

## Section VII

### Notices of Petitions and Dispositions Regarding Declaratory Statements

#### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

---

#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS HEREBY GIVEN THAT the Agency for Health Care Administration has received the petition for declaratory statement from Community Hospice of Northeast Florida, Inc., and Flagler Hospital, Inc. The petition seeks the agency's opinion as to the applicability of Sections 408.036(1)(d) and 408.043(2), Florida Statutes(2007) as it applies to the petitioner.

NOTICE IS GIVEN THAT the Agency for Health Care Administration has received a Petition for Declaratory Statement from the Petitioners, Community Hospice of Northeast Florida, Inc., and Flagler Hospital, Inc. The Petition was received on November 27, 2007, and seeks a declaratory statement from the Agency as to the interpretation of Sections 408.036(1)(d) and 408.043(2), Florida Statutes (2007), declaring that an acute care addition, if developed, constructed, licensed and leased, will not require a certificate of need as a condition precedent.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

Please refer all comments to: Thomas M. Hoeler, Senior Attorney, Agency for Health Care Administration, The Sebring Building, 525 Mirror Lake Drive North, St. Petersburg, Florida 33701.

---

#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Gerald M. Avanzian, Petitioner, In Re: The Commodore Condominiums Apartments, Inc. Docket Number: 2007063877. The petition seeks the agency's opinion as to the applicability of Section 718.113(2)(a), Florida Statutes, as it applies to the petitioner.

Whether Commodore Condominium Apartments, Inc. proposed replacement of concrete balustrades with aluminum picket railings or glass panel railings is a material alteration of the common elements under Section 718.113(2)(a), Florida Statutes, requiring a unit owner vote.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

---

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Terrance Brennan, Petitioner, In Re: Third Bayshore Condominium Association, Inc. Docket Number: 2007066284. The petition seeks the agency's opinion as to the applicability of Section 718.3026, Florida Statutes, as it applies to the petitioner.

Whether Third Bayshore Condominium Association, Inc. may continue paying for management services under Section 718.3026, Florida Statutes, where the contract has expired by its terms and the board of directors has not voted to extend it.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

---

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Peter Garcia, Unit Owner, In RE: The Knightsbridge Condominium Association, Inc. Docket No.: 2007066216. The petition seeks the agency's opinion as to the applicability of Section 718.303(3), Florida Statutes, as it applies to the petitioner.

Whether Knightsbridge Condominium Association, Inc. gave reasonable notice and may impose a fine for each day a unit owner maintains a washing machine that was already installed in his unit when he bought it under Section 718.303(3), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

---

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from George Heideman, In Re: Lake Clarke Gardens Condominium, Inc. Docket No.: 2007064442. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(e), Florida Statutes, and Rule 61B-22.003, Florida Administrative Code, as it applies to the petitioner.

Whether the proposed 2008 condominium budget prepared by Lake Clarke Gardens Condominium, Inc. complies with Section 718.112(2)(e), Florida Statutes, and Rule 61B-22.003, Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

---

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Sophia Lima, Petitioner, In RE: The Grandview Palace Condominium Association, Inc. Docket No.: 2007065048. The petition seeks the agency's opinion as to the applicability of Section 718.301(1), Florida Statutes, and subsection 61B-23.003(7), Florida Administrative Code, as it applies to the petitioner.

How many directors is the developer entitled to elect to a five-member board at a turnover election for Grandview Palace Condominium Association, Inc. under Section 718.301(1), Florida Statutes, and subsection 61B-23.003(7), Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

---

NOTICE IS HEREBY GIVEN THAT the Electrical Contractors' Licensing Board has received the petition for declaratory statement from Thomas Botlick of Nationwide Communications, Services, a licensed certified specialty contractor in the State of Florida, LLC. The petition seeks the agency's opinion as to the applicability of Section 489.533(1)(j) F.S. as it applies to the petitioner.

The Petitioner seeks the Board's interpretation of Section 489.501, et. seq., Part II, F.S., as it applies to his particular set of circumstances and requests that the Board issue a declaratory statement. Specifically, the Petitioner is requesting that the Board issue a Declaratory Statement determining whether the Petitioner violates the Disciplinary Statute, Section 489.533(1)(j), F.S., by being employed by contracting companies that are not licensed to do work in Florida to provide IT services in Florida, including installation of low voltage cabling and its related parts.

Copies of the petition may be obtained from Anthony B. Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Anthony B. Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399.

---

#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

---

#### **DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Frederick Johnson, Petitioner, Case # 93241-07-FM. The petition seeks the agency's opinion as to the applicability of paragraph 69A-58.0081(11)(c), F.A.C., as it applies to the petitioner.

Currently, paragraph 69A-58.0081(11)(c), F.A.C., requires that doors, to student occupied spaces, which have fire alarm pull stations inside, "shall be unlocked at all time the facility is occupied". This code will not allow Collier County Public Schools to lock entrance doors to student occupied spaces from harmful intruders.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604 or (850)413-4238; Fax number (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to Lesley.Mendelson@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Paul Robinson, Petitioner. The petition seeks the agency's opinion as to the applicability of Sections 552.081 and 552.091, Florida Statutes as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Regina Keenan, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0333, phone (850)413-4236, Fax (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Regina.Keenan@fldfs.com.

**Section VIII**  
**Notices of Petitions and Dispositions**  
**Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX**  
**Notices of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

**NONE**

**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

**NONE**

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

**DEPARTMENT OF EDUCATION**

**Notice of Bid**

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB08SV-254, W/O 866778, Rolfs Hall Second Floor AHU Replacement, estimated budget: \$350,000, to be opened January 17, 2008 at 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Demolish two existing DX units. Provide and install new air handling unit (chilled water), associated duct work, and supply air terminals with steam reheat. Provide power to unit. Provide and install exhaust fan to ventilate toilet. Partition existing room 208 into two rooms: mechanical room and computer room. Provide air conditioning unit to serve computer room. Non-mandatory Pre-Bid Meeting will be held January 7, 2008 at 2:00 p.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL. Specifications and Plans are available in Purchasing Services, Elmore Hall, Radio Road, Gainesville, FL 32611. Questions should be directed to Karen Olitsky, kolitsk@ufl.edu or (352)392-1331. For more information visit [www.purchasing.ufl.edu](http://www.purchasing.ufl.edu).

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, [purchasing@ufl.edu](mailto:purchasing@ufl.edu) or (352)392-1331, within three (3) days of the event.