

TAB 3



City of Palmetto Agenda Item

Meeting Date

5/3/10

Presenter: Jim Freeman

Department: City Clerk

Title:

Legal expenses related to land swap between City of Palmetto, Manatee County School Board, and Manatee Fruit Company

PROBLEM: To approve the first of a series of monthly legal expenses to Hankin, Persson, Davis, McClenathen & Darnell Law firm

BACKGROUND: The City's portion of the land sale amounted to a net proceeds of \$1,025,498.22. Of this amount \$20,000 was set aside during the January 25, 2010 Commission meeting to fund survey costs related to 10th Ave and the ball fields. To date, \$12,173.99 of the \$20,000 has either been spent or encumbered. Additionally, at the April 19, 2010 meeting, a payment of \$22,500 was authorized to the Capital Philanthropy Group to apply for various grants on behalf of the City for the 23rd Street relocation, 10th Avenue extension and construction of a Little League Complex. Of the initial land sale proceeds, \$982,998 remain.

In order to properly track all legal expenses related to this project a new expense account will be created and an internal budget transfer will be completed. Additional legal expenses related to this project will be charged against this account. Prior to payment, the invoices will be presented to Commission in the consent agenda as with all other legal expenses.

Budgeted Amount:	\$1,025,498.22	Budget Page No(s):		Available Amount:	\$982,998.00	Expenditure Amount:	\$2,890.50
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Additional Budgetary Information:

Funding Source(s):	Land Sale	Sufficient Funds Available:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amendment Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Source:	<input type="text"/>
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City Attorney Reviewed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Advisory Board Recommendation:	<input type="checkbox"/> For <input type="checkbox"/> Against <input checked="" type="checkbox"/> N/A	Consistent With:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input type="text"/>
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Potential Motion/Direction Requested: Approve legal expense

Staff Contact: Matt Misco Finance

Attachments:

Hankin, Persson, Davis, McClenathen & Darnell

Attorneys and Counselors At Law
A Partnership of Professional Associations
1820 Ringling Boulevard
Sarasota, Florida 34236

Lawrence M. Hankin
David P. Persson
David D. Davis
Chad M. McClenathen*
Robert W. Darnell
Andrew H. Cohen
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April 7, 2010

* Board Certified Real Estate
** Board Certified State and Fed. Govt. & Admin. Practice

Mr. Jim Freeman
City Clerk
City of Palmetto
516 8th Avenue W.
Palmetto, Florida 34221

RE: City of Palmetto / Manatee County School Board / Manatee Fruit Co.

Dear Jim:

Enclosed is a statement for services rendered regarding our representation of the City in the on-going School Board / Manatee Fruit Company issue. In order to keep fees to a minimum, I have not billed for my time. The time that appears under my name is in fact performed by Michael Hankin. The City will be billed only for one lawyer's services.

Since there will be no funds available at closing, Mark Barnebey and I thought it would be logical to bill the City on a monthly basis.

If you have any questions, thoughts or comments, I would be pleased to discuss them with you.

Sincerely,



David P. Persson

DPP/dgb
Enclosure

cc: Mark Barnebey
Michael Hankin

PERSSON & COHEN, P.A.
1820 Ringling Boulevard
Sarasota, FL 34236

Ph: (941) 365-4950

Fax: (941) 365-3259

City of Palmetto
P.O. Box 1209
Palmetto, Florida 34220

April 7, 2010

ACCT. # PALMETTO.2

RE:

DATE	DESCRIPTION	HOURS	ATTY
3-07-2010	(work performed by Michael Hankin) Receipt and review of Quad Party Agreement between the City, Manatee County, Manatee Fruit Company and the School Board as well as the Dedication Agreement between the City and Manatee Fruit Company	3.20	DPP
3-08-2010	(work performed by Michael Hankin) Prepare, travel to and attend conference with Mark Barnebey, Sue Jacobson, Caleb Grimes and Leslie Gladfelter regarding the Phase II contract	2.70	DPP
3-12-2010	(work performed by Michael Hankin) Prepare memorandum of proposed changes to Phase II agreement and forward to the City of Palmetto, Manatee County, Manatee Fruit Company and the School Board	1.50	DPP
3-17-2010	(work performed by Michael Hankin) Prepare, travel to and attend conference with Mark Barnebey, Sue Jacobson, Caleb Grimes, Leslie Gladfelter and William Clague regarding the Phase II contract and various other related issues	4.30	DPP

PERSSON & COHEN, P.A.

Acct. #: PALMETTO.2

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April 7, 2010

3-30-2010	(work performed by Michael Hankin) Receipt and review of License Agreement for Due Diligence between the City and the Manatee County School Board	0.60	DPP
	TOTAL HOURS	<u>12.30</u>	
Total Fees for Above Services:			\$2,890.50

DISBURSEMENTS:

	Total Disbursements:	<u>\$0.00</u>
	Total Fees & Disbursements	\$ 2,890.50
	Previous Balance	\$0.00
	Payments	<u>\$0.00</u>
	Balance Due Now	\$2,890.50