

**TAB 3**



# City of Palmetto Agenda Item

**Meeting Date**

12/5/11

**Presenter:** Jim Freeman

**Department:** City Clerk

**Title: Legal Fees**

The City budgeted \$13,000 in FY 2011/12 for legal fees associated with the Police Union negotiations. During the past couple of months several meetings and internal discussions have been had between staff and the special union counsel related to this matter. The monthly bill for services rendered between Sept. 15th and October 15th 2011 is approximately \$16,000. Part of this expense(50%) was related to expenditures in FY 2010/11 and will be booked back. The remaining \$8,000 will be booked in the current year and will leave approximately \$5,000 for the remainder of the fiscal year.

<b>Budgeted Amount:</b>	\$13,000	<b>Budget Page No(s):</b>	151	<b>Available Amount:</b>	\$13,000	<b>Expenditure Amount:</b>	\$8,911.21 in current yr.
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**Additional Budgetary Information:** This information is being provided for informational purposes. Staff will continue to monitor the budget and bring back an amendment if required.

<b>Funding Source(s):</b>		<b>Sufficient Funds Available:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Budget Amendment Required:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Source:</b>	
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<b>City Attorney Reviewed:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<b>Advisory Board Recommendation:</b>	<input type="checkbox"/> For <input type="checkbox"/> Against <input checked="" type="checkbox"/> N/A	<b>Consistent With:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
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**Potential Motion/ Direction Requested:** Motion to approve legal bills of \$16,911.21 to Bryant Olive and Miller for services related to the Police Union Negotiations.

**Staff Contact:** Jim Freeman

**Attachments:** Legal Fees for Union Negotiations

# Bryant Miller Olive

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City of Palmetto  
Shirley Groover Bryant  
Mayor  
P.O. Box 1209  
Palmetto, FL 34220

Statement Date: November 15, 2011  
Statement No. 49084  
Client No. 25517.002

For professional services rendered and expenses incurred  
regarding City of Palmetto - Labor & Employment General

## Statement of Legal Services

			Hours
09/01/2011	JCC	Prepare for bargaining	1.50
09/01/2011	JCC	Meet with clients Barnebey, Wells (x2)	1.50
09/01/2011	JCC	Attend bargaining	1.30
09/01/2011	JCC	Travel to attend bargaining	2.70
09/01/2011	DCM	Prepare for bargaining	1.80
09/01/2011	DCM	Travel to attend bargaining; attend bargaining	8.50
09/19/2011	DCM	Telephone conference with client regarding bargaining dates, review same	0.20
09/25/2011	JCC	Preparation for PBA negotiations	2.40
09/26/2011	JCC	Review PBA proposals	0.30
09/27/2011	DCM	Prepare City proposals	2.50
09/29/2011	JCC	Preparation for negotiations	0.80
09/30/2011	JCC	Conference Barnebey regarding PBA negotiations	1.00
09/30/2011	JCC	Attend PBA negotiations	2.80
09/30/2011	JCC	Conference Barnebey regarding future PBA negotiations	0.60
09/30/2011	JCC	Travel to meeting	7.30

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City of Palmetto

09/30/2011	DCM	Prepare for bargaining	0.70
09/30/2011	DCM	Meet with client before, after bargaining	1.50
09/30/2011	DCM	Attend bargaining	2.80
09/30/2011	DCM	Travel to and from Palmetto for bargaining	5.80
10/04/2011	JCC	Analyze decertification issues / certification / election bars	0.90
10/04/2011	ZRE	Legal research regarding decertification of union	0.90
10/04/2011	DCM	Analyze bargaining issues, telephone conference with client Barnebey, legal research regarding impasse during status quo period	0.70
10/05/2011	DCM	Telephone conference with client Rudacille regarding police SOPs	0.20
10/06/2011	JCC	Analyze grievance / arbitration issues	0.70
10/07/2011	JCC	Analyze 207(k) issues (compensatory time; overtime; call-back; shift substitutions)	2.20
10/07/2011	JCC	Analyze PERC issues concerning burden of proof; standard of proof	1.40
10/07/2011	JCC	Draft grievance procedure	1.90
10/07/2011	ZRE	Legal research regarding decertification of union	1.00
10/08/2011	JCC	Draft proposals regarding 207(k) work schedule	4.20
10/10/2011	DCM	Review client e-mails regarding bargaining	0.20
10/10/2011	DCM	Telephone conference with client Barnebey's assistant regarding bargaining	0.20
10/12/2011	JCC	Analyze grievance procedure issues	0.90
10/12/2011	JCC	Draft grievance procedure	0.50
10/12/2011	DCM	Review, organize bargaining, articles, agreements, rejections	2.70
10/12/2011	DCM	Draft minutes	0.40
10/13/2011	JCC	Review correspondence / PBA	0.20
10/14/2011	JCC	Review SOP's (Police Department)	2.60
10/17/2011	JCC	Analyze 207(k) provisions regarding call-back, hold-over, court time, compensatory time	2.10
10/17/2011	JCC	Analyze permissible standards of proof / PERC / imposition of standards	1.80
10/18/2011	JCC	Legal research regarding waivers	1.20
10/18/2011	JCC	Telephone conference with Chief Wells regarding overtime issues	0.30

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10/20/2011	DCM	Exchange e-mails with client Barnebey regarding bargaining	0.30	
10/21/2011	JCC	Review PBA proposals	0.80	
10/21/2011	JCC	Draft City counter-proposals	2.30	
10/21/2011	DCM	Review proposals	0.20	
10/24/2011	JCC	Preparation for PBA negotiations	0.90	
10/24/2011	DCM	Prepare for telephone conference with client regarding proposals	0.80	
10/24/2011	DCM	Telephone conference with with clients Groover Bryant, Wells, Barnebey regarding proposals	0.40	
10/24/2011	DCM	Revise proposals, prepare for bargaining	0.90	
10/25/2011	DCM	Exchange e-mails with client Barnebey regarding proposals	0.40	
10/25/2011	DCM	Prepare for bargaining	0.90	
10/26/2011	JCC	Travel to bargaining	6.00	
10/26/2011	JCC	Prepare for bargaining	0.50	
10/26/2011	JCC	Attend meeting with client Barnebey regarding bargaining	0.40	
10/26/2011	JCC	Attend bargaining	1.50	
10/26/2011	DCM	Prepare for bargaining	0.50	
10/26/2011	DCM	Meet with client Barnebey regarding bargaining	0.40	
10/26/2011	DCM	Telephone conference with client Barnebey regarding e-mail to Commission regarding bargaining	0.20	
10/26/2011	DCM	Travel to and from bargaining	7.00	
10/26/2011	DCM	Attend bargaining	1.50	
		<b>Current Services</b>	99.10	\$23,660.50
		Total Non-billable Hours	0.00	
		COURTESY DISCOUNT		-6,784.00
		Net Fees after Billing Adjustment		\$16,876.50

<u>Timekeeper</u>	<u>Recapitulation</u>		
	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
James C. Crosland	16.00	\$125.00	\$2,000.00
James C. Crosland	39.50	\$265.00	\$10,467.50
Zachariah R. Evangelista	1.90	\$75.00	\$142.50
David C. Miller	41.70	\$265.00	\$11,050.50

City of Palmetto

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Expenses Incurred

Long distance	15.21
Duplication	19.50
Thru 10/31/2011	<u>\$34.71</u>

Payments

09/20/2011	Payment	Check 102926 Statement #48450	7,089.78
10/11/2011	Payment	Check 103126 Statement #48679	3,614.02
			<u>10,703.80</u>

Total Current Work	<u>16,911.21</u>
Previous Balance Due	0.00
Balance Due	<u>\$16,911.21</u>

Please Reference Client Number On Checks And Wire Transfers

Mail Checks to:  
101 North Monroe Street, Suite 900  
Tallahassee, FL 32301

Send wire transfers to Capital City Bank, ABA #063100688  
for credit to Bryant Miller Olive, Account #2132834901  
Attn: Bill Colledge  
Thank you for your business

JF

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NOV 17 2011

CITY HALL

**Bryant  
Miller  
Olive**

Statement as of October 31, 2011  
Statement No. 49084

City of Palmetto  
Shirley Groover Bryant  
P.O. Box 1209  
Palmetto, FL 34220

<b>Matter</b>	<b>Current Billing</b>	<b>Previous Balance</b>
25517.002: City of Palmetto / L&E / General	16,911.21	0.00
	<u>16,911.21</u>	<u>0.00</u>
<b>Total Now Due:</b>		<u><b>16,911.21</b></u>

# Bryant Miller Olive P.A.

## Listing with Transaction No

Search Description:

cost and statement no=ask user ('statement no')

Date	Prof	MatterID/Client Sort Matter Description Narrative	Transaction Number	Units	Price	Value
<b>Component: Dup</b>						
DCM		25517.002 / City of Palmetto City of Palmetto / L&E / General 9/29/2011				
Active		Duplication	843653	4.0000	0.2500	1.0000
KCJ		25517.002 / City of Palmetto City of Palmetto / L&E / General 10/12/2011				
Active		Duplication	851736	11.0000	0.2500	2.7500
BRR		25517.002 / City of Palmetto City of Palmetto / L&E / General 10/21/2011				
Active		Duplication	857189	63.0000	0.2500	15.7500
			Component: Dup	78.0000		19.5000
<b>Component: LD</b>						
DCM		25517.002 / City of Palmetto City of Palmetto / L&E / General 9/8/2011				
Active		Long distance 9413642403	829663	3.0000	0.3300	0.9900
DCM		25517.002 / City of Palmetto City of Palmetto / L&E / General 9/8/2011				
Active		Long distance 8638538423	829664	1.0000	0.3300	0.3300
BRR		25517.002 / City of Palmetto City of Palmetto / L&E / General 9/27/2011				
Active		Long distance 9413642493	841709	2.0000	0.3300	0.6600
DCM		25517.002 / City of Palmetto City of Palmetto / L&E / General 9/27/2011				
Active		Long distance 9413642400	841710	15.0000	0.3300	4.9500
DCM		25517.002 / City of Palmetto City of Palmetto / L&E / General 10/4/2011				
Active		Long distance 9413642403	846113	1.0000	0.3300	0.3300



**Bryant Miller Olive P.A.**  
**Listing with Transaction No**

Search Description:  
 cost and statement no=ask user ('statement no')

Date	Prof	MatterID/Client Sort Matter Description Narrative	Transaction Number	Units	Price	Value
BRR 25517.002 / City of Palmetto City of Palmetto / L&E / General 10/7/2011	Active	Long distance 9413642493	849127	6.0000	0.3300	1.9800
DCM 25517.002 / City of Palmetto City of Palmetto / L&E / General 10/7/2011	Active	Long distance 8504888641	849128	2.0000	0.2500	0.5000
DCM 25517.002 / City of Palmetto City of Palmetto / L&E / General 10/7/2011	Active	Long distance 8504888641	849129	10.0000	0.2500	2.5000
DCM 25517.002 / City of Palmetto City of Palmetto / L&E / General 10/10/2011	Active	Long distance 9413642403	849867	4.0000	0.3300	1.3200
DCM 25517.002 / City of Palmetto City of Palmetto / L&E / General 10/10/2011	Active	Long distance 9413642403	849868	1.0000	0.3300	0.3300
BRR 25517.002 / City of Palmetto City of Palmetto / L&E / General 10/17/2011	Active	Long distance 9417212000	854033	2.0000	0.3300	0.6600
BRR 25517.002 / City of Palmetto City of Palmetto / L&E / General 10/18/2011	Active	Long distance 9417234587	854624	2.0000	0.3300	0.6600
			Component: LD	49.0000		15.2100
			Grand Total	127.0000		34.7100



# City of Palmetto Agenda Item

**Meeting Date**

11/21/11

**Presenter:** Jim Freeman

**Department:** City Clerk

**Title:**

**KIRK PINKERTON LEGAL BILLING**

Pursuant the approved contract with Kirk Pinkerton, special litigation cases are presented on a monthly basis for payment approval.

The following invoices, dated October 31, 2011, are attached for approval:

Invoice #113142 Fannie Mae vs. Brian, Jennifer Mountford in the amount of \$67.50

TOTAL billing submitted for the December 5, 2011 agenda: \$67.50

<b>Budgeted Amount:</b>	\$29,920.00	<b>Budget Page No(s):</b>		<b>Available Amount:</b>	\$29,000.00	<b>Expenditure Amount:</b>	\$920.00
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**Additional Budgetary Information:**

<b>Funding Source(s):</b>	0015143107	<b>Sufficient Funds Available:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Budget Amendment Required:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Source:</b>	<input type="text"/>
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<b>City Attorney Reviewed:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<b>Advisory Board Recommendation:</b>	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> N/A	<b>Consistent With:</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="text"/>
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**Potential Motion/ Direction Requested:** Motion to approve the Kirk Pinkerton legal billings submitted for the December 5, 2011 agenda..

**Staff Contact:** Jim Freeman

**Attachments:** Kirk Pinkerton invoices

# KIRK • PINKERTON

A PROFESSIONAL ASSOCIATION

P.O. BOX 3798

SARASOTA, FLORIDA 34230

TELEPHONE 941•364•2400

FACSIMILE 941•364•2490

October 13, 2011

City of Palmetto  
P O BOX 1209  
Palmetto, FL 34220

## INVOICE

Matter ID: 34352

Client ID: 021733

City of Palmetto/ Fannie Mae vs. Brian, Jennifer Mountford, City

Matter Producer: BWH

Invoice # 113142

Federal ID # 65-0295310

### For Professional Services Rendered:

09/12/2011	BWH	Prepare Answer;	0.30 hr	\$67.50
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Total Professional Services: \$67.50

### INVOICE SUMMARY

<u>Producer</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
BWH	\$225.00	0.30	\$67.50

For Professional Services: 0.30 Hours \$67.50

**Total Due:** \$67.50

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CITY OF PALMETTO