG	Final preparation of lobbyist ordinance.	1.70	314.50
09/23/2003	EAB	E-mail communication with Mr. Chiocca of Rachlin Cohen and Holtz regarding "single audit" and continued to revise the audit retainer letter; telephone conference with Mr. Pablo Rodriguez, county official in charge of county's ROW vacating process; analyzed memorandum on ROW vacating; drafted update memorandum to file and Mr. Scurr; revised procurement code single bid and piggy back procedures; analyzed and revised draft lobbyist ordinance; approved letter to Mr. Herminio Gonzalez of Miami-Dade County Building Code Compliance Department regarding new building official Raul V. Rodriguez; and telephone conference with Ms. Cadaval regarding Gonzalez letter.	4.30	795.50
09/24/2003	EGG	Final preparation of lobbyist ordinance; telephone conference with Ms. Christina Prkic, ethics comm'n; Prepared village attorney memorandum.	2.40	444.00
09/24/2003	EAB	Analyzed proposed code enforcement procedures and provided comments on the procedures.	0.70	129.50
09/24/2003	EAB	Received assignments; telephone conference with Ms. Christina Prkic and Mr. Gallop regarding county's lobbyist ordinance; and revised draft ordinance to reflect appeal to special master and simplified special master process.	1.30	240.50
09/25/2003	EGG	Revised moratorium ordinance and transmitted same to Dr. Feller.	1.00	185.00
09/25/2003	EGG	Analyzed Omnipoint opinion.	0.40	74.00
09/25/2003	EGG	Revised proposed amendments to procurement ordinance; telephone conference with Ms. Christina Prkic, staff attorney, MDC Ethics Comm'n; Reviewed city of Miami Beach procurement code; added provision for investigating performance and compliance history of offeror.	2.00	370.00
09/25/2003	EAB	Telephone conference with Mr. Chiocca's assistant and revised engagement letter per Mr. Chiocca's request.	0.30	55.50
09/26/2003	EAB	Analysis of and provided comments to Suntrust master lease agreement.	2.00	370.00
09/29/2003	EGG	Attention to revisions to procurement ordinance.	0.30	55.50
09/29/2003	EGG	Telephone conference with mayor Flinn.	0.50	92.50

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09/29/2003	EGG	Telephone conference with mayor Flinn, Mr. Scurr, Mr. Williams and Ms. Pier regarding lobbyist registration ordinance, amendments to procurement ordinance and other matters.	1.40	259.00
09/29/2003	EAB	Revised continuing services contract and provided draft to Ms. Cordice Paterson.	1.50	277.50
09/30/2003	EGG	Final preparation of lobbyist registration ordinance.	0.30	55.50
09/30/2003	EGG	Attention to scheduling moratorium ordinance.	0.10	18.50
09/30/2003	EAB	Revised non-exclusive use agreement; analyzed county's nonexclusive use agreement; began drafting addendum to CSA contract for code enforcement services; telephone conference with Mr. Scurr on these and other pending items; completed further revisions to the two agreements.	3.50	647.50
			<hr/>	
			Total Professional Services	10,600.50

**Rate Summary**

Earl G. Gallop	30.20 hours at \$185.00/hr	5,587.00
Luis R. Figueredo	1.30 hours at \$ 0.00/hr	0.00
Luis R. Figueredo	0.90 hours at \$185.00/hr	166.50
Eve A. Boutsis	26.20 hours at \$185.00/hr	4,847.00

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Total hours: 58.60

**Expenses**

Postage Charge	3.87
Telefacsimile charge	0.00
Photocopies	24.25
Courier charge	19.45

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Sub-total Expenses: 47.57

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For Professional Services	10,600.50
For Disbursements Incurred	47.57
Current Balance:	<u>10,648.07</u>
Previous Balance:	15,995.18
Payments - Thank you	0.00
<b>Total Due</b>	<u>26,643.25</u>

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

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