

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

CITY OF CLEARWATER,)
)
Appellant,)
)
v.)
)
SCHOOL BOARD OF PINELLAS)
COUNTY,)
)
Appellee.)
_____)

Case No. 2D08-5187

Opinion filed October 9, 2009.

Appeal from the Circuit Court for Pinellas
County; J. Thomas McGrady, Judge.

Pamela K. Akin, City Attorney, and Paul
Richard Hull, Assistant City Attorney,
Clearwater, for Appellant.

Charles W. Hall and Mark D. Tinker of
Banker Lopez Gassler, P.A., St.
Petersburg; James A. Robinson, School
Board Attorney, Largo; and J. Bruce Harper
and Dennis R. Pemberton of Harper, Kynes
& Geller, P.A., Clearwater, for Appellee.

Major B. Harding and J. Jeffry Wahlen of
Ausley & McMullen, Tallahassee, for Amicus
Curiae Florida School Boards Association,
Inc.

PER CURIAM.

Affirmed. See City of Gainesville v. Fla. Dep't of Transp., 920 So. 2d 53
(Fla. 1st DCA 2005).

FULMER, WALLACE, and KHOUZAM, JJ., Concur.