

contacting: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698.

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### **HERNANDO COUNTY METROPOLITAN PLANNING ORGANIZATION**

The **Hernando County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: July 28, 2010, 10:00 a.m.

PLACE: John Law Ayers County Commission Chambers, Room 160, Hernando County Government Complex, 20 North Main Street, Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting. Included in this meeting is a discussion on the annual update and approval of the 2010/2011 Transportation Disadvantaged Service Plan (TDSP), TD ride-along and surveys, amendment to the TDLCB Bylaws, and the Community Transportation Coordinator's regular quarterly report.

A copy of the agenda may be obtained by contacting: Steve Diez, Transportation Planner II, Hernando County Metropolitan Planning Organization, 20 N. Main Street, Room 262, Brooksville, FL 34601, (352)754-4057 or email: mpo@hernandocounty.us. The meeting agenda may be viewed online at [www.hernandocounty.us/mpo](http://www.hernandocounty.us/mpo).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Steve Diez, Transportation Planner II at (352)754-4057 or email: stevend@hernandocounty.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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### **SOIL AND WATER CONSERVATION DISTRICT**

The **Osceola Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: August 17, 2010; September 21, 2010; October 19, 2010; November 16, 2010, 6:00 p.m.

PLACE: Osceola County Extension Office, Kissimmee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business of the district board.

A copy of the agenda may be obtained by contacting: OSWCD at (407)847-4465, ext. 3.

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### **FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.**

The **FWCJUA Producer Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 9, 2010, 11:00 a.m.

PLACE: To participate in the teleconference meeting, please contact: Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items shall include the agency authorization process including termination procedures and the application submission process.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or FWCJUA's website: [www.fwcjua.com](http://www.fwcjua.com).

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## **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."

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### **DEPARTMENT OF MANAGEMENT SERVICES**

NOTICE IS HEREBY GIVEN THAT on July 2, 2010, the Public Employees Relations Commission has issued an order disposing of the petition for declaratory statement filed by Broward County Sheriff's Office, Case No.: DS-2010-001 on April 7, 2010. The following is a summary of the agency's disposition of the petition:

The Commission determined that the Sheriff of Broward County is not the legislative body for purposes of resolving collective bargaining impasses with a unit of Sheriff's Office fire and rescue employees under a subcontract from Broward County.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Tallahassee, FL 32399-0950 or on-line at: [perc.myflorida.com](http://perc.myflorida.com).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Terry Back, In Re: Harbor Pointe Condominium Association, Inc., Docket No.: 2010014717, on March 15, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a declaratory statement concerning events that have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Terry Back, In Re: Harbor Pointe Condominium Association, Inc., on March 26, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement concerning events that have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Jacqueline Brown, In Re: Les Chateaux Condominium

Association, Inc., Docket No.: 2010019035 on April 14, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement concerning events that have already taken place; or where the petitioner has not provided a full and current set of governing documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Fred Crivello, In Re: Cypress Trace North Association, Inc., Docket No.: 2010020672, on March 16, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement concerning events that have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Douglas C. Kaplan, Petitioner/Unit Owner, In Re: One Island Place Condominium Association, Inc., Docket No.: 2010032746. The petition seeks the agency's opinion as to the applicability of n/a as it applies to the petitioner.

Whether One Island Place Condominium, Inc. operates and maintains the One Island Place Condominium I and One Island Place Condominium II under the governing documents.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Pauline Schultz, Petitioner/Unit Owner, In Re: Tregate East Condominium Association, Inc., Docket No.: 2010033318. The petition seeks the agency's opinion as to the applicability of Section 718.123, Florida Statutes, as it applies to the petitioner.

Whether under Section 718.123, Florida Statutes, a unit owner in Tregate East Condominium may escort another unit owner, who is delinquent in assessments and prohibited from using the recreational facilities under Section 718.303(3), Florida Statutes, as a guest.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Michael A. Ungerbuehler, Esq., In re: Lemon Tree – 1 Condominium Association, Inc., Docket Number 2010021663 on April 27, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the division does not have the authority to determine questions of fact; or because the division does not have jurisdiction to resolve conflicting provisions in the governing documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Michael Venezia, In Re: Hallmark of Hollywood Condominium Association, Inc., on March 31, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement that affects the rights of others who are not parties to the declaratory statement; or because it cannot issue a statement concerning events that have already taken place; or where the governing documents have not been provided.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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#### **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."

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#### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on July 14, 2010, the Board of Pharmacy has received the petition for declaratory statement from Joe Hayes, R.Ph., MBA, on behalf of Edward White Hospital. The petition seeks the agency's opinion as to the applicability of Rule 64B16-28.113, Florida Administrative Code, as it applies to the petitioner.

The petition seeks the Board's interpretation of Rule 64B16-28.113, Florida Administrative Code, concerning whether under the current rules, would they need a separate license for a "skilled nursing unit."

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Miami-Dade County Fire Rescue Department, Chief Manny C. Mena, on or about July 6, 2010. The petition seeks the agency’s opinion as to the applicability of Sections 633.0215(13) and 633.0214(14), F.S. as it applies to the petitioner.

Section 633.0215(13), F.S., additional language as amended by CS SB 1196 effective July 1, 2010, to wit: “A condominium cooperative, or multifamily residential building that is less than four stories in height and has a corridor providing an exterior means of egress is exempt from the requirement to install a manual fire alarm system under s. 9.6 or the Life Safety Code adopted in the Florida Fire Prevention Code.” Section 633.0215(14), F.S., additional language as amended by HB 633, effective July 1, 2010, to wit: “A condominium that is one or two stories in height and has an exterior corridor providing a means of egress is exempt from installing a manual fire alarm system as required in s. 9.6 or the most recent edition of the Life Safety Code adopted in the Florida Fire Prevention Code.”

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 (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-mail: Lesley.Mendelson@myfloridacfo.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:**

Baptist Hospital, Inc., Bay Medical Center, Holmes Regional Medical Center, Inc., Lee Memorial Health System, Lifemark Hospitals of Florida, Inc., d/b/a Palmetto General Hospital, Munroe Regional Medical Center, North Broward Hospital District Et Al vs. Agency for Health Care Administration; Case No.: 10-2996RX; Rule No.: 59G-4.160

Baptist Hospital, Inc., Bay Medical Center, Holmes Regional Medical Center, Inc., Lee Memorial Health System, Lifemark Hospitals of Florida, Inc., D/B/A Palmetto General Hospital, Munroe Regional Medical Center, North Broward Hospital District Et Al vs. Agency for Health Care Administration; Case No. 10-4491RP; Rule No.: 59G-4.160

Baptist Hospital, Inc., Bay Medical Center, Holmes Regional Medical Center, Inc., Lee Memorial Health System, Lifemark Hospitals of Florida, Inc., d/b/a Palmetto General Hospital, Munroe Regional Medical Center, North Broward Hospital District Et Al vs. Agency for Health Care Administration; Case No.: 10-2997RU; Rule No.: 59G-4.160

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

Ameriloss Public Adjusting Corp. vs. Department of Financial Services; Case No.: 10-2089RX; Rule No.: 69B-220.201(5)(d); Invalid

South Florida Pain Relief and Detox Center, LLC vs. Department of Health, Division of Medical Quality Assurance; Case No.: 10-1799RU; Withdrawal

My Friend Home Care, Inc. vs. Agency for Health Care Administration; Case No. 10-2657RU; Dismissed

**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**