

FINAL ORDER NO. DCA09-GM-366

**STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS**

OSCEOLA COUNTY, CITY OF KISSIMMEE,
FLORIDA, and CITY OF ST. CLOUD,
FLORIDA,

Petitioners,

vs.

Case No. 08-3839

DEPARTMENT OF COMMUNITY
AFFAIRS,

Respondent.

FILED
2009 NOV 18 AM 10:38
DIVISION OF
ADMINISTRATIVE
HEARINGS

FINAL ORDER

An Administrative Law Judge of the Division of Administrative Hearings has entered an Order Closing File in this proceeding. A copy of the Order is attached to this Final Order as Exhibit A.

BACKGROUND

This is a proceeding to determine whether the Public Schools Interlocal Agreement entered into by Osceola County, the City of Kissimmee, the City of St. Cloud, and the Osceola County School Board on April 8, 2008, is consistent with the requirements of sections 163.31777(2) and (3), Florida Statutes. The Department published in the June 27, 2008 edition of the Florida Administrative Weekly a Notice of Intent to find the Public Schools Interlocal Agreement inconsistent with the requirements of sections 163.31777(2) and (3), Florida Statutes. The Petitioners subsequently challenged this Notice of Intent.

FINAL ORDER NO. DCA09-GM-366

The parties entered into a Stipulated Settlement Agreement which required certain revisions to the Public Schools Interlocal Agreement to be completed. Pursuant to the remedial actions called for in the Stipulated Settlement Agreement, Petitioners adopted a revised Public Schools Interlocal Agreement on April 2, 2009. The Department published its Notice of Intent to find the revised Public Schools Interlocal Agreement consistent with the requirements of sections 163.31777(2) and (3), Florida Statutes, in the Florida Administrative Weekly on July 2, 2009. No party challenged this Notice within the 21-day challenge period.

The Department subsequently filed with Division of Administrative Hearings a Motion to Close File and Relinquish Jurisdiction on September 9, 2009. On September 10, 2009, the Administrative Law Judge issued an Order Closing File. No exceptions to the Administrative Law Judge's Order were filed.

ORDER

WHEREFORE, it is ORDERED that the above-captioned proceeding is DISMISSED, and the Agency Clerk is directed to close the file.

DONE AND ORDERED in Tallahassee, Florida.



Shaw P. Stiller, General Counsel
DEPARTMENT OF COMMUNITY AFFAIRS
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

FINAL ORDER NO. DCA09-GM-366

NOTICE OF RIGHTS

EACH PARTY IS HEREBY ADVISED OF ITS RIGHT TO SEEK JUDICIAL REVIEW OF THIS FINAL ORDER PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030(b)(1)(C) AND 9.110.

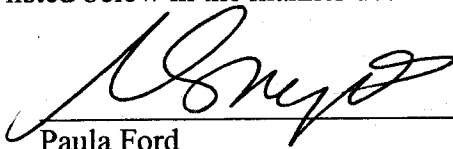
TO INITIATE AN APPEAL OF THIS ORDER, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100, WITHIN 30 DAYS OF THE DAY THIS ORDER IS FILED WITH THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.900(a). A COPY OF THE NOTICE OF APPEAL MUST BE FILED WITH THE APPROPRIATE DISTRICT COURT OF APPEAL AND MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22(3), FLORIDA STATUTES.

YOU WAIVE YOUR RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH THE AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

MEDIATION UNDER SECTION 120.573, FLA. STAT., IS NOT AVAILABLE WITH RESPECT TO THE ISSUES RESOLVED BY THIS ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below in the manner described, on this *13th* day of November, 2009.



Paula Ford
Agency Clerk
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

U. S. Mail:

The Honorable J. Lawrence Johnston
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, FL 32399-3060

Suzanne Van Wyk, Esquire
Bryant Miller Olive
101 North Monroe Street, Suite 900
Tallahassee, Florida 32301

Hand Delivery:

Matthew Davis, Esquire
Assistant General Counsel
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399