



## Legislation Text

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**File #:** 21-0848, **Version:** 2

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**Agenda Item Name:**

County Attorney request to initiate or defend cases.

**Presenter:**

Sylvia Torres, County Attorney

**Description:**

Per Article IV, Sec. 21.41(e), Duties and Responsibilities of the County Attorney, a current list of Article 5 cases where authorization to initiate or defend is requested. Please see attached "Litigation Report - Request for Authority to Initiate or Defend." For the September 28, 2021 meeting, there is only one case: Concept Companies, Inc. vs. Alachua County.

**Recommended Action:**

Approve the County Attorney's authority to initiate or defend the case in the attached Litigation Report.

**Prior Board Motions:**

On August 10, 2021, the Board denied a Scenic Road Variance Request submitted by Concept Companies, which requested a variance in the maximum weight requirement for delivery trucks allowed on Tusawilla Road, which has been designated as a scenic road.

**Fiscal Consideration:**

While the exact amount is not known at this time, it is expected that Alachua County will incur costs associated with: (1) retaining a Special Magistrate/Mediator, and (2) Notice requirements, per Florida Statute §70.51.

Costs associated with retaining a Special Magistrate/Mediator and noticing are budgeted within the County Attorney's budget. If costs exceed the departmental budget, then a budget exists in Special Expense to cover the costs.

**Background:**