



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

March 19, 2008

Mr. Terry L. James, AICP
Comprehensive Planning Manager
Volusia County
Growth and Resource Management
123 West Indiana Avenue, Room 200
DeLand, Florida 32720-4604

RE: Volusia County School Interlocal Agreement

Dear Mr. James:

The Department has completed its review of the Public Schools Interlocal Agreement ("Agreement") entered into between Volusia County School Board and the following local governments: Volusia County, Daytona Beach, Daytona Beach Shores, DeBary, Deland, Deltona, Edgewater, Holly Hill, Lake Helen, New Smyrna Beach, Oak Hill, Orange City, Ormond Beach, Pierson, Port Orange, South Daytona pursuant to Section 163.31777, Florida Statutes (F.S.). The Department is issuing a Notice of Intent to find the Agreement consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S. **The Notice of Intent has been sent to the Florida Administrative Weekly for publication on March 28, 2008.**

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S. If no petition is filed, this Notice of Intent will become final agency action.

Please note that a copy of the executed Agreement and the Notice of Intent must be available for public inspection Monday through Friday, except legal holidays, during normal business hours, at Volusia County Growth & Resource Management Department, Thomas C. Kelly Administration Center, 123 West Indiana Avenue, Room 200, Deland, Florida 32720-4604.

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-2100
Phone: 850-488-8466/SUNCOM 278-8466 Fax: 850-921-0781/SUNCOM 291-0781
Website: www.dca.state.fl.us

COMMUNITY PLANNING
Phone: 850-488-2356/SUNCOM 278-2356
Fax: 850-488-3309/SUNCOM 278-3309

AREAS OF CRITICAL STATE CONCERN FIELD OFFICE
Phone: 305-289-2402
Fax: 305-289-2442

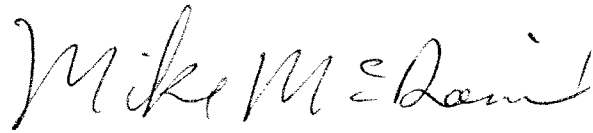
HOUSING AND COMMUNITY DEVELOPMENT
Phone: 850-488-7956/SUNCOM 278-7956
Fax: 850-922-5623/SUNCOM 292-5623

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If an affected person challenges this determination, you will have the option of requesting mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. If you choose to attempt to resolve this matter through mediation, you must file the request for mediation with the administrative law judge assigned by the Division of Administrative Hearings. Choosing mediation will not affect the right of any party to an administrative hearing.

If you have any questions, please contact James Stansbury at (850) 488-4925.

Sincerely,



Mike McDaniel, Chief
Office of Comprehensive Planning

MM/dh

Enclosure: Notice of Intent

cc: Hon. Frank T. Bruno, Jr., Chair, Volusia County Board of County Commissioners
Hon. Judy Conte, Chair, School Board of Volusia County
Dr. Margaret A. Smith, Superintendent, Volusia County School District
Ms. Tracy D. Suber, Educational Consultant-Growth Management Liaison
Mayor, City of Daytona Beach
Mayor, City of Daytona Beach Shores
Mayor, City of DeBary
Mayor, City of DeLand
Mayor, City of Deltona
Mayor, City of Edgewater
Mayor, City of Holly Hill
Mayor, City of Lake Helen
Mayor, City of New Smyrna Beach
Mayor, City of Oak Hill
Mayor, City of Orange City
Mayor, City of Ormond Beach
Mayor, Town of Pierson
Mayor, City of Port Orange
Mayor, City of South Daytona

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
NOTICE OF INTENT TO FIND
PUBLIC SCHOOLS INTERLOCAL AGREEMENT
CONSISTENT WITH SECTION 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NO. 64-01


The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Volusia County, Daytona Beach, Daytona Beach Shores, DeBary, DeLand, Deltona, Edgewater, Holly Hill, Lake Helen, New Smyrna Beach, Oak Hill, Orange City, Ormond Beach, Pierson, Port Orange, South Daytona and the Volusia County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Volusia County Growth & Resource Management Department, Thomas C. Kelly Administration Center, 123 West Indiana Avenue, Room 200, DeLand, Florida 32720-4604.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Volusia County, Daytona Beach, Daytona Beach Shores, DeBary, DeLand, Deltona, Edgewater, Holly Hill, Lake Helen, New Smyrna Beach, Oak Hill, Orange City, Ormond Beach, Pierson, Port Orange, South Daytona and the Volusia County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.



Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100