



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 5676, **Version:** 1

Subject:

Legal Services Retainer Agreement with Weiss Serota Helfman Cole and Bierman, Re: Eminent Domain Services for *Brevard County v. Altman, et al.*; Case No. 05-2023-CA-15474

Fiscal Impact:

Attorneys' fees and actual costs as incurred, at the hourly rates of \$375 per hour for partners, \$300 per hour for associates, and \$125 per hour for paralegals, to be billed monthly and paid from the Beach Fund (1442).

Dept/Office:

County Attorney's Office

Requested Action:

It is requested that the Board of County Commissioners approve the attached Legal Services Retainer Agreement with the law firm of Weiss Serota Helfman Cole and Bierman for the provision of eminent domain services in the case of *Brevard County v. Altman, et al.*, and authorize the Chair to sign the Legal Services Retainer Agreement upon approval.

Summary Explanation and Background:

The County Attorney's Office seeks to retain eminent domain services from outside counsel in the case of *Brevard County v. Altman, et al.*, Case No. 05-2023-CA-15474 in the Circuit Court in and for the 18th Judicial Circuit, Brevard County. Very few law firms and private attorneys have significant experience representing public sector clients in litigation involving the acquisition of property rights through eminent domain. The County Attorney's Office has identified the Weiss Serota Helfman Cole and Bierman firm as having both the requisite subject matter expertise, and the availability to provide eminent domain services within the existing schedule of this pending litigation.

The firm will assign as lead counsel Alicia Gonzalez, Esq., a litigator with extensive experience representing public sector clients in contested eminent domain cases, supported by partners Mitchell Burnstein, Esq. and Peter Waldman, Esq. Biographies for these attorneys are attached. The firm's rates for this engagement represent a reduced governmental blended rate of \$375 per hour for the assigned partners, \$300 per hour for work performed by associates in the firm, and \$125 per hour for litigation/transactional paralegals. Actual costs will be billed in accordance with the requirements and limitations of BCC-36, Legal Services with Outside Counsel. The firm will bill on a monthly basis.

Clerk to the Board Instructions:

Please return a signed copy of the Legal Services Retainer Agreement to the County Attorney's Office.