

RESOLUTION NO. 05-01

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 \$16,499.46; 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 December 20, 2004, in the amount of \$16,499.46; 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:

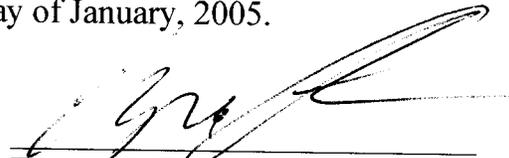
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$16,499.46, copies of which are attached, are approved for payment.

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

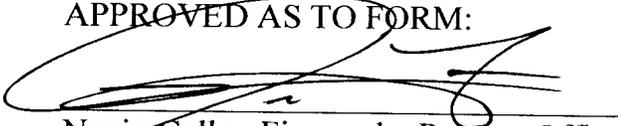
PASSED and ADOPTED this 10th day of January, 2005.

Attest:


Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Nagin Gallop Figueredo, P.A., as Office
of the Village Attorney

FINAL VOTE AT ADOPTION:

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

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

3225 Aviation Avenue - Third Floor
Telephone: (305) 854-5353 Miami, Florida 33133-4741 Facsimile: (305) 854-5351

December 23, 2004

Charles D. Scurr, 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. Scurr:

Enclosed are our statements for professional services rendered and for costs advanced for the period ending December 20, 2004. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 16834 dated 12/20/04</i>	Prof'l Services	\$	4,672.50
		Disbursements		133.36
		Total		4,805.86
0293-002	Zoning Applications <i>Statement No. 16835 dated 12/20/04</i>	Prof'l Services	\$	1,258.00
		Disbursements		0.00
		Total		1,258.00
0293-005	Real Property <i>Statement No. 16837 dated 12/20/04</i>	Prof'l Services	\$	1,424.50
		Disbursements		0.00
		Total		1,424.50
0293-007	Old Cutler Presbyterian Church <i>Statement No. 16838 dated 12/20/04</i>	Prof'l Services	\$	6,253.00
		Disbursements		164.97
		Total		6,417.97
0293-008	Doug DeWhitt – EEOC Claim <i>Statement No. 16843 dated 12/20/04</i>	Prof'l Services	\$	2,146.00
		Disbursements		251.63
		Total		2,397.63

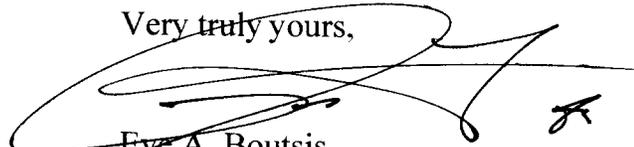
Letter to Charles D. Scurr, Village Manager
December 23, 2004
Page 2 of 2

0293-009	Palmetto Bay Foundation, Inc.	Prof'l Services	\$	185.00
	<i>Statement No. 16807 dated 12/20/04</i>	Disbursements		10.50
		Total		195.50

TOTAL CURRENTLY DUE \$ 16,499.46

Please 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/blr

Enclosures

cc: Mayor and Village Council

NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

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Miami, Florida 33133

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Facsimile: (305) 854-5351

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

December 20, 2004

Matter ID: 0293-001

General Municipal

Statement No. 16834

			Hours	Amount
11/22/2004	EAB	E-mail communications with Ms. Meighan Pier regarding IT services agreement meeting and change in terms of agreement; telephone conference with mayor Eugene Flinn regarding upcoming agenda items and ordinances for first reading; telephone conference with Mr. Charles Scurr regarding Alliance letter; and e-mail communications with Ms. Marsha Matson regarding her request for referendum form; and continued to revise parks ordinance by including in applicable whereas clauses and edits.	0.60	111.00
11/23/2004	EAB	Telephone conference with councilmember Paul Neidhart regarding nonprofit; telephone conference with Ms. Pier regarding same; and prepared and filed FEIN request.	0.60	111.00
11/30/2004	SVP	Legal research per village attorney regarding parks ordinance.	1.00	65.00
12/1/2004	SVP	Continuation of legal research per village attorney regarding parks ordinance.	0.30	19.50
12/1/2004	EAB	Telephone conference with mayor Flinn regarding upcoming agenda items, parks related matters; telephone conference with Mr. Scurr regarding Haas property; prepared resolution and memorandum regarding non-profit corporation; and telephone conference with Ms. Pier regarding notice requirements on ordinances.	1.80	333.00
12/3/2004	LRF	Teleconference with Mayor Flinn regarding Perrine Park project; teleconference with Tucker Gibbs regarding same; and research regarding citizens suits and possible legal arguments regarding conceptual approvals of Perrine Park project.	3.00	555.00
12/3/2004	EAB	Telephone conference with Ms. Pier regarding hearing notices; and telephone conference with mayor regarding upcoming ordinances.	0.30	55.50
12/6/2004	EAB	Telephone conference with Mr. Gabe Bifano regarding billing; telephone conference with Mr. Scurr regarding agenda items; telephone conference with mayor Flinn and Mr. Scurr regarding Haas property and agenda; telephone conference with council member Neidhart regarding nonprofit; telephone conference with Ms. Corrice Patterson regarding Cordino contracts; prepared for	7.50	1,387.50

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.

		agenda; and telephone conference with Mr. Jerry Proctor regarding charter school group; and attended council meeting.		
12/7/2004	EAB	Meeting with Ms. Nina Boniske regarding mitigation.	0.40	74.00
12/8/2004	LRF	Met with Tucker Gibbs regarding Perrine Park project; and discussed options and his client's areas of concern.	1.00	185.00
12/10/2004	LRF	Teleconference with Mayor Eugene Flinn; teleconference with Charles Scurr; and teleconference with Tucker Gibbs.	0.90	166.50
12/13/2004	LRF	Teleconferences with sports sanctioning bodies regarding Perrine project; teleconference with Mr. Tucker Gibbs; teleconference with Mayor Flinn; teleconference with Ms. Anna Garcia; teleconference with Mr. Charles Scurr regarding Perrine Park project; and attended special meeting regarding Perrine Park project.	7.00	1,295.00
12/14/2004	EAB	Telephone conference with mayor Flinn regarding pending issues and after action discussion; telephone conference with Ms. Jennifer McCoy regarding park grant application; and attention to special master hearing and form for special master orders.	0.40	74.00
12/15/2004	LRF	Conferred with Margaret Swimmer regarding comments to Development Agreement.	0.30	55.50
12/15/2004	EAB	E-mail communications with Mr. Alfredo Acin regarding authority to incorporate as requested by auditors; telephone conference with Ms. Pier regarding Haas property; and attention to Mr. Lott's request relating to splitting of the Delamour property.	0.30	55.50
12/17/2004	EAB	Drafted declaration of restrictions for Perrine Park; and telephone conference with Mr. Scurr regarding declaration, CDMP, and pending items.	0.70	129.50
			<hr/>	
			Total Professional Services	4,672.50

Rate Summary

Sebastian V. Paris	1.30 hours at \$ 65.00/hr	84.50
Luis R. Figueredo	12.20 hours at \$185.00/hr	2,257.00
Eve A. Boutsis	12.60 hours at \$185.00/hr	2,331.00

Total hours: 26.10

Expenses

Photocopies	0.00
Mileage	10.44
Postage Charge	1.57

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.

Telefacsimile charge	0.00
Parking Charge	20.00
Legal research	101.35
Sub-total Expenses:	<u>133.36</u>

Payments

12/13/2004	Payment	Check No. 2661	7,572.86
		Sub-total Payments:	<u>7,572.86</u>

For Professional Services	4,672.50
For Disbursements Incurred	133.36
Current Balance:	<u>4,805.86</u>
Previous Balance:	26,875.91
Payments - Thank you	7,572.86
Total Due	<u>24,108.91</u>

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

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For Professional Services	1,258.00
For Disbursements Incurred	0.00
Current Balance:	<u>1,258.00</u>
Previous Balance:	19,168.18
Payments - Thank you	0.00
Total Due	<u>20,426.18</u>

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

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NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

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Miami, Florida 33133

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Facsimile: (305) 854-5351

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

December 20, 2004
Matter ID: 0293-003
Comprehensive Plan

Statement No. 16836

For Professional Services	0.00
For Disbursements Incurred	0.00
Current Balance:	<u>0.00</u>
Previous Balance:	462.50
Payments - Thank you	0.00
Total Due	<u>462.50</u>

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

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.

For Professional Services	1,424.50
For Disbursements Incurred	0.00
Current Balance:	<hr/> 1,424.50
Previous Balance:	2,055.09
Payments - Thank you	0.00
Total Due	<hr/> 3,479.59

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

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.

NAGIN GALLOP FIGUEREDO^{PA.}

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Miami, Florida 33133

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Facsimile: (305) 854-5351

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

December 20, 2004
Matter ID: 0293-007
Old Cutler Presby. Church
Statement No. 16838

			Hours	Amount
11/24/2004	EAB	Drafted facts for answer brief.	6.00	1,110.00
12/3/2004	EAB	Continued to draft answer brief.	3.00	555.00
12/4/2004	EAB	Worked on answer brief.	5.00	925.00
12/5/2004	EAB	Continued to draft and edit facts, case law, and argument for answer brief.	5.00	925.00
12/7/2004	EAB	Edited brief.	1.00	185.00
12/8/2004	LRF	Met with Tucker Gibbs regarding OCPC.	0.50	92.50
12/8/2004	LRF	Worked on response to petition for writ of certiorari.	1.50	277.50
12/9/2004	LRF	Worked on response to petition for writ of certiorari.	2.50	462.50
12/9/2004	EAB	Edited and blue booked response brief.	2.50	462.50
12/10/2004	LRF	Worked on response to Writ of Certiorari.	2.80	518.00
12/10/2004	EAB	Final edits to answer brief.	3.00	555.00
12/10/2004	NDH	Reviewed citations with Ms. Boutsis. [no charge].	0.20	0.00
12/13/2004	LRF	Conducted final review of brief.	1.00	185.00
				<hr/>
			Total Professional Services	6,253.00

Rate Summary

Luis R. Figueredo	8.30 hours at \$185.00/hr	1,535.50
Eve A. Boutsis	25.50 hours at \$185.00/hr	4,717.50
Nakia D. Henry	0.20 hours at \$ 0.00/hr	0.00

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.

Total hours:	34.00	6,253.00
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Disbursements

11/29/2004	Courier charge	16.55
12/9/2004	Parking Charge	10.00
12/13/2004	Mileage	3.60
12/20/2004	Disbursements incurred - 3.0%	134.82

Payments and Credits

12/13/2004	Check No. 2661	2,302.42
		<u>2,302.42</u>

For Professional Services	6,253.00
For Disbursements Incurred	164.97

Current Balance:	<u>6,417.97</u>
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Previous Balance:	7,556.17
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Payments - Thank you	2,302.42
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Total Due	<u>11,671.72</u>
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To be properly credited, please indicate Statement Number on your remittance check.

NAGIN GALLOP FIGUEREDO^{P.A.}*Attorneys & Counselors*

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

December 20, 2004
 Matter ID: 0293-008
 Doug DeWhitt - EEOC Claim

Statement No. 16843

			Hours	Amount
11/22/2004	EAB	Continued to draft position statement.	0.40	74.00
12/6/2004	EAB	Continued to draft position statement; and telephone conference with Mr. Jones of EEOC regarding extension; meeting with Ms. Weintraub and Mr. Scurr regarding facts surrounding DeWitt application.	4.30	795.50
12/7/2004	EAB	Continued to draft position statement.	1.40	259.00
12/8/2004	EAB	Continued to draft response.	1.00	185.00
12/10/2004	EAB	Continued to draft position statement.	2.00	370.00
12/13/2004	EAB	Prepared affidavits for Mr. Scurr, Ms. Weintraub, and Ms. Cadaval; continued to edit position statement and	0.70	129.50
12/15/2004	EAB	Telephone conference with Ms. Weintraub regarding DeWitt complaint, finalized affidavits and position statement.	0.40	74.00
12/16/2004	EAB	Finalized position statement, response to inquiries by EEOC, affidavits and exhibits to position statement.	1.40	259.00
			Total Professional Services	2,146.00

Rate Summary

Eve A. Boutsis	11.60 hours at \$185.00/hr	2,146.00
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Total hours:	11.60
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Expenses

11/23/2004	Photocopies	0.50
11/23/2004	Telefacsimile charge	6.00

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11/23/2004	Postage Charge	0.37
12/17/2004	Legal research	238.76
12/20/2004	Telefacsimile charge	6.00
	Sub-total Expenses:	<u>251.63</u>

For Professional Services	2,146.00
For Disbursements Incurred	251.63
Current Balance:	<u>2,397.63</u>
Previous Balance:	1,350.50
Payments - Thank you	0.00
Total Due	<u>3,748.13</u>

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

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Village of Palmetto Bay
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Suite 1000
Miami, Florida 33156

December 20, 2004
Matter ID: 0293-009
Palmetto Bay Foundation, Inc.

Statement No. 16807

			Hours	Amount
12/10/2004	EAB	Prepared incorporator document appointing members, directors, and officers; and preped bylaws.	1.00	185.00
				<hr/>
			Total Professional Services	185.00

Rate Summary

Eve A. Boutsis	1.00 hours at \$185.00/hr	185.00
		<hr/>
Total hours:	1.00	

Expenses

Photocopies	1.50	
Telefacsimile charge	9.00	
		<hr/>
Sub-total Expenses:	10.50	

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For Professional Services	185.00
For Disbursements Incurred	10.50
Current Balance:	<hr/> 195.50
Previous Balance:	78.75
Payments - Thank you	0.00
Total Due	<hr/> 274.25

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

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.