

Consent Agenda for BoCC Regular Meeting

<u>No.</u>	<u>Case Style</u>	<u>Type of Action</u>	<u>Attorney</u>
1.	In Re: Estate of Yasser Ibrahim, deceased Case #2020-CP-000959	Objection to claim/ probate action	Geena Cesar

The County Attorney seeks authority to initiate a civil action against the Estate of Yasser Ibrahim, deceased. This would be in response to an Objection to Claim filed by counsel for the Personal Representative that objects to the Statement of Claim filed on behalf of Alachua County Fire Rescue, for the sum of \$1,748.20 owed by the decedent. In the objection, counsel for the Personal Representative argues that Alachua County must determine the amount payable by all insurances before the validity of the claim can be verified. A settlement may be reached, however, Alachua County is limited to a period of 30 days from date of service of the objection to bring an action on the claim, as provided in Section 733.705 of the Florida Probate Code.

2.	City of Alachua, Florida, Plaintiff, vs. Alachua County, Florida, and Kim Barton, Supervisor of Elections for Alachua County, Florida, Defendants Case #2020-CA-2520	Complaint for Declaratory Judgment and Injunctive Relief	Bob Swain
----	--	---	-----------

The County Attorney seeks authority to defend the County's interests in this action filed against it by the City of Alachua. The Complaint involves CRC Resolution 2020-01, which is set to appear on the 2020 General Election ballot, titled "County Charter Amendment Establishing County Growth Management Area." The lawsuit is against the County and the Supervisor of Elections. Plaintiff alleges that the proposed Charter Amendment is defective and unlawful, and cannot be submitted to the voting public of Alachua County "because the ballot title and ballot summary violate Section 101.161(1), Florida Statutes," and "it fails to provide the voter with fair notice of the fact that the proposed Charter Amendment will modify the existing annexation system in the County." The complaint alleges various ways the language of the proposed Charter Amendment violates general law. It also claims that because the Spanish translation of the summary is longer than the 75 word limit allowed for ballot language, that the item is in violation of the statute. Plaintiff also seeks to prevent the Supervisor of Elections from tabulating the votes or certifying the election under chapter 171. Plaintiff asks the Court to: (1) declare that CRC Resolution 2020-01 violates Section 101.161(1) Florida Statutes, and (2) that it is unconstitutional pursuant to Article VIII, Section 1(g) of the Florida Constitution. And as applies to the Supervisor, Plaintiff also seeks an injunction striking the ballot title and ballot summary from the 2020 General Election ballot.