

RESOLUTION NO. 07-22

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 \$11,319.27; 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, 2007, in the amount of \$11,319.27; 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:

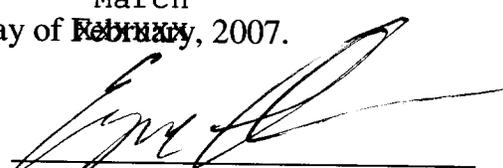
Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$11,319.27, copies of which are attached, are approved for payment.

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

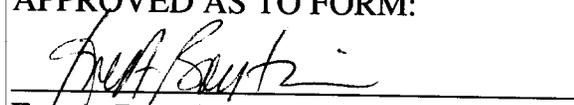
PASSED and ADOPTED this 5th day of ~~February~~^{March}, 2007.

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

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FINAL VOTE AT ADOPTION:

- Council Member Ed Feller YES
- Council Member Paul Neidhart YES
- Council Member Shelley Stanczyk YES
- Vice-Mayor Linda Robinson YES
- Mayor Eugene P. Flinn, Jr. YES

NAGIN GALLOP FIGUEREDO^{PA}

Attorneys & Counselors

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

Facsimile: (305) 854-5351

February 28, 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 February 26, 2007. The amounts due are as follows:

| | | | | |
|----------------------------|---|-----------------|----|---------------------|
| 0293-001 | Non-Retainer Legal Services <i>Statement No. 18909 dated 2/26/07</i> | Prof'l Services | \$ | 8,898.5 |
| | | Disbursements | | 265.47 |
| | | Total | | 9,163.97 |
| 0293-002 | Zoning Applications <i>Statement No. 18910 dated 2/26/07</i> | Prof'l Services | \$ | 962.00 |
| | | Disbursements | | 155.45 |
| | | Total | | 1,117.45 |
| 0293-004 | Code Enforcement <i>Statement No. 18911 dated 2/26/07</i> | Prof'l Services | \$ | 1,017.50 |
| | | Disbursements | | 20.35 |
| | | Total | | 1,037.85 |
| TOTAL CURRENTLY DUE | | | | \$ 11,319.27 |

Letter to Charles D. Scurr, Village Manager
February 28, 2007
Page 2 of 2

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^{PA.}

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 26, 2007
Matter ID: 0293-001
General Municipal

Invoice Number 18909

| | | | Hours | Amount |
|-----------|-----|--|-------|----------|
| 1/24/2007 | CVH | Checked PTO Web site for status of Village of Parks trademark application; verified publication for opposition in 1/23 Official Gazette via Internet; prepared and sent lengthy e-mail message explaining status of trademark application; obtained and reviewed instructions for preparation of state trademark application. | 0.70 | 129.50 |
| 1/25/2007 | CVH | E-mail regarding status of federal trademark application for Village of Parks; began preparation of state trademark application. | 0.80 | 148.00 |
| 1/29/2007 | EAB | Email and telephone conference with Mr. Efren Nunez, and Ms. Arleen Weintraub regarding Art in Public Places ordinances; revised same (3rd and 4th drafts); drafted zoning letter to Alemar representatives; email and telephone conference with Ms. Cynthia Everette regarding Pinecrest sign ordinance revisions and safety issues regarding same; attention to no wake zone issue; continued to revise/edit the OR contract; and meeting with Mr. Andy Newman per request of mayor Flinn. | 5.00 | 925.00 |
| 1/30/2007 | EAB | Attended meeting with Ms. Cadaval regarding A2'd contract; meeting with Mr. Charles Scurr, Ms. Olga Cadaval, and Ms. Ana Garcia regarding parks related items; attention to PW items; meeting with Ms. Corrice Patterson regarding same; drafted revision to procurement code relating to construction bond production timelines; follow up with SFWMD regarding no wake zones; meeting with Mr. Nunez and briefly with Ms. Weintraub regard Art in Public Places ordinance; finalized same; drafted letter to Alemar representative; meeting with C.E.O. White regarding foreclosure action and compliance; attention to pending items with Mr. Allen White; attention to request by Ms. Vanessa Bencomo regarding lien issue and reconsideration of the lien; attention to Couret matter; email and telephone conference with Mr. Murray Greenberg and his staff related to a PW and ROW issue; drafted revision to procurement code relating to bid documents; analyzed Forman contract; and drafted letter for Ms. Garcia regarding same; continued follow up with MDC CA regarding ROW matter; and follow up with MDC PD and SFWMD regarding no wake zones. | 6.40 | 1,184.00 |
| 1/31/2007 | EAB | Telephone conference with FDOT attorney regarding ROW issues; | 3.50 | 647.50 |

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.

| | | | | |
|-----------|-----|--|------|----------|
| | | legal research regarding same; telephone conference with Mr. Ron Williams and Ms. Patterson regarding same; revised Art in Public Places draft ordinance to include copyright protection for village; reviewed and provided comments to Ms. Weintraub regarding special master RFP/RFQ; and began drafting attorney audit response letter. | | |
| 1/31/2007 | EAB | Attended W&A, and A2'd meeting regarding 50 percent documents. | 3.50 | 647.50 |
| 2/1/2007 | CVH | Began drafting Florida state trademark application for "Village of Parks" trademark; e-mails to obtain Village's federal employer identification number and other information needed to complete trademark application; gathered photographs of potential specimens; completed draft application; and requested check for filing fees. [.4 no charge]. | 0.60 | 111.00 |
| 2/1/2007 | EAB | Telephone conference with Mr. Armando of SinFin; email and telephone conference with Mr. Williams, and Mr. Scurr regarding special taxing district; telephone conference with Mr. Scurr, Ms. Cadaval and Mr. Paul Abbott regarding Skyline contract and A2'd contract; revised Skyline contract; telephone conference with Mr. Abott for further revisions and completed same; attention to Tyka matter; attention to no wake zone with Mr. Bart Armstrong, MDPD; drafted SinFin resolution; drafted Sadowski park resolution; received Sadowski park assignment; and telephone conference with Ms. Rader regarding minutes, drafts, and resolutions for agenda. | 6.00 | 1,110.00 |
| 2/2/2007 | EAB | Attention to agenda and Sadowski park item; attention to SinFin item; and telephone conference with Ms. Patterson regarding sign bid. | 0.70 | 129.50 |
| 2/5/2007 | EAB | Prepared for council meeting; analyzed rental agreement; attention to newly revised resolutions; attention to SinFin application; and attention to and follow up on Mendizabal. | 2.00 | 370.00 |
| 2/5/2007 | EAB | Attended village council meeting. | 3.50 | 647.50 |
| 2/6/2007 | CVH | Reviewed and revised draft Florida state trademark application for "Village of Parks" trademark; telephone call to state trademark office regarding types and numbers of acceptable specimens; prepared specimens; obtained check for filing fees. [.2 no charge]. | 0.60 | 111.00 |
| 2/7/2007 | CVH | Completed and filed Florida state trademark application for "Village of Parks". | 0.20 | 37.00 |
| 2/7/2007 | EAB | Attention to Coral Reef issue. | 0.40 | 74.00 |
| 2/8/2007 | EAB | Attention to personnel issues. | 0.30 | 55.50 |
| 2/9/2007 | EAB | Attended OCI meeting with Ms. Cadaval, Mr. Scurr, and OCI representatives. | 1.50 | 277.50 |
| 2/13/2007 | EAB | Telephone conference with Ms. Nina Boninske regarding mitigation; telephone conference with Mr. Scurr regarding same; and attention to pending code enforcement matters with Ms. Weintraub. | 0.80 | 148.00 |
| 2/16/2007 | EAB | Revised parks resolution; attention to mitigation; follow up regarding | 1.50 | 277.50 |

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Tyka matter; email communications with attorney, Mr. Allen Kirsher, regarding code enforcement matter; analyzed retainer for tax collection item; telephone conference with Mr. Desmond Chin regarding same.

| | | | | |
|-----------|-----|--|------|--------|
| 2/20/2007 | EAB | Attention to OCI matter; telephone conference with Mr. Ed Silva; follow up on meeting; attention to parks rules; telephone conference with Ms. Patterson on pending items; email communications with Mr. Nunez regarding FT&I and parking requirements; follow up with Mr. Nunez on pending items; and telephone conference with Ms. Weintraub regarding VMU and pending ordinances. | 1.50 | 277.50 |
| 2/21/2007 | EAB | Analyzed COW agenda; telephone conference with mayor Flinn (no charge); telephone conference with Mr. Scurr, Ms. Cadaval, Ms. Weintraub, Mr. Nunez, Ms. Patterson (separate conferences re: PW, Zoning, platting, agenda items); attention to Art in Public Places; attention to LDC and editing of same; and attention to construction contracts. | 2.70 | 499.50 |
| 2/21/2007 | EAB | Attended COW meeting. | 2.50 | 462.50 |
| 2/22/2007 | EAB | Attention to Duran purchase and sale agreement; email communications with Mr. Scurr and mayor Flinn regarding same; telephone conference with Ms. Cadaval regarding parking lot for Library; meeting with Mr. Casals, Mr. Williams, Ms. Patterson, and Mr. Scurr regarding pending PW items; follow up on assignments; follow up with Ms. Everette regarding Pinecrest sign code; attention to and drafted letter to Duran regarding offer to purchase parcel for \$340,000; and attention to eminent domain item related to village hall. | 3.40 | 629.00 |

| | |
|-----------------------------|----------|
| Total Professional Services | 8,898.50 |
|-----------------------------|----------|

Rate Summary

| | | |
|-----------------------|----------------------------|----------|
| Catherine A. Van Horn | 2.90 hours at \$185.00/hr | 536.50 |
| Eve A. Boutsis | 45.20 hours at \$185.00/hr | 8,362.00 |
| | Total hours: 48.10 | 8,898.50 |

Disbursements

| | | |
|-----------|---|--------|
| 2/5/2007 | Filing fee for application for registration of trademark. | 87.50 |
| 2/26/2007 | Disbursements incurred - 2.0% | 177.97 |

Payments and Credits

| | | |
|-----------|--|----------|
| 2/26/2007 | | 7,992.15 |
|-----------|--|----------|

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| | |
|----------------------------|------------------------|
| | <u>7,992.15</u> |
| For Professional Services | 8,898.50 |
| For Disbursements Incurred | 265.47 |
| Current Balance: | <u>9,163.97</u> |
| Previous Balance: | 7,992.15 |
| Payments - Thank you | 7,992.15 |
| Total Due | <u>9,163.97</u> |

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

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.

NAGIN GALLOP FIGUEREDO^{PA.}

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

February 26, 2007
Matter ID: 0293-002
Zoning Applications
Invoice Number 18910

| | | | Hours | Amount |
|-----------|-----|--|-----------------------------|--------|
| 1/30/2007 | EAB | Began drafting SinFin resolution. | 2.00 | 370.00 |
| 2/6/2007 | EAB | Attention to PBVC, VMU, garage plans, and master covenant issues. | 0.20 | 37.00 |
| 2/12/2007 | EAB | Attention to zoning items (ordinances, building and permitting RFQ, and pending applications); and telephone conference with Ms. Arleen Weintraub regarding same; edited Art in Public Places ordinances; edited proposed park rules and regulations; and telephone conference with Mr. Charles Scurr, Ms. Weintraub and Ms. Olga Cadaval. | 2.40 | 444.00 |
| 2/22/2007 | EAB | Telephone conference with Mr. Armando of SinFin regarding platting item and covenant; drafted covenant relating to zoning hearing application approval for rezoning. | 0.60 | 111.00 |
| | | | | <hr/> |
| | | | Total Professional Services | 962.00 |

Rate Summary

| | | |
|----------------|---------------------------|--------|
| Eve A. Boutsis | 5.20 hours at \$185.00/hr | 962.00 |
| | <hr/> | <hr/> |
| Total hours: | 5.20 | 962.00 |

Disbursements

| | | |
|-----------|---------------------------------|--------|
| 1/22/2007 | Database Legal research on 1/22 | 136.21 |
| 2/26/2007 | Disbursements incurred - 2.0% | 19.24 |

Payments and Credits

| | | |
|-----------|--|----------|
| 2/26/2007 | | 2,604.06 |
|-----------|--|----------|

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.

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|----------------------------|------------------------|
| | <u>2,604.06</u> |
| For Professional Services | 962.00 |
| For Disbursements Incurred | 155.45 |
| Current Balance: | <u>1,117.45</u> |
| Previous Balance: | 2,604.06 |
| Payments - Thank you | 2,604.06 |
| Total Due | <u>1,117.45</u> |

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

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NAGIN GALLOP FIGUEREDO^{PA.}

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

February 26, 2007
Matter ID: 0293-004
Code Enforcement
Invoice Number 18911

| | | | Hours | Amount |
|-----------|-----|---|-----------------------------|----------|
| 2/6/2007 | EAB | Telephone conference with Mr. Allen White regarding case number 2005-887; and telephone conference with Mr. Jeff Flanningan regarding same. | 0.40 | 74.00 |
| 2/12/2007 | EAB | Telephone conference with Mr. Allen Kirsher regarding Dr. Williams, 8725 SW 166 street; and communications with staff regarding same. | 0.60 | 111.00 |
| 2/16/2007 | EAB | Attention to Agenda; meeting with Officer White regarding agenda and pending items; email communications with Mr. Allen Kirscher. | 0.30 | 55.50 |
| 2/20/2007 | EAB | Attention to code enforcement matters; telephone conference with Ms. Weintraub, staff etc. | 1.50 | 277.50 |
| 2/20/2007 | EAB | Attended special master hearing; and post hearing follow up on Williams and Garcia compliance matters. | 2.40 | 444.00 |
| 2/22/2007 | EAB | Drafted correspondence to Mr. Hickes regarding Tyka matter. | 0.30 | 55.50 |
| | | | | <hr/> |
| | | | Total Professional Services | 1,017.50 |

Rate Summary

| | | |
|----------------|---------------------------|----------|
| Eve A. Boutsis | 5.50 hours at \$185.00/hr | 1,017.50 |
| | <hr/> | <hr/> |
| Total hours: | 5.50 | 1,017.50 |

2/26/2007 Disbursements incurred - 2.0% 20.35

Payments and Credits

2/26/2007 2,415.36

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.

| | |
|----------------------------|------------------------|
| | <u>2,415.36</u> |
| For Professional Services | 1,017.50 |
| For Disbursements Incurred | 20.35 |
| Current Balance: | <u>1,037.85</u> |
| Previous Balance: | 2,415.36 |
| Payments - Thank you | 2,415.36 |
| Total Due | <u>1,037.85</u> |

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

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.