

PROJECT 2: 207011 – Sarasota Army National Guard Armory Renovations.

FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM (VBS) on or after APRIL 25, 2012, [http://vbs.dms.state.fl/us/vbs/main\\_menu](http://vbs.dms.state.fl/us/vbs/main_menu). All documents for submitting will be available on the above date.

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

MANDATORY SITE VISIT: As stated on the Vendor Bid System.

BID OPENING: As stated on the Vendor Bid System.

STATEMENT OF WORK: This project includes total renovation of existing facility, including but not limited to: Compliance with current Florida Building Code, Florida Energy Code, ADA compliance, and LEED Silver Certified. Also included is a 2,500 SF addition, and a 2,500 SF pre-engineered metal building. Detailed work will include new interior finishes, complete new electrical, new HVAC systems, and all new related plumbing work to include new restrooms with showers.

The Department reserves the right to either reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction and Facility Management Office, Contracting Branch, (904)823-0255, (904)823-0256 or e-mail: [cfmocontracting@ng.army.mil](mailto:cfmocontracting@ng.army.mil).

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

Be sure to visit the above web site to view the entire advertisement.

## Section XII Miscellaneous

### DEPARTMENT OF STATE

Formal Solicitation of 2013 Florida Certified Local Government Regional Training Programs  
May 1, 2012 – June 29, 2012

The Division of Historical Resources' Historic Preservation Grants-in-Aid Program announces a May 1 – June 29, 2012 grant application solicitation to award grants to hold one of four Regional Florida Certified Local Government (CLG) Training programs throughout the State of Florida. These regional historic preservation training programs, which may take the form of workshops, conferences, seminars, and hands-on educational activities or combinations thereof, will be funded with Federal Fiscal Year 2012 Historic Preservation Funds. The Division will award four grants each in the amount of \$16,500 to the selected CLGs for the purpose of holding one of the four Regional Florida CLG Training Programs. The selected CLGs will enter into a Grant Award Agreement with the Division of Historical Resources to provide the services described below. No match is required for this solicitation.

Applications must be submitted in hard copy and will be available for download and printing at the Division's Grant Program website: [www.flheritage.com/grants](http://www.flheritage.com/grants), beginning May 1, 2012. Grant applications must be received in-person by 5:00 p.m., Friday, June 29, 2012, or must be postmarked by 11:59 p.m., Friday, June 29, 2012. Six paper copies of the application and all required application attachments (one original and five duplicates) must be delivered to the Grants Program at: Bureau of Historic Preservation, Grants Program, 4th Floor, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by this deadline. Applications will be reviewed, ranked, and selected for funding approval by a five-member 2013 CLG Training Program Grant Selection Subcommittee of the Florida Historical Commission (FHC) on Monday, July 23, 2012. Following selection, all applicants will be notified in writing of the award decisions.

#### WHO IS ELIGIBLE TO APPLY

Eligible applicants are limited to the historic preservation and planning sections of Certified Local Governments. Visit: [http://www.flheritage.com/preservation/clg/docs/CLG\\_list.pdf](http://www.flheritage.com/preservation/clg/docs/CLG_list.pdf) for a list of currently designated CLGs.

#### FUNDS AVAILABLE

These CLG grant funds are comprised of Florida's 2012 Federal Fiscal Year Historic Preservation Fund apportionment. A total of \$66,000 shall be awarded for this CLG Training Program Grants solicitation. Awards will be limited to four grant awards each totaling \$16,500.00. Applicants shall not receive more or less than this \$16,500 award amount. Applicants may apply for only one grant. Applicants are not required to supply matching funds for this solicitation.

Note: Applicants may request to apply up to 10% (\$1,650) of the \$16,500 award to pay for direct program management and administration costs. If requested, direct program management and administration costs must be included in the budget section of the grant application.

#### LENGTH OF GRANT

Awarded grants will begin October 1, 2012, and will expire June 30, 2013. No grant funds may be expended before or after these dates.

Projects selected for grant awards will be announced following the Monday, July 23, 2012, application review and selection meeting. Grant award agreements will be forwarded to grantees in September of 2012, and project work may not be initiated until a formal grant award agreement between the grantee and the Department is executed.

#### SOLICITATION PRIORITIES

The purpose of this grant solicitation is to provide regional historic preservation training to historic preservation staff, board members, and volunteers currently serving Florida Certified Local Governments and those local governments interested in applying for the CLG program. All communities statewide must have a fair opportunity to attend a training event within their community's general geographic region. To ensure this geographic distribution priority is addressed, the 2013 CLG Training Grant Application Selection Subcommittee of the FHC will make every practicable effort to select one training program to serve each of the four following general geographic regions of the state: North Florida, Central Florida, Southeast Florida, and Southwest Florida. Please identify the geographic region your training program will serve in the grant application.

#### REQUIRED PROGRAM ELEMENTS

The following elements and services must be included in each training program and, consequently, these requirements must be sufficiently addressed in the grant application to be eligible for this funding opportunity:

\*Training programs must be limited to historic preservation topics.

\*Trainings programs must last at least two consecutive business days.

\*While the trainings will be targeted toward CLG historic preservation and planning staff, boards, and volunteers, other local governments interested in the CLG program and interested members of the general public will also be encouraged to attend.

\*At least one two-hour session must be reserved for historic preservation training topics of local or regional concern to be selected by the applicant.

\* At least one two-hour session must be an open discussion period in which participants discuss local and regional preservation issues and concerns. Training program attendees shall be encouraged to bring discussion topics with them to prepare for this session.

\*The applicant must hold a two-hour networking reception as part of the training program. It will be the responsibility of the applicant to provide food, drink, and entertainment as these costs are not allowable grant award expenditures. Note: While training program registration fees may be charged, such fees must be minimal and may only be collected to recuperate expenses directly related to the program. Because food, drink, and entertainment may not be purchased using grant award funds, it is recommended that applicants use the proceeds earned from program registration fees to pay for these expenses.

\*At least \$3,000.00 of the \$16,500.00 grant award must be reserved for travel stipends for training program attendees. The purpose of this requirement is to encourage the largest attendance possible, especially from CLG representatives from the surrounding region. The applicant is responsible for both the recruitment of recipients of these travel stipends and the management of the use of the minimum \$3,000 travel stipend allotment. Recipients of the travel stipends may use the funds to pay for travel to and from the training location and for travel accommodations. Travel stipend funds may not be used to pay for food, drink, or entertainment.

#### INELIGIBLE EXPENDITURES

The following expenses are not allowable for grant reimbursement:

- Project administrative and management expenditures which in aggregate exceed 10% of the requested grant award amount. Note: Applicants may request to apply up to 10% (\$1,650) of the \$16,500 award to pay for direct program management and administration costs. If requested, direct program management and administration costs must be included in the budget section of the grant application.

- Entertainment, food, beverages, plaques, awards, or gifts.
- Work performed prior to announcement of award.
- Miscellaneous costs such as contingencies, reserves, indirect costs, or overhead.
- Cash reserves, endowments, or revolving funds.
- Fundraising costs.
- Conservation of collections.
- Long-term maintenance or curatorial work.
- Reconstruction of no-longer extant historic properties.
- Moving historic properties.
- Construction of new buildings.
- Capital improvements to historic or non-historic properties.
- Expenditures for the purchase of furniture and equipment, unless specifically authorized during the application review process.
- Grantee operational support (i.e., organization salaries, rent, or utilities).
- Insurance costs.
- All other non-allowable expenditures as stipulated by

program, Rule 1A-39.005, Florida Administrative Code, "Non-Allowable Costs" available at [www.flheritage.com/grants](http://www.flheritage.com/grants).

If you have questions about the eligibility of a project or work element, please contact Grants program staff at the Bureau of Historic Preservation (see page 4 for contact information).

#### REQUIRED GRANT MANAGEMENT WEBINAR

The four selected CLGs awarded the training program grants will be required to attend a two-hour web-based grant management workshop Tuesday, October 16, 2012.

Grant management webinar topics shall include: Grant Award Agreements; Grant Compliance; Progress Reports and Payments; Procurement of Consultants, Contractors, and Vendors; Agreements and Contracts with Consultants, Contractors, and Vendors; and Grant Close-out.

#### ADDITIONAL INFORMATION

If you have any questions about this solicitation, please call: Grants Program staff, Crista Hosmer and Jennifer Patnode, 1(800)847-7278 (PAST) or (850)245-6333. They may also be contacted by email: [Crista.Hosmer@DOS.myflorida.com](mailto:Crista.Hosmer@DOS.myflorida.com) and [Jennifer.Patnode@DOS.myflorida.com](mailto:Jennifer.Patnode@DOS.myflorida.com), respectively. You may also contact: Michael Zimny, Florida CLG Program Coordinator, email: [Michael.Zimny@DOS.myflorida.com](mailto:Michael.Zimny@DOS.myflorida.com) or call: 1(800)847-7278 (PAST) or (850)245-6333.

Please visit our website: [www.flheritage.com/grants](http://www.flheritage.com/grants) for general information on the Grants Program.

#### Viva Florida 500

#### Small Matching Historic Preservation Grants

#### Formal Solicitation for Applications

May 1, 2012 – June 29, 2012

for Fiscal Year 2013-2014

The purpose of this notice is to formally announce that the Florida Department of State is currently soliciting applications for Small Matching Grant-in-Aid assistance for historic preservation projects. Special consideration will be given to proposals that reflect the goals and purposes of the Viva Florida 500 Initiative. For information on topics central to Viva Florida 500, please visit [www.vivaflorida.org](http://www.vivaflorida.org) and [www.fla500.com](http://www.fla500.com). Projects must be associated with Historic Preservation in Florida and must meet guidelines under Chapter 1A-39, Florida Administrative Code.

The solicitation period begins May 1, 2012, and extends through June 29, 2012. A preview of the online application will be available at [www.flheritage.com/grants](http://www.flheritage.com/grants) and submissions of the application will be accepted beginning May 1, 2012. Applications must be submitted online by 11:59 p.m. on June 29, 2012. Application attachments must be delivered to the Bureau of Historic Preservation, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, no later than 5:00 p.m., June 29, 2012, OR be clearly postmarked on or before June 29, 2012, OR show evidence of submission to an express mail service on or before June 29, 2012.

Arrangements for the submission of paper applications may be made by calling the Bureau at (850)245-6333 or toll free at 1(800)847-7278.

#### GRANT PERIOD

If awarded, all grants will begin July 1, 2013 and expire June 30, 2014.

#### FUNDS AVAILABLE

##### State-Funded Small Matching Grant Applications:

Funding availability will depend upon legislative appropriation during the 2013 Legislative Session. Recommended grant awards will not exceed \$50,000.00.

##### Federally-Funded CLG Small Matching Grant Applications:

Further, it is projected that at least \$118,250 will be made available for Certified Local Government (CLG) program grants for conducting survey and planning, community education, and registration projects. These funds will be comprised of the required 10% of Florida's 2013 Federal Historic Preservation Fund apportionment, and will be available only to those local governments that are already CLG-certified or meet the requirements of item (d) below. Applicants are not required to provide match for these CLG applications. A list of currently designated CLGs may be viewed at: [http://www.flheritage.com/preservation/clg/docs/CLG\\_list.pdf](http://www.flheritage.com/preservation/clg/docs/CLG_list.pdf).

#### WHO IS ELIGIBLE TO APPLY

Eligible applicants include:

- (a) Departments or agencies of the State of Florida (including state universities);
- (b) Units of county, municipal or other local governments;
- (c) Any Florida not-for-profit corporation, institution, or organization; and
- (d) Certified Local Governments or any local government that has received such certification by June 29, 2012.

Non-secular organizations are eligible to apply for grant-in-aid assistance. However, eligible development activities involving non-secular properties are limited to work on the exterior of the property and only those interior activities that are essential to the preservation of the structural integrity of the property.

#### PROJECTS ELIGIBLE FOR FUNDING

Small Matching grant funds will be available to support both Acquisition & Development and Protection & Education activities.

Acquisition & Development projects include acquisition, preservation, protection, restoration, rehabilitation and stabilization of historical and archaeological properties; also the investigation of archaeological sites, the taking of photographs, the preparation of measured drawings and such other records as are necessary to record historical and archaeological sites and properties threatened with damage or destruction; and planning for eligible Acquisition & Development activities, such as the preparation of plans and specifications.

Protection & Education projects include survey and evaluation of historical and archaeological properties; preparation of data for and the actual listing or registering of historical and archaeological properties in the Florida Master Site File or the National Register of Historic Places; preparation of long-range historic preservation and management plans for historical and archaeological properties; development of automated information systems to facilitate the recording of property data or to facilitate the management of information on other subjects pertaining to historic preservation; community education and community relations projects promoting the preservation of historical and archaeological properties in general; research to study the effectiveness and results of historic preservation programs, methods and techniques; research of historical documents for the purpose of documenting and evaluating the significance of historical and archaeological properties; and use of staff or a private consultant hired through appropriate procurement standards to organize a Certified Local Government program or its components.

#### NON-MATCHING SPECIAL PROJECTS

Small Matching grant funds will also be made available to support the following Non-Matching Special Projects. These projects do not require a match. The Grant Review Panels reserve the right to decline to recommend funding for any applications in these areas if, in the judgment of the Bureau and the Panel, the goals of these areas would not be sufficiently met. The following Non-Matching Special Projects are of statewide significance, and if recommended by the panel and the Secretary of State, will receive top rankings in the Viva Florida 500 Historic Preservation Grants Recommended List that will be submitted to the Legislature.

##### 1. Phase II of the production of the color booklet, Florida French Heritage Trail

A maximum of \$25,000 will be available for this project. Multiple applications will compete to determine the best and the most cost-effective project. In addition to a historical overview of the history and influence of the French in Florida, the booklet will include a listing and map of publicly accessible sites organized by region and county; sidebars of special interest; and biographies of significant individuals. Phase I of the project, the research, writing and gathering of photographic materials, has already been accomplished internally by the Department of State, Division of Historical Resources. The content of Phase I of the project is currently available at [www.VivaFlorida.org](http://www.VivaFlorida.org). This grant project, Phase II, will include additional photo selection and copyright permissions, creation of a statewide map showing publically accessible French sites, graphic design, layout, printing, delivery, and distribution of at least 15,000 copies the completed book, as well as delivery of digital format for use on the Department of State website.

The booklet will be similar in layout to preceding issues in the Florida Heritage Trail series also developed through historic preservation grant funding, such as Florida Native American Heritage Trail, Florida World War II Heritage Trail, Florida Women's Heritage Trail, Florida Black Heritage Trail, and the Florida Civil War Heritage Trail. For copies of these booklets, please contact the Division of Historical Resources at 1(800)847-7278. The Florida French Heritage Trail should follow the format of the Florida Spanish Colonial Heritage Trail, in that it should be bilingual. The Florida French Heritage Trail content will be translated into French prior award of this grant and will be provided to the awardee.

##### 2. Full production of the color booklet, Florida British Heritage Trail

A maximum of \$50,000 will be available to produce a Florida British Heritage Trail booklet. Multiple applications will compete to determine the best and the most cost-effective project. The content and design of the publication will follow the layout of the Florida Department of State's Florida Heritage Trail publication series mentioned in item 1 above. Content shall include but not be limited to a background essay on the overall history of the British in Florida; listing and description of approximately 40 or more publicly accessible sites organized by region and county; and sidebars of special interest sites and biographies of significant individuals. The proposal shall include a methodology for the selection of sites and coordination with the Division of Historical Resources on these selections. The proposal shall include cost estimates for development, design and delivery of a minimum of 15,000 printed copies of the full color final product, as well as delivery of an identical digital format for use on the Department of State website.

##### 3. Florida Main Street Program

Newly selected Florida Main Street communities will be eligible for non-matching Main Street "start-up" grants of \$10,000.

#### GENERAL PRIORITIES

##### Historic Preservation

The goal of the Bureau is to locate, identify and protect the significant historic properties of the state as rapidly as possible to provide a basis for effective preservation planning throughout the state. In accordance with the application evaluation criteria outlined in Chapter 1A-39, Florida Administrative Code ("Division of Historical Resources Grants Programs"), projects within each category shall be compatible with the following priorities:

##### A. Survey Priorities

1. Surveys to identify, evaluate and document historic properties and archaeological sites associated with Florida's minority heritage.

2. Surveys of broad areas where no previous surveys have been undertaken.

3. Surveys located in areas subject to intensive development pressure.

4. Surveys designed to complete comprehensive coverage of areas in which partial surveys have been made.

5. Surveys that address historic themes not covered or under-represented in previous surveys.

#### B. Registration (National Register) Priorities

1. Registration of historical resources identified by previous survey activity.

2. Registration of properties of national significance, and not previously listed in the National Register.

3. Registration of properties of statewide or local significance, and not previously listed in the National Register.

#### C. Planning Priorities

1. Development of historic preservation elements (or historic preservation components of coastal management, future land use or housing elements) of Local Government Comprehensive Plans.

2. Development of plans for informing the public as to the economic and other benefits of preserving historical resources.

3. Development of protection tools, such as local ordinances.

4. Implementation of automated information systems to facilitate the recording of site data or information on other historic preservation subjects.

#### D. Community Education Priorities

1. Historic preservation education programs for school children.

2. Projects having to do with minority historic preservation.

3. General publications about preservation.

4. Self-guided tours of historic areas.

#### E. Acquisition and Development Priorities

1. Assistance for stabilization or other appropriate preservation treatments for properties which are in imminent danger of being lost due to physical deterioration or planned development.

2. Assistance in the development of plans for the restoration or rehabilitation of properties, particularly those that will be placed in public use.

3. Assistance in the restoration and rehabilitation of properties for which appropriate preservation planning is complete or well underway, particularly those which will be placed in public use.

4. Assistance for restoration or rehabilitation projects which will yield technical innovations which will have application in other projects.

Applications for all types of eligible projects are earnestly solicited and encouraged and will be judged on their merits according to the criteria in Section 1A-39.008, Florida Administrative Code.

#### SPECIAL CONSIDERATION

Priority ranking during the Acquisition and Development review will be given to projects whose objective is in accordance with the first priority for Acquisition and Development projects: The stabilization or other appropriate preservation treatments for properties which are in imminent danger of being lost due to physical deterioration or planned development.

#### MATCH REQUIREMENTS AND PROJECT SUPPORT

Applications submitted by local governments and not-for-profit organizations for projects located in Rural Economic Development Initiative (REDI)-designated communities are eligible to request a waiver of all matching requirements as per Section 288.06561, Florida Statutes. Please visit <http://www.florida-redi.com> to view a list of all currently-designated REDI counties and communities.

In addition to REDI applications, Non-Matching Special Projects and CLG applications do not require matching contributions from applicants. All other applications require a 1:1, equivalent match. That is, grant funds will be given to support up to 50% of the cost of an eligible project, with the other 50% provided by the grant recipient (grantee) in the form of cash match or match in the form of allowable in-kind services and materials with a specified cash value. The required match must include a minimum cash match contribution of 25%. In valuing in-kind and donated services, please be sure to use a value that reflects a typical fair market value you would pay if you were purchasing such services. All match contributions must occur during the July 1, 2013 – June 30, 2014 grant period. Any expenditures or donations made prior to the grant period are not allowable match contributions. Further, in computing grant match, please note that, while direct administrative and project management costs for conducting grant activities may be considered allowable, indirect administrative charges or overhead are not allowable as match and are not reimbursable grant expenditures.

It is important that the applicant document support for the project for which funding is requested. Several letters of support, endorsements, resolutions, and other documentation evidencing local, regional or statewide support for the project contribute significantly to the application review.

#### APPLICATION REVIEW AND PROJECT SELECTION

All eligible applications will be evaluated on a competitive basis by Grant Review Panels appointed by the Secretary of State in a public meeting scheduled for August 15 and 16, 2012.

The Grant Review Panels will prioritize all applications and recommend a level of funding (full or partial) for each project. In accordance with the Government Performance and Accountability Act of 1994, the Division of Historical Resources is mandated to increase the number of historic and archaeological properties protected or preserved for public use.

Please note that many projects may not be recommended for the full amount requested; rather, the Grant Review Panel members may recommend an amount intended as a significant contribution to the project. Final project selection will be made by the Department of State and will depend heavily upon the Grant Review Panels' recommendations.

Projects selected for grant awards will be announced by July 1, 2013. Grant award agreements will be forwarded to grantees by July 1, 2013. No project work may be initiated until the grant award agreement between the grantee and the Department is executed. No work begun before July 1, 2013, will be eligible for grant reimbursement.

#### HOW-TO-APPLY and GRANT APPLICATION REVIEW WEBINARS

Applicants are strongly encouraged to attend a free How-to-Apply webinar presented by Division Grants Staff on Tuesday, May 15, 2012 from 10:00 a.m. to 11:30 a.m., EST. Applicants may register for the webinar on the Grants Program website <http://www.flheritage.com/grants> beginning May 1, 2012. The webinar will provide an overview of the Small Matching Grants Program, a review of the Online Application including application attachments and signature pages, and a discussion of the requirements for submission of the application. The webinar will also explain the application review process and the procedures for funding the grant project proposals. A question and answer session will conclude the webinar.

Additionally, Division Grants Staff will present a Grant Panelist Orientation Webinar to the members of the Grant Review Panels on Tuesday, July 17, 2012, from 10:00 a.m. to 11:30 a.m. EST. The webinar is free and open to members of the public. The webinar will provide a Power Point presentation on the application review process, a review of the application attachments, a demonstration of the Online Review System and review of a sample application. Other topics to be covered include evaluation criteria, applicant administrative capability, meeting procedures, conflict of interest, staff recommendations, and the voting and ranking procedures. The webinar will conclude with a question and answer session. Registration information will be posted on the Grants Program website [www.flheritage.com/grants](http://www.flheritage.com/grants) not later than July 1, 2012.

#### ADDITIONAL INFORMATION

If you have any questions regarding proposed projects or the application process, please contact Grants staff (Crista Hosmer and Jennifer Patnode) at 1(800)847-7278 (PAST) or (850)245-6333. "Bricks and Mortar" or technical questions pertaining to Acquisition & Development projects may also be directed to Bureau of Historic Preservation staff preservation architects Phillip Wisley, R.A. or Eva Osborne, R.A.

Please visit our Web site at [www.flheritage.com/grants](http://www.flheritage.com/grants) for more information on the grants program and to begin the application process.

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#### DEPARTMENT OF LAW ENFORCEMENT

##### Notice of Application for Federal Funds and Funding Availability

The State of Florida, Department of Law Enforcement (FDLE), Office of Criminal Justice Grants will be submitting an application to the United States Department of Justice, Bureau of Justice Assistance, for \$12,287,166 in Federal Fiscal Year 2012 funds made available under Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Section 500 as amended.

A copy of the application will be available for review and comment by the public at FDLE, Business Support Program, Office of Criminal Justice Grants, Tallahassee, Florida 32308. Interested parties should contact the Office of Criminal Justice Grants, (850)617-1250, to obtain a copy of the application for review.

If the Bureau of Justice Assistance approves this application, units of local government will be eligible to receive subgrants from the Department of Law Enforcement. "Units of local government" means any city, county, town, township, borough, parish, village, or other general-purpose political subdivision of a State and includes Native American Tribes that perform law enforcement functions as determined by the Secretary of the Interior.

Chapter 11D-9, Florida Administrative Code, governs program administration and funding. Local governments should thoroughly review rule provisions before applying for subgrant funds.

FDLE has mailed a notice of funding availability to the chief official of each county and each city. The notice states the amount of funds available to the county and includes information about the application process.

Questions regarding FDLE's application and the funding process should be directed: Clayton Wilder, Administrator, Office of Criminal Justice Grants, FDLE, (850)617-1250.

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#### DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

##### Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of Beach Classic Scooter, LLC, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (line-make DAIX) at 739 Scallop Drive, Port Canaveral (Brevard County), Florida 32920, on or after May 21, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Beach Classic Scooter, LLC, are dealer operator(s): Charles A. Mclean, 739 Scallop Drive, Port Canaveral, Florida 32920; principal investor(s): Charles A. Mclean, 739 Scallop Drive, Port Canaveral, Florida 32920.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Wendy Yu, Pacific Rim International West, Inc., 2181 East Francis Street, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Garia, Inc., intends to allow the establishment of Golf Car & Utility Vehicle Distributors, LLC, as a dealership for the sale of low-speed vehicles manufactured by Garia (line-make GARI) at 13551 Southwest 132 Avenue, Miami (Miami-Dade County), Florida 33186, on or after May 21, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Golf Car & Utility Vehicle Distributors, LLC, are dealer operator(s): James C. Evans, 13551 Southwest 132 Avenue, Miami, Florida 33186; principal investor(s): James C. Evans, 13551 Southwest 132 Avenue, Miami, Florida 33186.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Henrik Hansen, Garia, Inc., 18838 Stone Oak Parkway, Suite 201, San Antonio, Texas 78258.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that TaoTao USA, Inc., intends to allow the establishment of J and F South Florida Investments, Inc., d/b/a Treasure Coast Scooters as a dealership for the sale of motorcycles manufactured by Taotao Group Co. Ltd. (line-make TAOI-WMI L9N) at 7320 South US Highway 1, Port St. Lucie (St. Lucie County), Florida 34952, on or after May 21, 2012.

The name and address of the dealer operator(s) and principal investor(s) of J and F South Florida Investments, Inc., d/b/a Treasure Coast Scooters are dealer operator(s): Guy Young, 7320 South US Highway 1, Port St. Lucie, Florida 34952, principal investor(s): Guy Young, 7320 South US Highway 1, Port St. Lucie, Florida 34952.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jennifer Wallace, TaoTao USA, Inc., 2425 Camp Street, Suite 100, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Taotao USA, Inc., intends to allow the establishment of Jealse Scooters, Inc., as a dealership for the sale of motorcycles manufactured by TaoTao Group Co. Ltd. (line-make TAOI-WMI L9N) at 572 East Osceola Parkway, Kissimmee (Osceola County), Florida 34744, on or after May 21, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Jealse Scooters, Inc., are dealer operator(s): Fabio Alzate, 572 East Osceola Parkway, Kissimmee, Florida 34744, principal investor(s): Fabio Alzate, 572 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jennifer Wallace, Taotao USA, Inc., 2425 Camp Street, Suite 100, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Husqvarna Motorcycles North America, LLC, intends to allow the establishment of NOSA, Inc., d/b/a Palmetto Motorsports as a dealership for the sale of Husqvarna motorcycles manufactured by Husqvarna (line-make HUSQ) at 6400 West 20th Avenue, Hialeah (Miami-Dade County), Florida 33016, on or after May 21, 2012.

The name and address of the dealer operator(s) and principal investor(s) of NOSA, Inc., d/b/a Palmetto Motorsports are dealer operator(s): Todd Sandoval, 6400 West 20th Avenue, Hialeah, Florida 33016; principal investor(s): Todd Sandoval, 6400 West 20th Avenue, Hialeah, Florida 33016.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jeff De Vega, Husqvarna Motorcycles North America, LLC, 300 Chestnut Ridge Road, Woodcliff Lake, New Jersey 07677.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving



the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that TaoTao USA, Inc., intends to allow the establishment of Solano Cycle, Inc., as a dealership for the sale of motorcycles manufactured by TaoTao Group Co. Ltd. (line-make TAOI-WMI-L9N) at 565 Blanding Boulevard, Orange Park (Clay County), Florida 32073, on or after May 21, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Solano Cycle, Inc., are dealer operator(s): Martin Solano, 565 Blanding Boulevard, Orange, Florida 32073, principal investor(s): Martin Solano, 565 Blanding Boulevard, Orange, Florida 32073.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jennifer Wallace, TaoTao USA, Inc., 2425 Camp Street, Street 100, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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## AGENCY FOR HEALTH CARE ADMINISTRATION

### Oak Hill Hospital Emergency Service Exemption

The Agency for Health Care Administration has received an application for an emergency service exemption from Oak Hill Hospital, 11375 Cortez Blvd., Brooksville, FL 34613 pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Otolaryngology and Oral/Maxillo-Facial Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone: (850)412-4360, by e-mail: Julie.Young@ahca.myflorida.com.

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection gives notice of its intent to grant a variance under Sections 373.414(17) and 403.201, F.S., from the provisions of Subsection 3.2.5 of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District adopted by reference in paragraph 62-330.200(3)(e), F.A.C., to Charlotte County Board of County Commissioners, 7000 Florida Street, Punta Gorda, Florida 33950, (File No. 08-0211351-005-EVSH) to allow the dredging of approximately 33,000 cubic yards of material from the Myakka River and entrance channels to the Northwest Port Charlotte subdivision, creating a 25-foot wide navigational channel to a depth of -5.0 feet mean low water, within Class II Outstanding Florida Waters, conditionally approved for shellfish harvesting, within Sections 7, 8 and 18, Township 40 South, Range 21 East, Charlotte County. This variance is sought in conjunction with the application for a permit to conduct the same activities described above (File No.: 08-0211351-004-EI05). The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, South District Office, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902. Please contact Jeannie Gerhart (239)344-5645 or by email: Jeannie.Gerhart@dep.state.fl.us, to schedule an appointment.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57,

Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F.S., is not available.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsection 28-106.111(2) and paragraph 62-110.106(3)(a), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department. The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, Florida Statutes, may also seek appellate review of the order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, Florida Statutes. Requests for

review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

**NOTICE OF AVAILABILITY**  
**FLORIDA FINDING OF NO SIGNIFICANT IMPACT**  
 Islamorada, Village of Islands, Florida

The Department of Environmental Protection has determined that Islamorada’s proposed project to construct a regional wastewater system for the entire village, replacing the existing septic systems and package wastewater treatment facilities, will not have a significant adverse impact on the environment. The total estimated construction cost is \$110,000,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing: Mahnaz Massoudi, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by contacting her at (850)245-8358.

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile Agency Clerk Office of Financial Regulation P. O. Box 8050 Tallahassee, Florida 32314-8050 Phone (850)410-9800 Fax: (850)410-9548	OR	By Hand Delivery Agency Clerk Office of Financial Regulation General Counsel’s Office The Fletcher Building Suite 118 101 East Gaines Street Tallahassee, Florida 32399-0379 Phone: (850)410-9889
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The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., May 11, 2012):

**APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired: OptimumBank Holdings, Inc. (OptimumBank), Fort Lauderdale, Florida  
 Proposed Purchasers: Mr. Moishe Gubin, South Bend, IN and Mr. Mark T. Orenstein, Chicago, IL  
 Received: April 4, 2012

**APPLICATION FOR CONVERSION OF A FEDERAL SAVINGS ASSOCIATION TO A STATE BANK**

Applicant and Location: OneSouth Bank, a Federal Stock Savings Bank, 1385 Main Street, Chipley, Washington County, Florida 32428  
 With Title: OneSouth Bank  
 Received: April 4, 2012

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application:

**APPLICATIONS WITHDRAWN**

Application to Organize a Successor Institution  
 Constituent Institutions: AMB Interim Bank (Successor Institution), Tampa, Florida and Brazos Valley Bank, National Association, College Station, Texas  
 Resulting Institution: Brazos Valley Bank, National Association  
 Received: September 27, 2011  
 Withdrawn: April 5, 2012

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Final Order No.: DEO-12-038

**DEPARTMENT OF ECONOMIC OPPORTUNITY**  
 In re: **POLK COUNTY LAND DEVELOPMENT**  
**REGULATIONS ADOPTED BY**  
**POLK COUNTY ORDINANCE NO. 12-009**

**FINAL ORDER**

The Department of Economic Opportunity (the “Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2011), approving Polk County Ordinance No. 12-009 (the “Ordinance”).

**FINDINGS OF FACT**

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes (2011), and Chapter 28-26, Florida Administrative Code, as an area of critical state concern. Polk County is a local government within the Green Swamp Area.

2. The Ordinance was adopted by Polk County on March 7, 2012. The Department received the Ordinance for review on March 12, 2012.
3. The Ordinance amends Section 960 of the Land Development Code "Public Notice," to ensure that procedures are consistent with Florida Statutes, to clarify the notice requirements for various types of public hearings, and to allow time for planning staff to correct notice errors without inconveniencing applicants and the public.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2011).
5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2011). The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes (2012). The Principles for Guiding Development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code ("Principles").
7. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.
8. The Ordinance is consistent with the Polk County Comprehensive Plan as a whole.

WHEREFORE, IT IS ORDERED that Polk County Ordinance No. 12-009 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_/s/\_\_\_\_\_  
 \_\_\_\_\_

J. Thomas Beck, AICP  
 Director, Division of Community Planning  
 Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA

ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 107 EAST MADISON STREET, MSC 110, TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 10th day of April, 2012.

/s/ \_\_\_\_\_  
Miriam Snipes, Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By U.S. Mail:  
Michael F. Craig, Esq.  
Polk County Attorney  
Drawer AT01  
P. O. Box 9005  
Bartow, FL 33831

Richard M. Weiss, Clerk  
Board of County Commissioners  
P. O. Box 988  
Bartow, FL 33831

Thomas Deardorff, Director  
Growth Management Department  
P. O. Box 9005, Drawer GM03  
Bartow, FL 33831

Final Order No. DEO-12-039  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
In re: LAND DEVELOPMENT REGULATIONS  
ADOPTED BY CITY OF KEY WEST  
ORDINANCE NO. 12-02

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2011), approving land development regulations adopted by City of Key West Ordinance No. 12-02 (the "Ordinance").

FINDINGS OF FACT

1. The City of Key West is designated by Chapter 28-36, Florida Administrative Code as an area of critical state concern.
2. The Ordinance was adopted by the City of Key West on February 7, 2012. The Department received the Ordinance for review on March 8, 2012.
3. The Ordinance amends sections 122-926 and 122-928 of the Zoning Code to allow “cultural and civic activities” and their “accessory/associated commercial sales” on Whitehead Street between Greene and Southard Streets, and adds prohibitions on new transient units, general retail and outdoor storage.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6) and 380.05(11), Florida Statutes (2011).
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2011). The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the “Principles”). Section 380.05(6), Florida Statutes (2011). The Principles for the City of Key West Area of Critical State Concern are set forth in Rule 28-36.003(1), Florida Administrative Code.
7. The Ordinance is consistent with the following Principles for Guiding Development:
  - (a) Strengthen local government capabilities for managing land use and development.
  - (e) Protection of the historical heritage of Key West and the Key West Historical Preservation District.
8. The Ordinance is consistent Policy 1-2.3.7 of the City of Key West Comprehensive Plan.

WHEREFORE, IT IS ORDERED that City of Key West Ordinance No. 12-02 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_/s/\_\_\_\_\_  
 J. Thomas Beck, AICP  
 Director, Division of Community Planning  
 Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND

ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 107 EAST MADISON STREET, MSC 110, TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 10th day of April, 2012.

/s/ \_\_\_\_\_  
Miriam Snipes, Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By U.S. Mail:  
The Honorable Craig Cates  
Mayor, City of Key West  
P. O. Box 1409  
Key West, Florida 33041

Cheryl Smith  
Clerk to the City Commission  
P. O. Box 1409  
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City of Key West  
P. O. Box 1409  
Key West, Florida 33041

**BROWARD COUNTY MEDICAL EXAMINERS OFFICE**

Notice of Destruction of Toxicology Specimens  
The Toxicology Laboratory of the Proword County Medical Examiner's Office announces the destruction of toxicology specimens collected prior to 2010 from autopsies as part of

death investigation cases and specimens obtained prior to 2010 from law enforcement agencies as part of driving under the influence (DUI) cases and drug facilitated sexual assault cases. The destruction of these specimens shall begin on or about June 15, 2012

If you require any specimens be retained for retesting or possible evidentiary purposes, please send a written request for preservation citing:

1. Name of the individual or agency responsible for initiating the request;
2. Date the request is initiated;
3. Name of the decedent, defendant or victim;
4. Approximate date of specimen collection;
5. Medical examiner laboratory case number (if known);
6. Reason for extending the retention period; and,
7. Terms of the specimen preservation, including the length of additional time the requested specimen is to be held.

All written requests must be received by June 1, 2012, If necessary, hearings will be arranged to explore these matters. Send written requests to:

Toxicology Laboratory  
District 17 Medical Examiner and Trauma Services  
5301 SW 31st Avenue  
Ft. Lauderdale, FL 33312

Or fax written requests to: (954)327-6582

If you have any questions, please call: Toxicology, (954)357-5225.

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