

RESOLUTION NO. 07-01

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 \$14,320.55; 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 29, 2006, in the amount of \$14,320.55; 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:

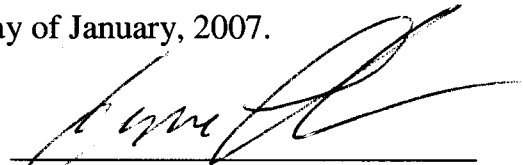
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$14,320.55, copies of which are attached, are approved for payment.

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

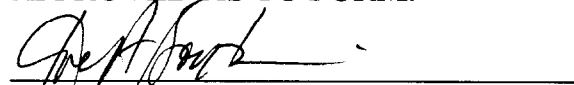
PASSED and ADOPTED this 8th day of January, 2007.

Attest:

  
Meighan Rader  
Village Clerk

  
Eugene P. Flinn, Jr.  
Mayor

APPROVED AS TO FORM:

  
Eve A. Boutsis,  
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*

18001 Old Cutler Road – Suite 556  
Telephone: (305) 854-5353 Miami, Florida 33157-6416 Facsimile: (305) 854-5351

January 4, 2007

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 29, 2006. The amounts due are as follows:

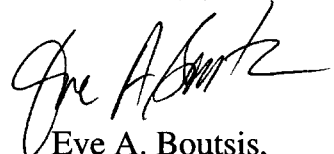
0293-001	Non-Retainer Legal Services <i>Statement No. 18809 dated 12/29/06</i>	Prof'l Services	\$	5,235.50
		Disbursements		352.68
		Total		5,588.18
0293-002	Zoning Applications <i>Statement No. 18810 dated 12/29/06</i>	Prof'l Services	\$	6,290.00
		Disbursements		345.77
		Total		6,635.77
0293-004	Code Enforcement <i>Statement No. 18811 dated 12/29/06</i>	Prof'l Services	\$	259.00
		Disbursements		5.18
		Total		264.18
0293-009	Code Enforcement <i>Statement No. 18812 dated 12/29/06</i>	Prof'l Services	\$	407.00
		Disbursements		481.92
		Total		888.92

Letter to Charles D. Scurr, Village Manager  
January 4, 2007  
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0293-014	Code Enforcement	Prof'l Services	\$	925.00
	<i>Statement No. 18812 dated 12/29/06</i>	Disbursements		18.50
		Total		943.50
<b>TOTAL CURRENTLY DUE</b>				<b>\$ 14,320.55</b>

Pease 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/lcm

Enclosures

cc: Mayor and Village Council

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

*Attorneys & Counselors*

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

December 29, 2006  
Matter ID: 0293-001  
General Municipal  
Invoice Number 18809

			Hours	Amount
11/28/2006	CVH	Received and reviewed Notice of Examiner's Amendment accepting proposed changes to class of registration and description of services for "Village of Parks" trademark application.	0.30	55.50
11/29/2006	CVH	Series of e-mails with Ms. Boutsis regarding meaning of Notice of Amendment from trademark examiner regarding "Village of Parks" trademark application. [No Charge].	3.00	0.00
11/29/2006	EAB	Email and Telephone conference with council person Stanczyk; attention to and executed Bayfront Trail Grant and construction agreements; attention to resident complaint regarding sidewalk; telephone conference with Ms. Meigha Rader regarding petition for certiorari; analyzed certiorari deadlines, etc; attention to SinFin matter; attention to Special Master order and telephone conference with Mr. Richard Doody regarding same; attention to watershed, false alarms and Forman matters; conferenced with Mr. Ron Williams and substantially revised fair share ordinance.	3.60	666.00
11/30/2006	CVH	Exchanged e-mails with Ms. Boutsis regarding meaning of Notice of Examiner's Amendment received from Trademark Office with respect to "Village of Parks" trademark registration. [No Charge.]	0.30	0.00
11/30/2006	EAB	Substantially redrafted concurrency ordinance; telephone conference with Mr. Williams and Ms. Conice Patterson regarding same; edited, revised, and drafted P&Z notices; attention to P&Z agenda items; and items for upcoming agenda; email communications with Mr. Subrata Basu; analyzed MDC CDMP; attention to PBVC; telephone conference with Mayor Eugene Flinn (no charge.3); and telephone conference with Mr. Charles Scurr on upcoming agenda, pending items, etc.	4.00	740.00
12/1/2006	EAB	Meeting with mayor Flinn, mayor Paul Vrooman, Mr. Scurr, and Mr. Steve Alexander; telephone conference with and email communications with Mr. Robert Meyers; and attention to Watershed reports; email communications with Mr. Basu regarding same.	3.00	555.00
12/4/2006	EAB	Analyzed agenda in anticipation of upcoming meeting; analyzed Watershed draft; telephone conference with Mr. Meyers regarding	3.00	555.00

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.

		Warlord ordinance; telephone conference with Mr. Scurr; telephone conference with mayor Flinn (no charge); analyzed MDC CDMP.		
12/4/2006	EAB	Attended village council meeting.	3.50	647.50
12/5/2006	CVH	Received and reviewed Vilage newsletter for update on park-related projects for use in connection with trademark application.	0.30	55.50
12/5/2006	EAB	Attended meeting at Perrine Cutler Ridge Council/PB Business Association meeting regarding Watershed; and follow up regarding same; and attention to IRS filing with Mr. Desmond Chin, Ms. Olga Cadaval, Ms. Anna Garcia, Mr. Scurr; and possible donor; attention to Warlord ordinance; email communications with Mr. Meyers, Town Culter Bay mayor, attorney and manager, Mr. Scurr and mayor Flinn.	2.70	499.50
12/6/2006	EAB	Email communications with Mr. Mitch Bierman, and Mr. Meyers regarding Warlord ordinance.	0.30	55.50
12/7/2006	EAB	Telephone conference with Mr. Scurr and Mr. Chin regarding communication service taxes; and conducted legal research regarding taxes, and contingency fees; and provided direction regarding same.	0.80	148.00
12/8/2006	EAB	Telephone conference with Ms. Nancy Cobb regarding WASD title opinion regarding Palmetto Bay utilities agreement; analyzed title and prepared revised document regarding same.	0.60	111.00
12/13/2006	EAB	Attention to ROW issue; and telephone conference with Mr. Wiley Hicks; attention to Salizar matter; attention to Forman matter; telephone conference with Mr. Chin regarding arbitrage item; attention to watershed updates; and email communications with Ms. Nina Boninske regarding Miami Lakes and mitigation.	1.30	240.50
12/18/2006	EAB	Analyzed sectoin 33-301- through 33-310 relating to zoning applications and public hearings; substantially revised draft notice provisions for VPB public hearings; drafted fee schedule ordinance for public hearings; attention to Turnpike renaming for Cosgrove; attention to Warlord Ordinance, and drafted same; amended procurement code ordinance per council comments for second reading; and attention to Watershed item.	3.40	629.00
12/19/2006	EAB	Attention to nonprofit and IRS communications; and attention to park policy and liability items.	0.50	92.50
12/20/2006	EAB	Telephone conference with Ms. Patterson, Mr. Williams, and attention to bid protest item.	0.40	74.00
12/20/2006	EAB	Attention to mitigation matter; email communications with Mr. Jeff Flannigan.	0.60	111.00
			Total Professional Services	5,235.50

**Rate Summary**

Catherine A. Van Horn                      3.30 hours at \$   0.00/hr                      0.00

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Catherine A. Van Horn	0.60 hours at \$185.00/hr	111.00
Eve A. Boutsis	27.70 hours at \$185.00/hr	5,124.50
	Total hours:	31.60
		5,235.50

**Disbursements**

10/12/2006	Database Legal research	220.85
10/13/2006	Database Legal research	7.12
12/18/2006	Meal Charge - Luncheon re: ELUL Committee	20.00
12/29/2006	Disbursements incurred - 2.0%	104.71

**Payments and Credits**

12/7/2006	Check No. 5445	13,167.75
		13,167.75

For Professional Services	5,235.50
For Disbursements Incurred	352.68
Current Balance:	5,588.18
Previous Balance:	22,348.48
Payments - Thank you	13,167.75
<b>Total Due</b>	<b>14,768.91</b>

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

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

*Attorneys & Counselors*

18001 Old Cutler Road, Suite 556      Miami, Florida 33157  
Telephone: (305) 854-5353      Facsimile: (305) 854-5351

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

December 29, 2006  
Matter ID: 0293-002  
Zoning Applications  
Invoice Number 18810

			Hours	Amount
11/29/2006	EAB	Attended meeting with Ms. Olga Cadaval, Ms. Ana Garcia, Mr. Egrin Nunez, Ms. Arleen Weintraub, Mr. Scurr regarding library rezoning, public facilities, lot splitting, Sin-Fin applications, notice requirements; interim notice procedures and fees ordinances; dentist office resolution and noncompliance; updated title report relating to Palmetto Bay Park.	3.00	555.00
12/1/2006	EAB	Began drafting public facility zoning resolution; analyzed section 33-303, MDC; and attention to pending zoning applications.	2.00	370.00
12/4/2006	EAB	Attention to declaration of restrictions re: PBVC.	0.40	74.00
12/5/2006	EAB	Analyzed revised declaration of restrictions for SinFin application; email communications with Mr. Jeffrey Flannigan regarding same; analyzed 33-303, MDC; drafted resolution and memorandum regarding public facilities public hearing item.	2.30	425.50
12/6/2006	EAB	Meeting with Mr. Nunez, Ms. Weintraub, drafted opinions and notices of P&Z agenda; attention to Palmer Trinity, and pending items; attention to Bolger property and pending zoning items.	5.00	925.00
12/7/2006	EAB	Attended meeting with Paradise Point representatives and mayor Flinn; attention to Palmer Trinity matter; and attention to Jennings items regarding same.	3.00	555.00
12/8/2006	EAB	Attention to Palmer Trinity Sunshine issues and email communications with Mr. Richard Kaminsky regarding Sunshine and Jennings.	0.40	74.00
12/11/2006	EAB	Prepared for P&Z agenda; telephone conference with Mr. Scott Silver; attention to Gator matter; meeting with Mayor on pending items and LDC; meeting with Mr. Scurr and Ms. Weintraub regarding zoning items; attention to Jennings violations by residents; telephone conference with Mr. Flannigan regarding P&Z item and draft covenants; email communications with County P&Z staff regarding objections to pending applications.	4.20	777.00
12/11/2006	EAB	Attended P&Z hearing.	2.00	370.00
12/12/2006	EAB	Attention to Goodwill matter; telephone conference with Mr. Brian	1.60	296.00

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Adler regarding Goodwill; telephone conference with Ms. Weintraub and Mr. Scurr; telephone conference with Mr. Ron Williams; and attention to Tyka matter (telephone conference with Ms. Tyka's counsel).

12/19/2006	EAB	Attended PCRC Watershed meeting; attended meeting with Ms. Weintraub regarding pending LDC revisions and proposed fee schedule and public notice zoning hearing ordinances; and revised same; and analyzed Watershed ballot questions.	5.00	925.00
12/20/2006	EAB	Telephone conference with Ms. Weintraub regarding proposed memoranda, draft ordinances, resolutions, etc. for January; and analyzed corresponding documents.	0.60	111.00
12/21/2006	EAB	Attended Watershed final meeting with Mayor Flinn.	4.50	832.50
				832.50
			Total Professional Services	6,290.00

**Rate Summary**

Eve A. Boutsis	34.00 hours at \$185.00/hr	6,290.00
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Total hours:	34.00	6,290.00
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**Disbursements**

10/5/2006	Database Legal research	219.97
12/29/2006	Disbursements incurred - 2.0%	125.80

**Payments and Credits**

12/7/2006	Check No. 5445	4,943.94
		4,943.94

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For Professional Services	6,290.00
For Disbursements Incurred	345.77
	<hr/>
Current Balance:	6,635.77
Previous Balance:	9,699.18
Payments - Thank you	4,943.94
	<hr/>
<b>Total Due</b>	<b>11,391.01</b>

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

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

December 29, 2006  
Matter ID: 0293-004  
Code Enforcement  
Invoice Number 18811

			Hours	Amount
12/18/2006	EAB	Drafted Bolger complaint for injunctive relief.	1.00	185.00
12/19/2006	EAB	Meeting with Mr. Allen White regarding Bolger and Salizar.	0.40	74.00
				<hr/>
			Total Professional Services	259.00

## Rate Summary

Eve A. Boutsis	1.40 hours at \$185.00/hr	259.00
	<hr/>	<hr/>
Total hours:	1.40	259.00

12/29/2006 Disbursements incurred - 2.0% 5.18

## Payments and Credits

12/7/2006	Check No. 5445	1,044.48
		<hr/>
		1,044.48

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For Professional Services	259.00
For Disbursements Incurred	5.18
	<hr/>
Current Balance:	264.18
Previous Balance:	1,723.80
Payments - Thank you	1,044.48
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<b>Total Due</b>	<b>943.50</b>

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

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

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

December 29, 2006  
Matter ID: 0293-009  
Palmetto Bay Foundation, Inc.  
Invoice Number 18812

			Hours	Amount
12/7/2006	EAB	Attention to IRS request and finalized same.	0.40	74.00
12/11/2006	EAB	Attention to grant and 30 year property certification for same; and telephone conference with Mr. Bart Armstrong regarding MDPD contract.	0.60	111.00
12/20/2006	EAB	Attention to IRS filing request; follow up on same; telephone conference with IRS, Mr. Scurr, Ms. Cadaval regarding same.	0.50	92.50
12/22/2006	EAB	Telephone conference with Mr. Schian of IRS; telephone conference with Ms. Cadaval; finalized submittal to IRS; received second communication from Mr. Schian and prepared response to Mr. Schian regarding same.	0.70	129.50
				<hr/>
			Total Professional Services	407.00

## Rate Summary

Eve A. Boutsis	2.20 hours at \$185.00/hr	407.00
	<hr/>	<hr/>
Total hours:	2.20	407.00

## Disbursements

12/11/2006	Federal Express	23.78
12/22/2006	Miscellaneous Client Costs - Internal Revenue Service	450.00
12/29/2006	Disbursements incurred - 2.0%	8.14

## Payments and Credits

12/7/2006	Check No. 5445	566.10
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	<u>566.10</u>
For Professional Services	407.00
For Disbursements Incurred	481.92
Current Balance:	<u>888.92</u>
Previous Balance:	566.10
Payments - Thank you	566.10
<b>Total Due</b>	<u><b>888.92</b></u>

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

December 29, 2006  
Matter ID: 0293-014  
Mendizabal Appeal  
Invoice Number 18813

			Hours	Amount
12/20/2006	EAB	Analyzed petition for certiorari and began drafting answer brief.	5.00	925.00
				<hr/>
Total Professional Services				925.00

## Rate Summary

Eve A. Boutsis      5.00 hours at \$185.00/hr      925.00

Total hours:      

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 5.00      

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 925.00

12/29/2006	Disbursements incurred - 2.0%		18.50
	For Professional Services		925.00
	For Disbursements Incurred		18.50
	Current Balance:		<hr/> 943.50
	Previous Balance:		0.00
	Payments - Thank you		0.00
			<hr/>
		<b>Total Due</b>	<b>943.50</b>

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