

DATE AND TIME: Thursday, August 27, 2009, 11:00 a.m. – 3:00 p.m.

PLACE: Capital City Youth Services, 2407 Roberts Avenue, Tallahassee, FL 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Agenda items to be considered:

- Recommendations to the Board from the membership regarding Quality Improvement Committee and the board’s approval
- Reports from the Finance and Executive Committees,
- Update on the contract with the DJJ,
- Planning for the year’s meetings, including a combination annual membership meeting and an awards event possibly in November, that would include the Board and all providers
- Board Committee work plans for 2010

A copy of the agenda may be obtained by contacting: Mary D. Richter, Executive Director, Florida Network of Youth and Family Services at (850)922-4324.

**INDEPENDENT COLLEGES AND UNIVERSITIES OF FLORIDA**

The Florida **Higher Educational Facilities Financing Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 27, 2009, 12:00 Noon – 1:00 p.m.

PLACE: Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, 1(850)681-3188, Telephonically: 1(866)578-5716, Conference Code: 1093911091

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Meeting to consider a certain resolution to amend the indenture for the Higher Educational Facilities Financing Authority (Florida) Southeastern University, Inc. Project Series 2005 bond issue and to conduct regular board business.

A copy of the agenda may be obtained by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, Inc., 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

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 5 days before the workshop/meeting by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188. 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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

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

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

NOTICE IS HEREBY GIVEN THAT the Department of Highway Safety and Motor Vehicles has issued an order disposing of the petition for declaratory statement filed by Mark C. Jackson on October 13, 2008. The following is a summary of the agency’s disposition of the petition:

The Department has issued a statement determining that it properly suspended Petitioner’s license pursuant to Section 318.15, F.S., based on the final disposition of the Volusia Traffic Case and the Petitioner is eligible for re-licensure on June 2, 2010.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Judson M. Chapman, Senior Assistant General Counsel, Office of the General Counsel, 2900 Apalachee Parkway, A432, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN THAT the Department of Highway Safety and Motor Vehicles has received the petition for declaratory statement from Mark C. Jackson. The petition seeks the agency’s opinion as to the applicability of Sections 322.27, 322.271 and 318.15, Florida Statutes, as it applies to the petitioner.

Petitioner believes his driver license was wrongfully suspended because he alleges the Volusia County Court violated his due process rights. Petitioner would like to know if his driver license suspension can be invalidated, if it will be removed from his record after seven years, if his driver license is an indefinite suspension or a revocation and if so if he can reinstate pursuant to Section 322.271(1)(b), F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Judson M. Chapman, Senior Assistant General Counsel, Office of the General Counsel, 2900 Apalachee Parkway, Room A432, MS #02, Tallahassee, FL 32399, (850)617-3101.

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**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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**AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS HEREBY GIVEN THAT the Agency for Health Care Administration has received the petition for declaratory statement from Israel A. Gomez, Arilys Rutkevich and Bernardo R. Reyes. The petition seeks the agency's opinion as to the applicability of Section 408.803(5), Florida Statutes (2009), as it applies to the petitioner.

Petitioner intends to purchase the stock of an existing health care clinic in two transactions and asks under Section 408.803(5) (effective July 1, 2009), Florida Statutes, whether an "event in which 51% or more of the ownership, shares, members, or controlling interest" of the licensee is considered transferred or assigned requiring a change of ownership application.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk. Please refer all comments to: Agency Clerk.

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NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has issued an order disposing of the petition for declaratory statement filed by ARC of Alachua County, Inc. on February 6, 2009. The following is a summary of the agency's disposition of the petition:

The Petitioner seeks an interpretation by the Agency of "Payment-in-Full" as defined in Section 409.907(3)(j), Florida Statutes (2008). The Agency has jurisdiction to interpret Section 409.907(3)(j), Florida Statutes (2008) and therefore declares that the statute clearly establishes that "Payment-in-Full" as the language is used, applies only to Medicaid covered good and services. If a good or service is not a covered benefit to a recipient of the Medicaid program, the "Payment-in-Full" provision does not apply. Therefore it is ordered that the requested Petition for Declaratory Statement as to the laws of Florida is Accepted and Answered in part and Denied in part.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. #3, MSC #3, Tallahassee, Florida 32308-5403, (850)922-5873.

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**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 the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, Docket No. 2009015853 on March 20, 2009. The following is a summary of the agency's declination of the petition:

The division cannot issue a declaratory statement where there are facts in dispute; or where there are owners who will be affected by the decision, who are not parties to the petition.

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 Douglas Beaudoin, Petitioner, In Re: Zellwood Station Co-op, Inc., Docket No. 2009023837 on May 7, 2009. The following is a summary of the agency's declination of the petition:

The division is without authority to issue a statement concerning the operations of chapter 720 organizations; or the division cannot issue a statement when there are facts in dispute.

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 John Daw, Esquire representing James Millet In Re: Wekiva Hunt Club Condominium Association, Inc., Docket Number 2009015245, on March 10, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it may not issue a declaratory statement regarding events that have already occurred; or where there are facts in dispute; or where there are owners who will be affected by the decision who are not parties to the petition.

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 Gretchen Graf, In Re: Lakewood at Palm Beach Condominium Association, Inc. on May 11, 2009. The following is a summary of the agency's declination of the petition:

The division has declined to issue a declaratory statement because the division may not issue a declaratory statement where there are facts in dispute; or where there are owners who will be affected by the decision who are not parties to the proceeding.

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 David Haber on behalf of Portofino/South Pointe Master

Association, Inc., Docket Number 2009019992, on April 16, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the division cannot issue a declaratory statement concerning events that have already taken place; or where there are facts in dispute; or where there are owners who will be affected by the decision and who are not parties to the petition.

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 David Haber, Esquire, counsel for Portofino Towers Condominium Association, Inc. on April 7, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the Association did not reference a statute, rule or order that applied to the specific situation; or the division may not issue a declaratory statement regarding facts that have already occurred; or a declaratory statement cannot be issued where persons who will be affected by the decision are not parties to the proceeding.

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 Don and Agathe Marks, Petitioners/Unit Owners, In Re:

Pan American Condominium Association, Inc. on April 16, 2009. The following is a summary of the agency's declination of the petition:

The division has declined to issue a declaratory statement because the division may not enter a declaratory statement on issues presently pending before a court.

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 David and Carole A. Munro, In Re: Hamilton Club Association, Inc. on April 29, 2009. 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 jurisdiction to interpret vague or ambiguous provisions in the governing documents; or because the division cannot issue a statement concerning events that have already taken place; or because the division cannot issue a declaratory statement where persons who will be affected by the decision are not parties to the proceeding.

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 Electrical Contractors' Licensing Board has issued an order disposing of the petition for declaratory statement filed by Fisher & Phillips, LLP, Attorneys at Law, on behalf of TEKsystems, on March 3, 2009. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 20, of the May 22, 2009, Florida Administrative Weekly. The Petitioner sought the Board's opinion as to whether TEKsystems may provide contract

employees to perform work for licensed electrical contractors in the state of Florida, without requiring such contract employees to themselves be licensed by the Board, under Section 489.503, Florida Statutes. The Board considered the Petition at its meeting held on May 15, 2009, in Tampa, Florida, and issued an order, filed on July 16, 2009, finding that a Florida certified or registered electrical contractor may contract with Petitioner for the provision of workers employed by Petitioner to work for the electrical contractor. Such workers would be considered employees of the Florida certified or registered electrical contractor for purposes of licensure and would enjoy the same exemption from licensure as would a regular employee of the Florida certified or registered electrical contractor, as long as that employee of the Petitioner acts within the scope of the license held by the certified or registered electrical contractor, and with the knowledge and permission of the certified or registered electrical contractor.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399.

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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 FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Priority Fire Company, Inc. on April 24, 2009. The following is a summary of the agency's disposition of the petition:

The petition asks who is required to sign the Above Ground Material and Test Certificate, when two different contractors installed the fire sprinkler system. The answer is that the installing contractor must sign the certificate. In this case, both contractors are installing contractors, and either can sign the Above Ground Material and Test Certificate.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (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-mailing your request to: 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:**

**NONE**

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

**NONE**

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

**NONE**

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

**NONE**

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

**DEPARTMENT OF EDUCATION**

Notice of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10MB-107YC, Continuing Minor Projects Annual Contract for General Contractors, estimated budget: TBD, to be opened September 30, 2009, 2:00 p.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: To simplify and expedite the execution of general construction projects at the University of Florida. Projects could be located on the

University of Florida main campus or at UF and IFAS facilities throughout the State of Florida. The maximum per-project construction cost shall be less than \$100,000.

Mandatory pre-bid meeting will be held September 8, 2009, 10:00 a.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Questions should be directed to: Lisa Pennington at 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 at purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

Notice of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10SVF-105YC, Quick Response Plumbing Contractor Annual Contract, estimated budget: TBD, to be opened September 23, 2009 at 2:00 p.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: To simplify and expedite the execution of small plumbing construction projects at the University of Florida. Projects could be located on the University of Florida main campus or at UF and IFAS facilities throughout the State of Florida. The maximum per-project construction cost shall be less than \$100,000.

Mandatory pre-bid meeting will be held September 10, 2009, 10:00 a.m., in the PPD A/E Main Street Trailer, Building 270, Radio Road, Gainesville, FL. Questions should be directed to: Lisa Pennington at 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.

**NOTICE TO PROFESSIONAL CONSULTANTS:**

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

Project: UF-350, East Campus Data Center (Gainesville, FL)

The facility comprises the construction of a new data center, consisting of a net 5,000 square-feet of “near-Tier 3” (redundant, concurrently maintainable) space for Enterprise Systems and other mission-critical computing operations infrastructure, plus a net 5,000 square-feet of “Tier 0” (general-purpose, non-redundant) space for research computing and similar non-mission-critical computing capacity.

Current plans call for an initial capacity of 250KW for the near-Tier 3 space, and 350KW for the “Tier 0” space. The near-term plans call for a ramp-up of each space to accommodate 500KW of computing capacity in each of the