

RESOLUTION NO. 05-38

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 \$9,268.50; 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, Nagin Gallop Figueredo, P.A., submitted its statements to the village for legal services rendered, and costs advanced, for the period ending February 26, 2004, in the amount of \$9,268.50; 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 Nagin Gallop Figueredo, P.A., in the total amount of \$9,268.50, copies of which are attached, are approved for payment.

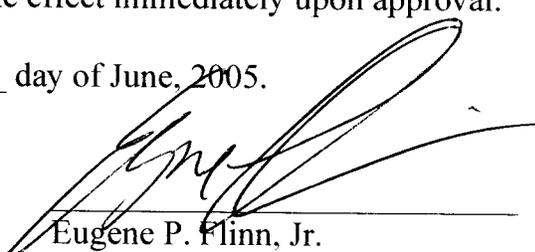
Section 2. The statements were previously submitted to the village. However, it was inadvertently overlooked and not paid by the village.

Section 3. This resolution shall take effect immediately upon approval.

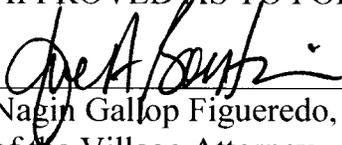
PASSED and ADOPTED this 6<sup>th</sup> day of June, 2005.

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<sup>PA.</sup>

*Attorneys & Counselors*

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

May 6, 2005

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 previously submitted for professional services rendered and for costs advanced for the period ending February 26, 2004. The amounts due are as follows:

0293-001	Non-Retainer Legal Services <i>Statement No. 15753 dated 3/3/04</i>	Prof'l Services	\$	3,570.50
		Disbursements		0.00
		Total		3,570.50
0293-002	Zoning Applications <i>Statement No. 15754 dated 3/3/04</i>	Prof'l Services	\$	5,698.00
		Disbursements		0.00
		Total		5,698.00
<b>TOTAL CURRENTLY DUE</b>				<b>\$ 9,268.50</b>

Please note that these invoices were previously submitted, but were overlooked and not paid by the village previously.

Letter to Charles D. Scurr, Village Manager  
May 6, 2005  
Page 2 of 2

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<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

March 3, 2004  
Matter ID: 0293-001  
General Municipal  
Statement No. 15753

			Hours	Amount
2/2/2004	EGG	Prepared for and attended village council meeting.	5.00	925.00
2/3/2004	EAB	Attention to middle school tragedy; and attended council meeting regarding village position on strategy for handling tragedy.	4.00	740.00
2/4/2004	EGG	Reviewed decisional authority and legal memo regarding application of Religious Land Use and Institutionalized Persons Act of 2000 to zoning restrictions on churches in residential areas.	0.60	111.00
2/4/2004	EGG	Telephone conference with Mr. Scurr.	0.40	74.00
2/5/2004	EGG	Reviewed and executed resolutions and contracts.	0.40	74.00
2/9/2004	EGG	Telephone conference with mayor Flinn.	0.20	37.00
2/12/2004	EGG	Attended meeting with mayor Flinn and Mr. Scurr.	1.50	277.50
2/12/2004	EAB	Telephone conference with mayor Flinn regarding gifts given for Chinese New Year, grand opening of Chinese restaurant and gift policy of village; analyzed GE Capital equipment lease and counsel opinion letter.	0.50	92.50
2/13/2004	EAB	Attended ethics commission luncheon regarding responsibilities of city attorney to commission and issue of who does the attorney represent.	2.00	0.00
2/18/2004	EGG	Transmitted memo from George Burgess, county manager, regarding change to boundaries of city of Hialeah Gardens for review of potential fiscal impact on village.	0.20	37.00
2/18/2004	EAB	Telephone conference with Mr. Scurr, Mayor Flinn and Capt. Mouring; and drafted letter to complainant regarding process for initiating investigation of complainant's allegations against police department.	0.40	74.00
2/19/2004	EGG	Attended committee of the whole meeting; reviewed draft election ordinance.	2.50	462.50

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.

Matter ID: 0293-001 Statement No.: 15753

Page: 2

2/23/2004	EAB	Analysis of Fla. statutes as relating to budget adoption, village charter, and process for requesting AG opinion; and began drafting AG opinion.	1.70	314.50
2/25/2004	EGG	Telephone conferences with commr. Feller and Mr. Scurr regarding procedure for reconsideration of OPCP vote, and directions to Ms. Swanson regarding preparing letter to host of MyPalmettoBay web site; reviewed letter to owner of domain name.	1.40	259.00
2/25/2004	EAB	Attended Florida League of Cities luncheon regarding repercussions of the Omnipoint decision.	2.00	0.00
2/25/2004	EAB	Analyzed and provided final comments on YMCA-Perrine Park maintenance agreement.	0.50	92.50

---

Total Professional Services      3,570.50

**Rate Summary**

Earl G. Gallop	12.20 hours at \$185.00/hr	2,257.00
Eve A. Boutsis	4.00 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	7.10 hours at \$185.00/hr	1,313.50

---

Total hours:    23.30

For Professional Services	3,570.50
For Disbursements Incurred	0.00

---

Current Balance:	3,570.50
------------------	----------

Previous Balance:	6,438.11
-------------------	----------

Payments - Thank you	0.00
----------------------	------

---

**Total Due      10,008.61**

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

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 3, 2004  
 Matter ID: 0293-002  
 Zoning Applications  
 Statement No. 15754

			Hours	Amount
2/2/2004	EAB	Attention to Reardon Estates platting issue; and several telephone conferences with Brenda of Mr. Kirscher's office; attention to lobbyist registration issue; and received assignments.	0.80	148.00
2/4/2004	EGG	Telephone conferences with council members, Mr. Scurr and Mr. Goldstein regarding possible reconsideration of action on Reardon plat.	0.40	74.00
2/6/2004	EGG	Telephone conferences with Mr. Shubin, Mr. Gibbs and Mr. Scurr regarding mediation session.	0.70	129.50
2/6/2004	EAB	Telephone conference with Mr. Kirscher regarding reconsideration of Reardon plat; and analyzed notice of reconsideration.	0.30	55.50
2/9/2004	EAB	Attention to Reardon estates matter; and telephone conferences with Mr. Goldstein and Mr. Kirscher.	0.30	55.50
2/16/2004	EGG	Attended mediation conference.	5.30	980.50
2/17/2004	EGG	Prepared and attended meeting with attorneys for parties regarding prehearing stipulation, hearing procedure and related matters.	2.90	536.50
2/17/2004	EAB	Legal research for appropriate standard of review in Old Cutler appeal and drafted memorandum on issue.	2.50	462.50
2/18/2004	EGG	Telephone conference with Mr. Shubin regarding settlement issues.	0.40	74.00
2/19/2004	EAB	Attention to Reardon matter and e-mail communications with Mr. Kirscher regarding agenda item.	0.30	55.50
2/20/2004	EGG	Telephone conferences with Mr. Gibbs, Mr. Shubin, Ms. Scurr; attention to prehearing stipulation and appellant's revised expert witness report.	1.00	185.00
2/23/2004	EGG	Prepared for hearing; telephone conferences with mayor Flinn, Mr. Scurr, Ms. OQuinn Williams, Mr. Gibbs, and Mr. Shubin; prepared	11.30	2,090.50

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.

		hearing memorandum; attended hearing.		
2/24/2004	EGG	Telephone conference with mayor Flinn regarding reconsideration of vote and notified counsel for parties; multiple telephone conferences with Mr. Gibbs, Mr. Tucker and Mr. Shubin, and with Jennifer, South Dade News Leader and Erika Pesantes, The Miami Herald.	2.60	481.00
2/24/2004	EAB	Telephone conference with mayor Flinn regarding OCPC and reconsideration request; and analysis of chapter 4 of village code relating to reconsiderations.	0.20	37.00
2/25/2004	EGG	Telephone conference with Mr. Shubin regarding legal basis for opposition to motion to reconsider.	0.30	55.50
2/25/2004	EAB	Legal research on cases cited by counsel regarding reconsiderations and proper procedure; telephone conference with commr Breder regarding Frango Triangle Charette; and e-mail communication with Mr. Scurr regarding charette; telephone conference with and e-mail communication with Mr. Simon Ferro regarding Haas property.	1.50	277.50
			<hr/>	
			Total Professional Services	5,698.00

**Rate Summary**

Earl G. Gallop	24.90 hours at \$185.00/hr	4,606.50
Eve A. Boutsis	5.90 hours at \$185.00/hr	1,091.50
<hr/>		
Total hours:	30.80	

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	5,698.00
For Disbursements Incurred	0.00
Current Balance:	<hr/> 5,698.00
Previous Balance:	8,220.25
Payments - Thank you	0.00
<b>Total Due</b>	<hr/> <b>13,918.25</b>

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.