

**SUMMARY EXPLANATION AND BACKGROUND**

Approval is requested to amend the Board's contract with the law firm of Brown, Garganese, Weiss & D'Agresta, P.A. (the Firm) to handle an eminent domain matter. The matter concerns notice by the Florida Department of Transportation (FDOT) of its intent to acquire an unused parcel of land adjacent to North Fork Elementary School. FDOT plans to use the land as part of its project to upgrade the Broward Boulevard / I-95 interchange.

Currently, the District has one Cadre counsel assigned to handle eminent domain matters, however, the General Counsel's Office was advised of their unavailability to take this case or future matters under the current fee structure.

The recommended Firm previously assisted the Board and the General Counsel's office with regard to the Board's redistricting efforts as a result of the 2010 census. The Firm's expertise with eminent domain matters coupled with its considerable experience representing school boards across Florida uniquely qualifies it to assist the Board in this matter as well.

The General Counsel's recommendation in this regard is only for assignment of this single eminent domain matter to the Firm. The GC's office plans to bring to the Board (via the Legal Services Committee) a plan to seek new cadre counsel in this area of the law in the near future. The instant FDOT matter cannot wait assignment until after the solicitation / selection process.

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