

RESOLUTION NO. 06-21

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 \$19,232.50; 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 24, 2006, in the amount of \$19,232.50; 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:

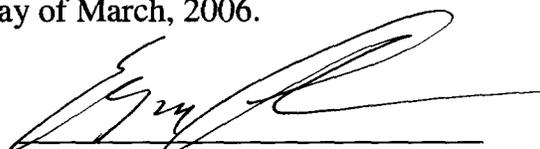
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$19,232.50, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 6 day of March, 2006.

Attest:


Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eye A. Boutsis,
Nagin Gallop Figueredo, P.A., as Office
of the 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

NAGIN GALLOP FIGUEREDO^{RA.}

Attorneys & Counselors

18001 Old Cutler Road, Suite 556
Telephone: (305) 854-5353

Miami, Florida 33157
Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, Florida 33157

February 24, 2006
Matter ID: 0293-001
General Municipal
Invoice Number 18325

			Hours	Amount
1/28/2006	CVH	Research regarding commercial use requirement for registration of trademark by a municipality.	0.20	37.00
1/29/2006	EAB	Continued to redline the A2 contract.	3.00	555.00
1/30/2006	LRF	Reviewed and revised Contractor Guaranteed Maximum Price Agreement (2.9 units); conference with Ms. Eve Boutsis regarding the same; and conference with Ms. Boutsis regarding applicability of Florida Statue to city manager's ability to assist Cutler Bay as temporary city manager (0.6 units).	3.50	647.50
1/30/2006	EAB	Continued to revise construction manager at risk agreement.	1.00	185.00
1/30/2006	EAB	Meeting with Mr. Barnett Greenberg of Charter Review Committee regarding items for discussion.	1.20	222.00
1/30/2006	EAB	Continued to draft construction manager at risk contracts; legal research on dual office holding; telephone conference with Mr. Robert Meyers of MDCCEPT regarding same.	2.00	370.00
1/31/2006	LRF	Finalized review of Contractor GMP addenda.	0.90	166.50
1/31/2006	EAB	Meeting with Mr. Charles Scurr and mayor Flinn regarding FTCL, FPL, mitigation, and pending items; attention to and finalized cm at risk contracts; attention to pending Engel and special master items; attention to VPB waterside park master plan proposal; telephone conference with Mr. Scurr regarding cm and master plan contracts, county bond funding and guidelines; telephone conferences with Ms. Meighan Pier and Ms. Arleen Weintraub regarding final edits to FTCL ordinance; began coordinating meeting dates with council persons; telephone conference with Mr. Scurr and council person John Breder regarding offer to purchase parcel near Perrine Park/Palmetto Bay Commons; and began drafting offer/purchase and sale agreement.	3.40	629.00
1/31/2006	EAB	Attended charter review committee meeting.	1.20	222.00
2/1/2006	CVH	Drafted and sent to Ms. Boutsis lengthy e-mail message analyzing commercial use and descriptiveness problems potentially associated with possible registration of slogan "Village of Parks" as	0.60	111.00

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		a trademark and suggesting alternative solutions.		
2/1/2006	EAB	Telephone conferences with Ms. Olga Cadaval and Ms. Ana Garcia regarding Heizenbottle master plan contract; revised and finalized same; and attended meeting with A-Squared and Wolfberg regarding cm at risk contract; and attention to same.	2.50	462.50
2/2/2006	EAB	Meeting with Ms. Jana Sheeder, and Jim Araiza per Ms. Garcia's request regarding dog park; attention to Zurqui contract; meeting with Ms. Cadaval regarding same; finalized cm at risk agreements; email communications with Ms. Garcia; coordinated meetings with council regarding FTCl and AN; drafted line clearing ordinance memorandum; and follow up on pending items.	2.30	425.50
2/3/2006	EAB	Revised audit response letter.	0.40	74.00
2/3/2006	EAB	Telephone conference with Mayor Eugene Flinn regarding agenda and pending items; and meeting with Mr. Scurr regarding same.	0.40	74.00
2/6/2006	LRF	Conference with Ms. Boutsis regarding the Library contract (0.3) and conference with Ms. Boutsis regarding the Franjo draft ordinance (0.4).	1.10	203.50
2/6/2006	EAB	E-mail communications with Mr. Jerry Proctor; prepared for upcoming agenda and meeting; meeting with Mr. Scurr and Mayor Flinn regarding same; telephone conference with Ms. Weintraub regarding meetings and code enforcement; meeting with Mr. R. Wood, purchaser of Kabick property; email communications regarding same; email communications with Ms. Diane O'Quinn Williams, county P&Z and county building staff regarding amnesty provision of code; email communications with Dr. Ed Feller and Mr. Ramon Ferrer; attention to SFWMD resolution; telephone conference with mayor Flinn; telephone conference with Mr. Scurr on pending items; telephone conference with Ms. Cadaval regarding cm contracts; telephone conference with Mr. Ferrer; and drafted audit response letter.	4.20	777.00
2/6/2006	EAB	Attended commission meeting.	3.00	555.00
2/7/2006	EAB	Meeting with Ms. Cadaval regarding CM at risk contracts; and database research on litigation with cm's; and attention to Van Orsdel property.	1.00	185.00
2/7/2006	EAB	Attended charter review committee public meeting; and after action with Mr. Scurr.	1.50	277.50
2/8/2006	EAB	Attention to cm at risk litigation files; telephone conference with Ms. Garcia regarding pending matters; attention to easement with Mr. Scott Silver for library parking; follow up on same with staff; telephone conference with Mr. Duran; analyzed Duran offer; attention to waiver of plat and advertising requirements with Ms. Pier; began drafting CUP and ULC ordinances and revisions to same; attention to trademark issue; telephone conference with Mayor Flinn regarding mitigation and trademark items; telephone conference with Ms. Cadaval regarding SFWMD contract and special meeting; telephone conference with Ms. Weintraub regarding FT&I, AN, and Mr. Silver; communications with council	2.70	499.50

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		person Paul Neidhart regarding proposed zoning item related to permitting; telephone conference with Ms. Rhonda Montoya Hassan of CMB city attorney's office regarding Zurqui; telephone conference with Ms. Cadaval regarding litigation research; and telephone conference with Mr. Silver regarding PBV mixed use.		
2/9/2006	EAB	E-mail communications with Mr. Fuentes of SFWMD regarding CUP ordinance; attention to charter issue raised by clerk Pier; and attention to pending items; telephone conference with Ms. Hassan; communications with staff regarding Zurqui litigation; attention to lawsuit history of A2.	1.10	203.50
2/10/2006	EAB	Attention to cm at risk; and email communications with staff regarding same.	0.30	55.50
2/11/2006	EAB	Telephone conference with council person Breder regarding Forman and FT&I.	0.30	55.50
2/13/2006	EAB	Attention to SFWMD resolution regarding \$500,000 easement funding for Haas property; telephone conference with Mr. Scurr regarding pending items and upcoming agenda; telephone conference with Ms. Pier regarding notice of P&Z meeting.	0.50	92.50
2/14/2006	EAB	Attention to nonprofit.	1.00	185.00
2/15/2006	EAB	Telephone conference with Mr. Scurr, Ms. Cadaval and council person Breder.	0.40	74.00
2/15/2006	EAB	Prepared for and attended COW meeting.	4.00	740.00
2/16/2006	EAB	Telephone conferences and email communications with Mr. Ferro; telephone conference with Mr. Engel and communication with staff regarding Publix Park; email communications with Mr. Robert Rossano regarding Forman and village council proposal; telephone conference with Ms. Cadaval and Mr. Scurr; attention to A2 and Zurqui; email communications with Mr. Engel; telephone conference with mayor Flinn regarding police services; attention to Zurqui contract; and meeting with staff regarding same; analyzed police services agreement; attention to master plan for C-100 project; continued to work on nonprofit IRS filings; telephone conference with Dr. Feller; telephone conference with Mayor Flinn; email communications with Mr. Rossano and began drafting addendum to Forman contract.	3.70	684.50
2/17/2006	EAB	Meeting with staff and A2; analyzed provisions redlined by A2; analyzed police services agreement and memorandum by Mr. Scurr regarding same; email communications with Mr. Rossano and village council.	3.50	647.50
2/21/2006	EAB	Telephone conference with mayor Flinn regarding two resolutions to be sponsored for next agenda; email communications with staff regarding pending items, AN resolution, and special master hearings; email communications with Mr. Proctor; drafted resolution regarding bus circular contract; revised noise ordinance; attention to A2 contract and coordinated meeting; attention to and revised Forman contract; telephone conference with Ms. Cadaval regarding appraisal for Haas property; revised and redlined A2 agreement; and email communications with Mr.	3.00	555.00

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		Rossano and Ms. Forman regarding same.		
2/22/2006	EAB	Attention to environmental assessment issues related to Delamour property; continued to draft Forman first addendum agreement; telephone conference with Dr. Feller regarding library contract; and telephone conference with mayor Flinn and Mr.Scurr regarding mitigation.	2.60	481.00
2/23/2006	EAB	Finalized revisions to Forman contract; drafted authorization and release relating to art work; and telephone conference with Ms. Cadaval regarding SFWMD contract.	1.00	185.00
2/24/2006	EAB	Analyzed M-D County Charter and Village Charter related to MDC Commission approval; and prepared memorandum regarding same.	0.60	111.00
2/24/2006	EAB	Attention to Forman matter.	0.20	37.00
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			Total Professional Services	10,785.50

Rate Summary

Catherine A. Van Horn	0.80 hours at \$185.00/hr	148.00
Luis R. Figueredo	5.50 hours at \$185.00/hr	1,017.50
Eve A. Boutsis	52.00 hours at \$185.00/hr	9,620.00
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Total hours:	58.30	10,785.50

Disbursements

1/6/2006	Database Legal research	3.02
1/10/2006	Database Legal research	55.08
1/19/2006	Database Legal research	57.60
1/30/2006	Database Legal research	283.98
1/31/2006	Federal Express	16.98
2/9/2006	Outside copy job - Court Copies	5.00
2/24/2006	Disbursements incurred - 2.0%	215.71

Payments and Credits

2/21/2006	Check No. 4186	11,666.05
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		11,666.05

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For Professional Services	10,785.50
For Disbursements Incurred	637.37
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Current Balance:	11,422.87
Previous Balance:	11,666.05
Payments - Thank you	11,666.05
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Total Due	11,422.87

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

NAGIN GALLOP FIGUEREDO^{RA.}

Attorneys & Counselors

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Eugene P. Flinn, Jr.
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, Florida 33157

February 24, 2006
Matter ID: 0293-002
Zoning Applications
Invoice Number 18326

			Hours	Amount
1/30/2006	EAB	Attended meeting with Ms. Judy Miller, Ms. Arleen Weintraub, and Mr. Charles Scurr regarding mixed use zoning ordinance; continued to revise same; and attention to pending land use items.	4.00	740.00
1/30/2006	EAB	Telephone conference with Mr. Simon Ferro and Ms. Weintraub; email communications with MDC P&Z regarding and attention to Engel matter; telephone conference with Mr. Scurr, Ms. Miller, Ms. Meighan Pier, and Ms. Weintraub; and attention to revised mixed use ordinance.	1.00	185.00
1/31/2006	EAB	Continued to draft and edit FTCl zoning district.	3.50	647.50
2/1/2006	EAB	Prepared for and attended LDC meeting with Ms. Weintraub, Ms. Miller, and Mr. Jorge Vera related to chapter 9, platting.	2.00	370.00
2/2/2006	EAB	Email communications with Ms. Miller regarding Engel matter.	0.20	37.00
2/6/2006	EAB	Attention to vested rights related items; analyzed FTCl ordinance; communications with Mr. Jess Linn, MDC zoning staff related to FTCl; email and telephone conference with Ms. Weintraub regarding same; and edited FTCl ordinance.	2.00	370.00
2/6/2006	SS	Reviewed e-mail from Ms. Boutsis; conducted Internet research to locate any declaration of restrictions, covenant or zoning order for Van Orsdel property; discussions with Ms. Boutsis.	1.10	71.50
2/7/2006	EAB	Meetings with Ms. Weintraub and: council person Breder; council person Paul Neidhart; mayor Eugene Finn; and vice-mayor Linda Robinson; telephone conference with Ms. Weintraub and Mr. Ferro.	9.00	1,665.00
2/8/2006	EAB	Attention to takings, Harris Act and other possible issues as related to zoning ordinance; attention to AN application and upcoming zoning agenda.	1.00	185.00
2/9/2006	EAB	Analyze draft chapter 6 related to platting and provided comments to staff regarding same; email communications with staff regarding hospital uses, religious institutional uses, platting, and other necessary ldc ordinances.	2.50	462.50

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2/10/2006	EAB	Telephone conference with Ms. Weintraub; telephone conference with Mr. Jerry Proctor; communications with Mr. Ferro.	0.40	74.00
2/13/2006	EAB	Analyzed P&Z agenda; telephone conference with Ms. Weintraub and Mr. Scurr regarding same; analyzed minutes, prior resolution, and standard of review of agenda rehearing item; telephone conferences with Ms. Weintraub and Mr. Scurr; attention to traffic related items; and attention to platting, waiver of plat and MDC chapter 28.	2.50	462.50
2/13/2006	EAB	Attended meeting with Dr. Feller and Ms. Weintraub regarding FT&I and AN application; attended P&Z agenda.	3.50	647.50
2/14/2006	EAB	Telephone conference with Ms. Pier and attention to and revised draft AN P&Z resolution; and email communications with Mr. Ferro.	0.30	55.50
2/17/2006	EAB	Telephone conferences with Mr. Ferro and revised zoning resolution; meeting with Ms. Weintraub regarding AN resolution; finalized resolution; and attention to advertising requirements for T.C.&I.	0.50	92.50
2/17/2006	EAB	Meeting with Ms. Weintraub, Mr. Tad Templeton, and council person Breder regarding T.C.&I.	2.00	370.00
2/22/2006	EAB	Email communications with Mr. Proctor; analyzed deed restrictions, revised and finalized resolution and declaration of restrictions in lieu of unity of title re: PBV Center.	1.50	277.50
2/23/2006	EAB	Attended meeting at MDC with Mr. Engel, Mr. Alonso, Ms. Patterson, and Ms. Miller; email communications with Mr. Proctor and made final revisions to the cov. in lieu of unity of title pursuant to discussions with Mr. Proctor.	2.40	444.00
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			Total Professional Services	7,157.00

Rate Summary

Eve A. Boutsis	38.30 hours at \$185.00/hr	7,085.50
Susan Snavelly	1.10 hours at \$ 65.00/hr	71.50
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Total hours:	39.40	7,157.00

2/24/2006 Disbursements incurred - 2.0% 143.14

Payments and Credits

2/21/2006	Check No. 4186	4,679.76
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		4,679.76

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For Professional Services	7,157.00
For Disbursements Incurred	143.14
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Current Balance:	7,300.14
Previous Balance:	4,679.76
Payments - Thank you	4,679.76
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Total Due	7,300.14

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Eugene P. Flinn, Jr.
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, Florida 33157

February 24, 2006
Matter ID: 0293-004
Code Enforcement
Invoice Number 18327

			Hours	Amount
1/30/2006	EAB	Attention to Fern Street property; and lien payoff on Kabick property.	0.10	18.50
2/21/2006	EAB	Prepared for and attended special master hearing; and pre-meeting conference with staff regarding same.	2.60	481.00
				<hr/>
			Total Professional Services	499.50

Rate Summary

Eve A. Boutsis	2.70 hours at \$185.00/hr	499.50
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Total hours:	2.70	499.50

2/24/2006 Disbursements incurred - 2.0% 9.99

Payments and Credits

2/21/2006	Check No. 4186	4,093.20
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		4,093.20

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For Professional Services	499.50
For Disbursements Incurred	9.99
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Current Balance:	509.49
Previous Balance:	4,093.20
Payments - Thank you	4,093.20
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Total Due	509.49

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