

MEMORANDUM

TO: Governing Board Members

FROM: Sheryl Wood, General Counsel

DATE: June 2, 2010

SUBJECT: Amendment to contract with Carlton Fields, P.A. for continued legal services, (Contract Number 4600001266)

Background

This proposed amendment continues legal representation, legal advice, and legal counsel in the Teitelbaum v. SFWMD matter.

How this helps meet the District's 10-Year Strategic Plan

The District was served with an inverse condemnation complaint within the Bird Drive Basin in Miami-Dade County involving 131 parcel owners. This amendment provides legal services to defend the District in this case.

Funding Source:

Budgeted in ad valorem funds of \$177,275.00 for a total amended contract amount of \$327,257.00.00.

This Board item impacts what areas of the District, both resource areas and geography:

This item involves the area known as Bird Drive Basin in Miami-Dade County. The Plaintiffs filed suit claiming that the District's prior actions resulted in an inverse condemnation of their property.

What concerns could this Board item raise?

To not contract for these legal services could impede the District's ability to provide legal services for Everglades Restoration.

Why should the Governing Board approve this item?

Failure to contract may jeopardize this legal matter as internal resources are not sufficient to handle this case.

Thank you for your review and if you have any questions, please don't hesitate to call me.

SGW/ejm