

WEST CENTRAL FLORIDA AREA AGENCY ON AGING, INC.

The West Central Florida Area Agency on Aging, Inc. announces five public hearings to which all persons are invited.

Polk County:

DATE AND TIME: Tuesday, October 14, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: USF RATH Senior ConNexTions & Education Center, 1350 E. Main Street, C-200, Bartow, FL 33830

Hardee County:

DATE AND TIME: Tuesday, October 14, 2008, 2:00 p.m. – 3:30 p.m.

PLACE: Catheryn McDonald Senior Center, 310 N. 8th Avenue, Wauchula, FL 33873

Manatee County:

DATE AND TIME: Wednesday, October 15, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Renaissance on 9th, 1816 9th Street West, Bradenton, FL 34205

Highlands County:

DATE AND TIME: Tuesday, October 21, 2008, 9:00 a.m. – 10:30 a.m.

PLACE: Highlands Independent Bank, 2600 US Hwy. 27 North, Sebring, FL 33870

Hillsborough County:

DATE AND TIME: Tuesday, October 22, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Tampa Lighthouse for the Blind, 1106 W. Platt Street, Tampa, FL 33606

GENERAL SUBJECT MATTER TO BE CONSIDERED: The West Central Florida Area Agency on Aging, Inc. (WCFAAA) is seeking public comment on funding allocations currently being provided for elder services.

A copy of the agenda may be obtained by contacting: nelsonp@elderaffairs.org.

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 4 days before the workshop/meeting by contacting: Paula Nelson at 1(800)326-2226, ext. 5583. Space is limited and reservations are required. 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: West Central Florida Area Agency on Aging, Inc., 5905 Breckenridge Parkway, Suite F, Tampa, FL 33610, e-mail: nelsonp@elderaffairs.org.

Comments will be accepted via mail or email until October 24, 2008.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from W. Vincent, on behalf of Construction Specialists, on August 11, 2008. Petitioner seeks clarification of a previously issued Declaratory Statement, number DCA04-DEC-219, with regard to louvers. Petitioner asks whether louvers that do not require impact resistance and are installed in buildings outside the wind borne debris or high velocity hurricane zones require Florida product approval under Chapter 9B-72, Florida Administrative Code, or whether they can be custom-engineered by rational design without testing. If a Florida approval number is required, Petitioner asks whether DCA04-DEC-219 is still valid, and if so, whether local building officials must accept the louver installation if the calculations are stamped by a Florida registered engineer. It has been assigned the number DCA08-DEC-237.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from W. Vincent, on behalf of Construction Specialties, on August 11, 2008. Petitioner asks for clarification of the requirements of Section 1609.1.2.1, Florida Building Code, Building Volume, (2007) as to louvers that are installed both within 30 feet of grade and higher, on buildings in Florida wind borne debris regions outside the high velocity hurricane zone. Specifically, petitioner asks if louvers that are protecting ventilation ducts not assumed to be open must be large missile impact resistant, and if there are any impact resistance requirements that apply when there are no ducts attached to the louver. It has been assigned the number DCA08-DEC-236.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from W. Vincent, on behalf of Construction Specialties, on August 11, 2008. Petitioner seeks clarification of the impact testing requirements for louvers installed in nursing homes, hospitals, and schools within enhanced hurricane protection

areas under Sections 420.4.2.5.1, 419.4.2.5.1, and 423.25.4.1, Florida Building Code, Building Volume, (2007). It has been assigned the number DCA08-DEC-238.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from W. Vincent, on behalf of Construction Specialties, on August 11, 2008. Petitioner seeks clarification of Section 1626 of the Florida Building Code, Building Volume, (2007) with regard to louvers. Petitioner asks whether all louvers installed in a high velocity hurricane zone (Miami-Dade and Broward Counties) must have a Dade County Notice of Acceptance Number, or if a Florida Approval number is sufficient. Petitioner also asks whether all louvers installed in a building in the high velocity hurricane zone where the room or duct is designed as an open structure with internal pressure coefficients of zero, are exempt from impact testing as long as they properly consider ASCE 7. Finally, Petitioner asks whether building occupancy affects the large missile impact requirements for louvers installed in the high velocity hurricane zone. It has been assigned the number DCA08-DEC-239.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Joseph R. Hetzel, P.E., on behalf of Door & Access Systems Manufacturers Association International (DASMA), on September 3, 2008. Petitioner seeks clarification of the requirements of Sections 1714.5.3.4, Florida Building Code, Building Volume (2007) and R613.4.5, Florida Building Code, Residential Volume (2007) for garage door labels, and asks if the garage door product code is an acceptable equivalent to the "garage door model/series number" required on labels. It has been assigned the number DCA08-DEC-255.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Chris Birchfield, on behalf of No-Burn SE, Inc., on September 5, 2008, regarding whether the Petitioners products,

a line of spray-applied fire-retardants, are within the scope of Chapter 9B-72, F.A.C. It has been assigned the number DCA08-DEC-257.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from David E. Sands, AIA, on behalf of Bamboo Technologies, on September 5, 2008, regarding whether the Petitioners products, a line of structural bamboo poles used in home construction, are within the scope of Chapter 9B-72, F.A.C. It has been assigned the number DCA08-DEC-258.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Timothy Graboski, on behalf of Ridged Systems, LLC, on September 11, 2008. Petitioner asks for clarification of the requirements of the Florida Building Code, Building Volume, (2004 as amended) for hip and ridge assembly components of roof tile systems on buildings within the high velocity hurricane zone. It has been assigned the number DCA08-DEC-266.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Sandra Gump, on behalf of Fomo Products, Inc., on September 12, 2008, regarding whether the Petitioner's products, a foam spray and a crack and void filler, both designed to prevent fire from spreading, are within the scope of Chapter 9B-72, F.A.C. It has been assigned the number DCA08-DEC-268.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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."

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 received the petition for declaratory statement from The Decoplage Condominium Association, Inc., Docket No. 2008050050. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, and Chapter 61B-23, F.A.C, as it applies to the petitioner.

Whether The Decoplage Condominium Association, Inc. must conduct a vote to elect directors in 2008 where no election is required under its current bylaws, which provide for two year terms that end in 2009, under the amendment to Section 718.112(2)(d)1., Florida Statutes, adopted by Chapter 2008-28, s. 7, Laws of Florida, and subsection 61B-23.0021(2), Florida Administrative Code.

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.

The Construction Industry Licensing Board hereby gives notice that on August 28, 2008, it received a Petition for Declaratory Statement filed by Timothy P. Atkinson, Esq. on behalf of Tankinetics, Inc. The petition seeks the Board's interpretation of Sections 489.103(6), 489.105, 489.115(1) and 489.133(5)(a), Florida Statutes, and whether the Petitioner is generally exempt from construction industry licensing requirements pursuant to Sections 489.103(6), Florida Statutes, for its manufacture, assembly, and erection of prefabricated, fiberglass, above-ground storage tanks for industrial applications, and/or that Petitioner is not acting as a "contractor" as defined by Section 489.105(3), Florida Statutes, and/or that the assembly and installation of the pre-fabricated tanks do not require any license in any category under Section 489.105(3)(a)-(q) or 489.133(5)(a), Florida Statutes.

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

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 HEALTH

The Board of Opticianry hereby gives notice that it has received a petition for Declaratory Statement, filed on September 10, 2008, by Amy M. Arcand, LDO, ABOM, NCLE, FNAO. The Petitioner seeks the Board's guidance regarding several issues relating to Sections 484.013(1)(b) and 484.014(p), Florida Statutes. Specifically, this includes a request as to: 1) whether a licensed optician can oversee a trained person and allow them to prepare or dispense lenses, spectacles, eyeglasses, contact lenses, or other optical devices when such a person is not licensed as an optician in Florida; and 2) whether a licensed optician can oversee a trained person and allow them to fit or dispense any lenses, spectacles, eyeglasses, or other optical devices which are part of the practice of opticianry.

The Board will address this Petition at its next meeting.

Comments on this petition should be filed with: Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

The Board of Massage Therapy hereby gives notice that on July 28, 2008, it received a Petition for Declaratory Statement filed by Reverend Dr. Elizabeth Kapadia, D.N.Ph.D. The petition seeks the Board's interpretation of Section 480.047(1), Florida Statutes, and whether practicing Reiki, Laying of the hands, cranial, and any other energy work that is deemed through God, Free without compensation, falls within the definition and scope of massage therapy, or if it is in fact separate and distinct from massage therapy for licensing purposes.

Copies of the petition may be obtained from: Pamela King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN THAT on August 12, 2008 the Department of Health has received the petition for declaratory statement from: Medical Arts Pharmacy, Inc., 2950 Central Avenue, St. Petersburg, Florida 33712. The petition seeks the

agency's opinion as to the applicability of Chapter 499, Florida Statutes and subsection 64F-12.012(3), Florida Administrative Code as it applies to the petitioner.

The petition seeks a Declaratory Statement from the Department of Health, Drugs Devices and Cosmetics Program regarding drug pedigrees covered in Chapter 499, Florida Statutes and subsection 64F-12.012(3), Florida Administrative Code. The Petition seeks the Department's approval of a pedigree.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rebecca Poston, R.Ph., Executive Director, Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399, (850)245-4294.

Please refer all comments to: Rebecca Poston, R.Ph., Executive Director, Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399, (850)245-4294.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, pursuant to Section 120.565, F.S. has received the petition for declaratory statement from: Mr. Clyde Lightbourn. The petition seeks the agency's opinion as to the applicability of paragraph 69B-220.201(5)(b), F.A.C., as it applies to the petitioner.

The Petitioner requests the Department to issue a declaratory statement on the following issues: Whether an agreement entered into by a licensed Florida public adjuster, which violates paragraph 69B-220.201(5)(b), Florida Administrative Code, regulating the behavior of public adjusters, is a legally binding and enforceable agreement. Whether a public adjuster is entitled to receive a fee in excess of the fee provision set forth in paragraph 69B-220.201(5)(b), F.A.C.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Mechele R. McBride, Assistant General Counsel, Division of Legal Services, Department of Financial Services, 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0333.

**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 & Disbursement Services will receive sealed bids for the following: ITB09SVF-118, W/O 09079251, Replace Oil Switches, RP2 Project, estimated budget: \$550,000, to be opened October 29, 2008, 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The University of Florida is planning to replace old, medium voltage oil switches with new vacuum interrupter switches (5 switches) at various locations. The work includes new MV conduit, ductbank, cabling and switchgear vaults. Mandatory pre-bid meeting will be held October 8, 2008, 10:00 a.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL. Questions should be directed to Lisa Pennington, lpenn@ufl.edu or (352)392-1331. For more information visit 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 or (352)392-1331 within three (3) days of the event.