

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:      RULE TITLE:

6A-1.045111      Hourly Equivalent to 180-Day School Year

**PURPOSE AND EFFECT:** To delete the instructional hours requirement for double-session schools; and add a provision to establish full-time equivalent (FTE) student membership reporting in schools that operate for less than the minimum term. Chapter 2016-237, Laws of Florida (L.O.F.), replaces the provision for a double-session school with a provision for the department to determine and implement an equitable method of equivalent funding for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum term as provided in section 1011.60(2), F.S. Chapter 2016-237, L.O.F., also includes an addition to section 1011.61(1)(b), F.S., that addresses FTE student membership reporting for students who receive instruction in schools that operate for less than the minimum term.

**SUBJECT AREA TO BE ADDRESSED:** The subject areas to be addressed relate to the instructional hours requirement for double-session schools and FTE student membership reporting for schools that operate for less than the minimum term.

**RULEMAKING AUTHORITY:** 1001.02(1), 1001.42(12)(a), 1001.51(11)(a), 1003.02(1)(g), 1011.60(2), 1011.61, FS.

**LAW IMPLEMENTED:** 1001.42(12)(a), 1001.51(11)(a), 1003.02(1)(g), 1011.60(2), 1011.61, FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0351. To request a rule development workshop, please contact: Cathy Schroeder, Director, Office of Executive Management, Florida Department of Education, (850)245-9661 or e-mail: [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>.

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT:** <https://app1.fldoe.org/rules/default.aspx>.

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.:      RULE TITLE:

64B6-7.006      Minor Violations; Notices of Noncompliance

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to update minor violations and notices of noncompliance.

**SUBJECT AREA TO BE ADDRESSED:** Minor Violations; Notices of Noncompliance.

**RULEMAKING AUTHORITY:** 120.695, 456.073(3), 484.044 FS.

**LAW IMPLEMENTED:** 120.695, 456.073(3) FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Jennifer Wenhold, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.:      RULE TITLE:

64B9-3.015      Licensure Examination Preparatory Courses

**PURPOSE AND EFFECT:** The purpose of the rule amendment is to add a requirement to the licensure preparatory courses.

**SUBJECT AREA TO BE ADDRESSED:** Update rule.

**RULEMAKING AUTHORITY:** 464.008(4), 464.019(8) FS.

**LAW IMPLEMENTED:** 464.008(4), 464.019(5) FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, [Joe.Baker@flhealth.gov](mailto:Joe.Baker@flhealth.gov)

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: RULE TITLE:  
 64B9-3.0025 Remedial Courses for Reexamination  
 PURPOSE AND EFFECT: The purpose of the rule amendment is to add a requirement to the remedial courses.  
 SUBJECT AREA TO BE ADDRESSED: Update rule.  
 RULEMAKING AUTHORITY: 464.008(3) FS.  
 LAW IMPLEMENTED: 464.008(3) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, Joe.Baker@flhealth.gov  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II  
 Proposed Rules**

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

RULE NO.: RULE TITLE:  
 64B20-2.001 Licensure by Certification of Credentials  
 PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to update the rule and application.  
 SUMMARY: To update the rule and application.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.  
 The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase

any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.  
 Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.  
 RULEMAKING AUTHORITY: 456.013(7), 468.1135(4) FS.  
 LAW IMPLEMENTED: 456.013(7), 456.0635(2), 468.1145(2), (4), 468.1185 FS.  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, JD, Executive Director, Board of Speech Language Pathology, and Audiology, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-2.001 Licensure by Certification of Credentials.

(1) Any person desiring to be licensed as a speech-language pathologist or audiologist shall apply to the Department of Health and pay the fee required by Rule 64B20-3.002, F.A.C. The application shall be made on Form DH-SPA-1, Application for Active Licensure as a Speech-Language Pathologist or Audiologist With Instructions Attached, which is incorporated by reference herein, revised (07/16) ~~October, 2012~~, and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02830> or the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256 or at <http://floridasspeechaudiology.gov/resources/> ~~http://www.doh.state.fl.us/mqa/speech/index.html~~. The Department shall notify the applicant by letter of any deficiencies in the application within 30 days after the application is filed. The applicant shall rectify all deficiencies in the application within one year from the date of such letter or the application will be processed as an incomplete application and the application file will be closed.

(2) No change.

(3) All applicants for ~~initial or~~ renewal of initial license or licensure by endorsement shall submit to the Board proof of completion of a two (2) hour continuing education course

relating to the prevention of medical errors. The 2-hour course shall count toward the total number of continuing education hours required for the profession. The course shall be provided by a Board-approved continuing education provider and shall include a study of root-cause analysis, error reduction and prevention, and patient safety. The address of the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256.

Rulemaking Authority 456.013(7), 468.1135(4) FS. Law Implemented 456.013(7), 456.0635(2), 468.1145(2), (4), 468.1185 FS. History—New 3-14-91, Amended 5-25-92, Formerly 21LL-2.001, Amended 11-30-93, Formerly 61F14-2.001, 59BB-2.001, Amended 6-4-02, 5-18-04, 7-16-09, 4-18-10, 7-13-13, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Speech Language Pathology, and Audiology  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech Language Pathology, and Audiology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 4, 2016

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

RULE NO.: RULE TITLE:  
64B20-2.003 Provisional Licensure; Requirements  
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to update the rule and application.

SUMMARY: To update the rule and application.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct

or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 468.1135(4) FS.  
LAW IMPLEMENTED: 456.0635(2), 468.1145(2), (4), 468.1155(4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, JD, Executive Director, Board of Speech Language Pathology, and Audiology, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-2.003 Provisional License; Requirements.

(1) No change.

(2) Any person desiring to receive a provisional license to practice speech-language pathology or audiology shall apply to the Department of Health and pay the fee required by Rule 64B20-3.002, F.A.C. The application shall be made on Form DH-SPA-2, Application for Speech-Language Pathology or Audiology Provisional Licensure With Instructions Attached, which is incorporated by reference herein, revised (07/16) October, 2012, and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->

02875 or the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 or at <http://floridasspeechaudiology.gov/resources/> <http://www.doh.state.fl.us/mqa/speech/index.html>.

The Department shall notify the applicant by letter of any deficiencies in the application within 30 days after the application is filed. The applicant shall rectify all deficiencies in the application within one year from the date of such letter or the application will be processed as an incomplete application and the application file will be closed.

(3) No change.

(4) In addition to the application form, candidates for a provisional license shall also complete Form DH-SPA-2A, Board of Speech-Language Pathology and/or Audiology Verification of Employment for a Provisional Licensee, which is incorporated by reference herein, revised October, 2012,

and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02876> or the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, #C06, Tallahassee, Florida 32399-3256 or at <http://floridasspeechaudiology.gov/resources/> <http://www.doh.state.fl.us/mqa/speech/index.html>. Said form shall provide the following:

- (a) through (b) No change.
- (5) No change.

Rulemaking Authority 468.1135(4) FS. Law Implemented 456.0635(2), 468.1145(2), (4), 468.1155(4) FS. History—New 3-14-91, Amended 12-4-91, Formerly 21LL-2.003, Amended 11-30-93, Formerly 61F14-2.003, Amended 9-26-95, Formerly 59BB-2.003, Amended 11-20-07, 6-1-09, 4-18-10, 7-13-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Speech Language Pathology, and Audiology  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech Language Pathology, and Audiology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 4, 2016

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

RULE NO.: RULE TITLE:

64B20-4.001 Certification of Assistants

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to update the rule and application.

SUMMARY: To update the rule and application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized

knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 468.1125(9), 468.1135(4) FS.

LAW IMPLEMENTED: 468.1125(3), (9), 468.1215 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, JD, Executive Director, Board of Speech Language Pathology, and Audiology, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-4.001 Certification of Assistants.

Any person desiring to be certified as a speech-language pathology assistant or audiology assistant shall apply to the Department of Health. The application shall be made on Form DH-SPA-3, Application for Speech-Language Pathology or Audiology Assistant Certification With Instructions Attached, which is incorporated by reference herein, revised (07/16) October, 2012, and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02877> or the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256 or at <http://floridasspeechaudiology.gov/resources/> <http://www.doh.state.fl.us/mqa/speech/index.html>. Such application and application fee required pursuant to Rule 64B20-3.002, F.A.C., shall expire one year from the date on which the application and fee are initially received in the Board office. After the period of one year, a new application and application fee must be submitted.

Rulemaking Authority 468.1125(9), 468.1135(4) FS. Law Implemented 468.1125(3), (9), 468.1215 FS. History—New 3-14-91, Amended 12-4-91, Formerly 21LL-4.001, Amended 10-12-93, Formerly 61F14-4.001, Amended 5-22-96, Formerly 59BB-4.001, Amended 7-16-09, 4-18-10, 7-13-13, 9-9-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Speech Language Pathology, and Audiology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech Language Pathology, and Audiology  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2016  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 4, 2016

### Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: 14-46.001      RULE TITLE: Utilities Installation or Adjustment  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 42 No. 149, August 2, 2016 issue of the Florida Administrative Register has been withdrawn. The hearing tentatively scheduled for August 26, 2016 has been cancelled.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

RULE NO.: 61G20-1.001      RULE TITLE: Florida Building Code Adopted  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 140, July 20, 2016 issue of the Florida Administrative Register.

61G20-1.001 Florida Building Code Adopted

(1) The Florida Building Code, 5th Edition (2014), as updated by the Florida Building Commission on November 13, 2014, and modified by the Florida Building Commission on June 8, 2016, incorporated herein by reference is hereby adopted as the building code for the State of Florida.

(2) The material incorporated and adopted in subsection (1) is copyrighted material that is available for public inspection and examination at the Department of State, Administrative Code and Register Unit, The Capitol, 400 South Monroe Street, Room 701, Tallahassee, Florida 32399, and at the Department of Business and Professional Regulation, Office of Codes & Standards, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772.

(3) No change.

Rulemaking Authority 553.73(1), (7) FS. Law Implemented 399.031, 553.37(1), 553.72, 553.73, 553.883, 553.884, 553.908, 553.998 FS., Sections 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida, Section 1, Chapter 2006-65, Laws of Florida, Section 10, Chapter 2007-1, Laws of Florida, Sections 10, 11, 14, 17, 19, 23, 24, 25, 26, 32, 33, 34, 35, 36, 37, 39, Chapter 2016-129, Laws of Florida,

Chapter 2016-211, Laws of Florida. History–New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, 9-7-00, 11-28-00, 2-7-01, 12-16-01, 6-30-03, 4-3-05, 12-11-05, 12-8-06, 5-21-07, 10-1-08, 2-17-09, 10-1-09, Formerly 9B-3.047, Amended 11-10-11, Formerly 9N-1.001, Amended 4-25-13, 6-30-15, \_\_\_\_\_.

Editor’s Note:

The Commission has determined that posting the incorporated material on the Internet would constitute a violation of federal copyright law. The incorporated material will be available for public inspection and examination at the Department of State, Administrative Code and Register Unit, The Capitol, 400 South Monroe Street, Room 701, Tallahassee, Florida 32399. The incorporated material is currently available from the Office of Codes and Standards at 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, and on the Florida Building Code Information System via link at <http://www.floridabuilding.org>.

**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

RULE NO.: 64B33-5.001      RULE TITLE: Disciplinary Guidelines  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 151, August 4, 2016 issue of the Florida Administrative Register.

The correction is as follows:

Rulemaking Authority 456.079, 468.705, 468.719 FS. Law Implemented 456.072, 456.079, 468.719 FS. History–New 10-22-02, Amended 1-16-07, 6-30-10, 12-19-12, 1-6-16, .

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer Wenhold, Executive Director, Board of Athletic Trainers, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

### Section IV Emergency Rules

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER16-46      RULE TITLE: Replacement of Obsolete Emergency Rules  
 SUMMARY: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-46 Replacement of Obsolete Emergency Rules.  
The following Department of the Lottery emergency rules relating to Florida Lottery games, promotions or obsolete rules are being replaced because the games or promotions have concluded, or the provisions of the rule are obsolete. This rule shall replace the following rules: 53ER12-61, 53ER13-42, 53ER13-49, 53ER13-50, 53ER13-63, 53ER13-64, 53ER14-1, 53ER14-2, 53ER14-6, 53ER14-15, 53ER14-21, 53ER14-23, 53ER14-24, 53ER14-26, 53ER14-27, 53ER14-30, 53ER14-43, 53ER14-48, 53ER14-62, 53ER15-9, 53ER15-10, 53ER15-25, 53ER15-28, 53ER15-34, 53ER15-41, 53ER15-42, 53ER15-44, 53ER15-46, 53ER15-47, 53ER15-50, 53ER15-56, 53ER15-61, 53ER15-63, 53ER15-64, 53ER15-65, 53ER15-66, 53ER16-6, 53ER16-8, 53ER16-15, 53ER16-16, 53ER16-17, 53ER16-22, 53ER16-27 F.A.C. Rulemaking Authority - 24.109(1) FS. Law Implemented - 24.109(1), 120.74(1)(c) FS. History – New 8-23-16, Replaces 53ER12-61, 53ER13-42, 53ER13-49, 53ER13-50, 53ER13-63, 53ER13-64, 53ER14-1, 53ER14-2, 53ER14-6, 53ER14-15, 53ER14-21, 53ER14-23, 53ER14-24, 53ER14-26, 53ER14-27, 53ER14-30, 53ER14-43, 53ER14-48, 53ER14-62, 53ER15-9, 53ER15-10, 53ER15-25, 53ER15-28, 53ER15-34, 53ER15-41, 53ER15-42, 53ER15-44, 53ER15-46, 53ER15-47, 53ER15-50, 53ER15-56, 53ER15-61, 53ER15-63, 53ER15-64, 53ER15-65, 53ER15-66, 53ER16-6, 53ER16-8, 53ER16-15, 53ER16-16, 53ER16-17, 53ER16-22, 53ER16-27 F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
 EFFECTIVE DATE: 8-23-16.

**Section V**  
**Petitions and Dispositions Regarding Rule Variance or Waiver**

DEPARTMENT OF LAW ENFORCEMENT  
 Criminal Justice Standards and Training Commission  
 RULE NO.: RULE TITLE:  
 11B-35.003 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training  
 NOTICE IS HEREBY GIVEN that on August 10, 2016, the Criminal Justice Standards and Training Commission received a petition for a temporary waiver of subsection 11B-35.003(4), F.A.C., from Thomas G. Bishop. The Petitioner wishes to temporarily waive that portion of the rule that states: Commission-approved Basic Recruit Training High-Liability Courses instructed at a Commission-certified training school shall be recognized by the Commission for applicants

requesting certification as a law enforcement, correctional, or correctional probation officer, if the applicant has completed training within the past four years pursuant to subsection 11B-35.002(2), F.A.C. Recognition of completed Basic Recruit Training High-Liability Courses shall comply with paragraph 11B-35.0023(2)(d), F.A.C. Mr. Bishop states that he successfully completed Auxiliary Law Enforcement Basic Recruit Training in 2011 and has been active with the Florida Highway Patrol since that time contributing over 1000 hours per year including all required annual training. Mr Bishop is requesting that his prior training in 2011 and all subsequent requiring annual training with Florida Highway Patrol Auxilliary be recognized by the Commission. Petitioner states that the hardship created is that the need to repeat subjects in which he is already proficient and current creates a longer training commitment and an increased financial expense. Petitioner requests that the waiver be granted through December 2017 so that he can complete his training requirements pursuant to the Rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tina Culbertson, Florida Department of Law Enforcement, Professionalism Division, P.O. Box 1489, Tallahassee, FL 32302 or at (850)410-8647.

DEPARTMENT OF LAW ENFORCEMENT  
 Criminal Justice Standards and Training Commission  
 RULE NO.: RULE TITLE:  
 11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation  
 NOTICE IS HEREBY GIVEN that on August 8, 2016, the Criminal Justice Standards and Training Commission received a petition for a permanent waiver of subsections 11B-35.002(3) and (4), F.A.C., from Major Jose A. Fernandez of the Miami-Dade Police Department on behalf of Peta-Gaye Hines. The Petitioner wishes to permanently waive that portion of the rule that states: (3) Each training school that offers a Commission-approved Basic Recruit Training Program, pursuant to this rule section, shall deliver all course materials included in the program. Delivery and sequencing of the course materials shall comply with the requirements set forth in the Commission’s approved Basic Recruit Training Curriculum; and (4) A basic recruit student shall successfully complete all courses in a Commission-approved Basic Recruit Training Program to be eligible to take the applicable State Officer Certification Examination for the discipline. The Petitioner states that Trainee Hines attended CMS Firearms the week of October 19, 2015; however she failed to demonstrate proficiency and remedial firearms training was provided. She subsequently passed the proficiency re-test. The Petitioner further states that Trainee Hines failed the CMS Criminal Justice Firearms end-of-course examination;

however due to an error by the Basic Training Unit, she was allowed to re-take the written end-of-course examination which she passed. Pursuant to Rule 11B-35.0024, F.A.C., a basic recruit who has failed to pass the written end-of-course examination or the required demonstration of proficiency skills after a second attempt shall be deemed to have failed the training course. The Petitioner is requesting that Trainee Hines' passing score on the State Officer Certification Examination be accepted, no additional examinations be required, and that Trainee Hines become eligible for certification by the Miami-Dade Police Department. The Petitioner further states that Trainee Hines initially passed the State Officer Certification Examination and that she has since successfully completed all of the Commission-approved Basic Recruit Training Program. A copy of the Petition for Variance or Waiver may be obtained by contacting: Tina Culbertson, Florida Department of Law Enforcement, Professionalism Division, P.O. Box 1489, Tallahassee, FL 32302 or by Telephone at (850)410-8647.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

NOTICE IS HEREBY GIVEN that on August 8, 2016, the Criminal Justice Standards and Training Commission received a petition for a temporary waiver of paragraph 11B-27.002(4)(a), F.A.C., from Samantha Long. The Petitioner wishes to temporarily waive that portion of the rule that states: Within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination, and gain employment, and certification as an officer. Ms. Long states that she started the Law Enforcement Academy at the Southern Public Safety Institute on July 9, 2012. Due to failing the firearms written portion she was required to re-take that course at another institution and transferred to Hillsborough Community College from which she graduated on December 10, 2013. The Petitioner states that following graduation, financial issues and the birth of her child delayed her career path. She also stated that a serious car accident on April 21, 2016, further delayed passing of the state exam which she eventually completed successfully on July 2, 2016. Petitioner requests that the waiver be granted for one year or longer so that she can obtain employment pursuant to the Rule. Petitioner states that application of the Rule would create a substantial hardship in that it would be a financial hardship to be required to complete another program. She also

states it would violate principles of fairness in that it was the foregoing circumstances that hindered her ability to complete the requirements within the timeframe identified in the Rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tina Culbertson, Florida Department of Law Enforcement, Professionalism Division, P.O. Box 1489, Tallahassee, FL 32302 or at (850)410-8647.

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-17.015 Energy Conservation Cost Recovery

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a joint petition from Florida Power & Light Company, Gulf Power Company, Duke Energy Company and Tampa Electric Company and a notice of joinder to the petition by Florida Public Utilities Company in Docket No. 160002-EI filed 8/19/2016, seeking waiver from paragraph 25-17.015(1)(b), Florida Administrative Code. The rule addresses the annual estimated/actual true-up filings for energy conservation cost recovery. A copy of the joint petition and notice of joinder can be obtained from the Office of Commission Clerk. Comments on the petition should be filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice. For additional information, please contact: Lee Eng Tan, Office of the General Counsel, at the above address or (850)413-6185.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces telephone conference calls to which all persons are invited.

DATE AND TIME: September 1, 2016, 2:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: September 6, 2016, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards & Recognition Committee.

DATE AND TIME: September 7, 2016, 8:30 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Executive Committee.

DATE AND TIME: September 7, 2016, 10:00 a.m.  
PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Statute Review Task Force.

DATE AND TIME: September 13, 2016, 8:30 a.m.  
PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Public Policy Committee.

DATE AND TIME: September 21, 2016, 9:00 a.m.  
PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: 3rd  
Quarterly Meeting of the Florida Commission on the Status of Women.

DATE AND TIME: September 22, 2016, 8:30 a.m.  
PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Meeting of Local Florida Commissions and Florida Achievement Awards Luncheon.

DATE AND TIME: September 28, 2016, 10:00 a.m.  
PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Essay Contest Task Force.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131. 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).

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 14, 2016, 9:00 a.m. – 11:00 a.m., ET

PLACE: Conference call: 1(888)670-3525, participant code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Florida Rehabilitation Council Legislative Committee General Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.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 7 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org. 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: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 20, 2016, 2:30 p.m. – 4:30 p.m., ET

PLACE: Conference call: 1(888)670-3525, participant code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Florida Rehabilitation Council Planning/Coordination Committee General Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.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 7 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org. 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: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.



DATE AND TIME: Wednesday, September 28, 2016, 10:30 a.m. – 12:30 p.m., ET

PLACE: Conference call: 1(888)670-3525, participant code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Public Awareness Committee General Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.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 7 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org. 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: Roy Cosgrove at (850)245-3317 or roy.cosgrove@vr.fldoe.org.

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#### DEPARTMENT OF EDUCATION

State Board of Education

The State Board of Education announces a workshop and meeting to which all persons are invited.

DATE AND TIME: August 31, 2016, 8:00 a.m.

PLACE: World Golf Village Renaissance, St. Augustine Resort, 500 South Legacy Trail, Legends 1, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The State Board of Education will participate in a workshop to discuss educator quality, financial outlook, legislative background and Every Student Succeeds Act. The meeting will begin at 2:00 p.m. and items for consideration include action relating to the following: District Turnaround Option Plans (Chair will determine Order of Appearance): Alachua County, Bay County, Jefferson County and Polk County.

A copy of the agenda may be obtained by contacting: Cathy Schroeder at (850)245-9661 or cathy.schroeder@fldoe.org or by visiting the Department's website at <http://www.fldoe.org/policy/state-board-of-edu/meetings>.

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 seven days before the meeting by contacting: Cathy Schroeder at (850)245-9661 or cathy.schroeder@fldoe.org. 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: Cathy Schroeder at (850)245-9661 or cathy.schroeder@fldoe.org.

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STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:

19-8.010Reimbursement Contract

The Florida Hurricane Catastrophe Fund Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 1, 2016, 1:30 p.m. (ET) until conclusion of meeting

PLACE: Telephone conference: dial: 1(888)670-3525 and enter participant code: 7135858151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain approval for the filing of a Notice of Proposed Rule for 19-8.010, F.A.C., Reimbursement Contract, and for the filing of this rule for adoption if no member of the public timely requests a rule hearing or if a rule hearing is requested but no Notice of Change is needed. In addition, other general business of the Council may be addressed.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, P.O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1349, donna.sirmons@sbafla.com.

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 7 days before the workshop/meeting by contacting: Donna Sirmons at the number or email listed above. 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).

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#### EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: September 2, 2016, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in Section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to bid (ITB-DEM-16-17-015) for FDEM Hurricane Season Preparedness and Media Buy.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Kara Godwin, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)922-1649, Kara.Godwin@em.myflorida.com.

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 48 hours before the workshop/meeting by contacting: Kara Godwin, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)922-1649, Kara.Godwin@em.myflorida.com. 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).

#### WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

The Northwest Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIMES: September 8, 2016, 3:00 p.m., Lands Committee Meeting; 4:00 p.m., Governing Board Meeting; 4:05 p.m., Public Hearing on Consideration of Regulatory Matters; 4:10 p.m., Public Hearing on Consideration of Amendment No. 1 to Lark and Sims Conservation Easement (Econfina Creek WMA); 5:05 p.m., Public Hearing on Consideration of Fiscal Year 2016-2017 Tentative Budget.

PLACE: District Headquarters, 81 Water Management Drive, Havana, Florida 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: District business, Commitment of Fiscal Year 2015-2016 fund balances as required by the Governmental Accounting Standards Board (GASB) Statement No. 54, Adoption of the proposed millage rate and tentative budget for Fiscal Year 2016-2017.

A copy of the agenda may be obtained by contacting: Savannah White, (850)539-5999 or online at <http://www.nfwwater.com/About/Governing-Board/Board-Meetings-Agendas>.

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 72 hours before the workshop/meeting by contacting: Wendy Dugan, (850)539-2600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of

the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

#### WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: September 1, 2016, 9:00 a.m.

PLACE: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Yvette Bonilla, ybonilla@sfwmd.gov or at our website: <http://www.sfwmd.gov/wrac>.

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: District Clerk, (561)682-6805. 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: Yvette Bonilla, (561)682-6286.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:

59C-1.039 Comprehensive Medical Rehabilitation Inpatient Services

The Agency for Health Care Administration announces a workshop to which all persons are invited.

DATE AND TIME: September 22, 2016, 8:30 a.m. – 10:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is for the purpose of discussing the Certificate of Need requirements for Comprehensive Medical Rehabilitation Inpatient Services. This is the second workshop held on this rule.

A copy of the agenda may be obtained by contacting: Marisol Fitch, (850)412-4346, Marisol.Fitch@ahca.myflorida.com.

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 2 days before the workshop/meeting by contacting: Marisol Fitch, (850)412-4346, Marisol.Fitch@ahca.myflorida.com. 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: Marisol Fitch, (850)412-4346, Marisol.Fitch@ahca.myflorida.com.

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**DEPARTMENT OF HEALTH**

**Board of Nursing**

The Board of Nursing announces a workshop to which all persons are invited.

**DATE AND TIME:** September 16, 2016, 9:30 a.m., Eastern Time

**PLACE:** Department of Health, 4052 Bald Cypress Way, Building 4052, Conference Room 301, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Rule 64B9-4.010 - Standards for Protocols.

A copy of the agenda may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, Joe.Baker@flhealth.gov.

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**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

The Department of Health announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 9, 2016, 9:00 a.m.

**PLACE:** Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Board Business.

A copy of the agenda may be obtained at <http://floridaspodiatricmedicine.gov/meeting-information/>.

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 7 days before the workshop/meeting by contacting: Anthony Spivey at Anthony.spivey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Anthony Spivey at Anthony.spivey@flhealth.gov.

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**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

The Board of Podiatric Medicine announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** August 25, 2016, 12:00 Noon

**PLACE:** Conference phone number: 1(888)670-3525, participant code: 7342425515

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This telephone conference has been cancelled. All previously scheduled business has now been moved to the regular September 9 board meeting scheduled in Orlando.

A copy of the agenda may be obtained by contacting: Dr. Anthony Spivey, Executive Director at anthony.spivey@flhealth.gov.

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**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

The Bureau of Radiation Control announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 20, 2016, 10:00 a.m. – 3:00 p.m.

**PLACE:** Hilton Garden Inn Tampa Airport Westshore, 5312 Avion Park Drive, Tampa International Airport, Tampa, Florida 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Routine meeting of the Advisory Council on Radiation Protection to discuss and make recommendations on, or issues relating to, the following: radiation protection; radiation exposure and dose; national organizations and professional societies/associations, including their standards, recommendations, registrants and certificate holders; radiation requirements of federal agencies; radiation machines; radioactive materials including medical radioisotopes; radiation procedures and practices; radiologic technologists, radiologist assistants, specialty technologists, medical physicists, and other radiation-related personnel including their titles, duties, scopes of practice and supervision; educational programs and training courses; authorized operator/user/physicist requirements; emergency response and preparedness; radiation incidents/accidents; environmental monitoring; food irradiation; radiation therapy; fees; forms; license, certification, registration, and examination; Chapters 404 and 468, Part IV, F.S., including the implementation of legislation affecting these Chapters; the Bureau of Radiation Control, including its internet site; and other business.

A copy of the agenda may be obtained by contacting: Brenda Andrews, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266 or Brenda.Andrews@FLHealth.gov.

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 10 days before the workshop/meeting by contacting: Brenda Andrews, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, 32399-1741, (850)245-4266, Brenda.Andrews@FLHealth.gov. 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: Brenda Andrews, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266, Brenda.Andrews@FLHealth.gov.

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#### DEPARTMENT OF CHILDREN AND FAMILIES

##### Refugee Services

The Jacksonville Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 14, 2016, 1:30 p.m. – 3:30 p.m.

PLACE: Jacksonville Baptist Association, 2700 University Boulevard South, Jacksonville, FL 32216

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the Jacksonville Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Debbie Ansbacher at (904)524-1316 or Taddese Fessehayee at (407)317-7335.

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: Debbie Ansbacher at (904)524-1316 or Taddese Fessehayee at (407)317-7335. 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: Debbie Ansbacher at (904)524-1316 or Taddese Fessehayee at (407)317-7335.

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#### ABLE TRUST

The Able Trust announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 23, 2016, 9:00 a.m. – 12:00 Noon (ET)

PLACE: Loews Portofino Bay Hotel, 5601 Universal Blvd., Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation) will hold its quarterly Board of Directors meeting. The agenda will include review of financial reports, review and approval of grants to assist in creating successful employment opportunities for persons with disabilities; reviewing committee reports; and other business that may come before the organization.

A copy of the agenda may be obtained by contacting: The Able Trust at (850)224-4493 or at info@abletrust.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: The Able Trust at (850)224-4493 or at info@abletrust.org. 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: The Able Trust at (850)224-4493 or at info@abletrust.org.

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## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

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 a petition for declaratory statement from Elizabeth Ann Lobes, In Re: Bent Tree Villas East Condominium Association, Inc., Docket No. 2016038975, filed on August 15, 2016. The petition seeks the agency's opinion as to the applicability of (None Specified) as it applies to the petitioner. Whether the Association's new rules and regulations regarding the inspection and copying of official records are unreasonable?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)717-1539, Danielle.Walker@myfloridalicense.com.

Please refer all comments to: Robin E. Smith, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes,

2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

**Section VIII**  
**Notice 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 has been filed with the Division of Administrative Hearings on the following rules:

NONE

**Section IX**  
**Notice 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

Florida Atlantic University

BT604 - FAU Campus Master Plan Updates

**NOTICE TO PROFESSIONAL CONSULTANTS**

Florida Atlantic University (FAU), on behalf of the Florida Atlantic University Board of Trustees, announces that Professional Services in the discipline of master planning will be required for the project listed below:

**Project: BT-604 – 2016/17 Campus Master Plan Updates, Florida Atlantic University Boca Raton Campus**

**John D. MacArthur, Jupiter Campus Broward Campuses (Davie, Fort Lauderdale, Dania Beach)**

**DESCRIPTION OF PROJECT:**

The project consists of updating the University’s current comprehensive campus master plans for the Boca Raton, John D. MacArthur – Jupiter, and Broward (Davie, Ft. Lauderdale Downtown & Dania Beach) Campuses. The purpose of the Master Plan is to provide a flexible framework for guiding development and change on FAU’s multiple campuses. Emphasis will be directed toward the resolution of goals and objectives regarding components of the comprehensive plan that have illustrated growth over the past five years. The planning effort will continue to preserve the integrity of the original master plans while strategically aligning the University for future growth in accordance with the adopted 2025 A Strategic Plan for the Race to Excellence and integrating new key elements specific to each campus.

The Master Plans will contemplate the physical improvements that will enable FAU to meet the following goals outlined in the Strategic Plan:

**Boldness:** Build a geographically-diverse population of students who excel in focused academic areas and engage in enriching activities that drive them to timely graduation and successful futures.

**Synergy:** Invest in focused pillars and platforms – connecting the most talented faculty, staff and students to expand on the robust culture of nationally respected research and inquiry.

**Place:** Partner with a diverse set of local stakeholders and enhance the physical spaces to build upon the unique cultural, demographic and environmental characteristics of each campus community – striving for leadership in developing the South Florida culture and economy.

**Quality:** Design a resilient, lean organization – based on best logistical practices – that identifies economies of scale and incorporates new technologies to promote institutional development.

**Brand:** Communicate the incredible stories of the University to an increasingly global audience, so that key internal stakeholders can link with external constituency groups.

**Strategy:** “Budget to the plan” and pursue new revenue streams in order to make FAU self-reliant and thriving in the midst of competitive public and private funding opportunities.

The Master Planning process will consist of the following two phases:

1. The development of an Evaluation and Appraisal Report that reviews and appraises implementation of the current adopted Campus Master Plan for each campus and provides assistance in confirmation of a projected facilities program for future enrollment accommodation. These facilities will include

research, academic, student life, support, housing, parking, infrastructure, utilities, athletics, recreation, and others to be determined in terms of capacity, density, cost, visibility, availability of infrastructure, pedestrian and vehicular access, etc.

2. Development of a comprehensive Campus Master Plan Update 2016 document, which fulfills statutory requirements, including determination of impacts to the Level of Service (LOS) of services/roadways, potential public hearings, and assistance to FAU in providing information for updating the Development Agreement with the host municipality.

The 2016-17 Year Master Plan will be updated in accordance with Section 1013.30, Florida Statute, and Rule Chapter 6C-21, Florida Administrative Code. The required elements include Future Land Use, Transportation, Housing, General Infrastructure, Conservation, Recreation and Open Space, Intergovernmental Coordination, and Capital Improvements. Ten optional elements include: Academic Mission, Academic Program, Urban Design, Academic Facilities, Support Facilities, Utilities, Architectural Design, Landscape Design, Facilities Maintenance, and Coastal Management. The successful consultant team must demonstrate the ability to assess the impacts of University facilities development on campus and public facilities/services. Major components that may be included in the services consist of storm water capacity / conveyance management, chilled water capacity / conveyance, traffic/transportation/parking and campus way finding/signage studies. The successful consultant team must demonstrate experience in sustainable campus planning, including resolution of pedestrian, bike, transit, and traffic issues, as well as familiarity with statutory and administrative rule requirements. The University is seeking consultants with national experience in campus master planning, local government comprehensive planning, and concurrency management.

The current FAU Campus Master Plans may be viewed online at the FAU Facilities Management website: <http://www.fau.edu/facilities/uavp/masterplans-homepage.php>.

**SELECTION CRITERIA:**

The selected firm shall provide comprehensive consulting services for the referenced project. Any proposed sub-consultants, as required by the Primary Consultant firm to meet project scope requirements, shall be identified by the generic discipline on the Florida Atlantic University Professional Qualifications Supplements (FAUPQS) form, **but shall not be identified by firm name**. Sub-consultant firms shall be recommended after selection, at the time of contract negotiations, for the University's approval.

Selection of finalists for interview will be made on the basis of the following criterion and associated point values.

- a. 45 Points: Professional qualifications of the proposed design team members, including experience and ability to meet the project requirements, goals, and objectives of the University's strategic plan.
- b. 35 Points: Design ability.
- c. 5 Points: Volume of work.
- d. 5 Points: Volume of Florida State University System (SUS) work.
- e. 10 Points: Distance from project.

Florida Atlantic University is an equal opportunity institution and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises (MBE's) in the provision of design services. The selected firm will be required to provide computer-generated drawings according to the standards of FAU. Project development, including professional services, is contingent upon availability of funds. Additional Campus Master Plan Update services may be added to the contract scope for this project subject to needs and availability of funds.

**INSTRUCTIONS:**

Firms desiring to apply for consideration shall submit a letter of application in keeping with the following:

1. Refer to "Florida Atlantic University Professional Qualifications Supplement" (FAUPQS) dated **August 2008**. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the State Department of Business Regulation to operate in Florida.
3. Experience on comprehensive campus planning for major academic institutions in urban/suburban environments.
4. Experience in campus planning in regard to American College & University Presidents Climate Commitment.
5. Familiarity with Campus Master Planning Florida statutory and administrative rule requirements.
6. Demonstrate experience in the resolution of traffic and parking issues, and coordination with multi-modal transportation linkages.
7. Demonstrate the ability to assess and plan for the economic and infrastructure impacts of university growth and development on both on-campus and off-campus facilities such as storm water management,

potable water, sanitary sewer, solid waste, roads, parks and recreation facilities.

8. Ability to prepare computer-generated master plan maps, figures and text revisions in accordance with the standards of Florida Atlantic University.
9. Experience with local government comprehensive plans and concurrency management.
10. Role of team members on similar scale master plan projects.
11. The volume of work that the firm has currently under contract.
12. The distance of the office where the work will be performed from the FAU (Boca Raton) campus.

**GENERAL INFORMATION:**

1. All applicants will be notified of the results of the short-listing in writing. Finalists will be informed of the interview date and time, and will be provided with additional information, if available.
2. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President’s action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.
3. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$35,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.
4. Professional liability insurance is not required for this project.
5. Any requested clarifications by interested applicants must be made in writing to Azita Dashtaki Dotiwala, Campus Planner at [dashtaki@fau.edu](mailto:dashtaki@fau.edu).
6. **Members of the Selection Committee or other University personnel will not meet with or discuss the project with prospective applicants.**
7. The Selection Committee may waive any irregularities and may reject all proposals and stop the selection process at any time.
8. All postings referred to in this Notice will be posted electronically on the FAU Facilities website: <http://www.fau.edu/facilities/avp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the consultants participating in this solicitation to check the website for postings of

addenda, short lists, and award decisions. No further notice will be given.

9. Five (5) bound sets and one (1) electronic copy of the requested submittal data shall be delivered to:  
 Azita Dashtaki Dotiwala  
 Campus Planner  
 777 Glades Road  
 CO Bldg. 69, room 111  
 Boca Raton, FL 33431

The “Florida Atlantic University Professional Qualifications Services” (FAUPQS), which includes project information and selection criteria, may be obtained at: <http://www.fau.edu/facilities/avp/AE-CM-advertise-home.php>.

Submittals must be received in the Office of Facilities Management at 777 Glades Road CO Bldg. 69 Room 111 Boca Raton, FL 33431 by **4:00 p.m. local time on Tuesday, September 27, 2016**. Facsimile (FAX) submittals are not acceptable and will NOT be considered.

DEPARTMENT OF MILITARY AFFAIRS

215038 Boat Ramp Repairs

STATE OF FLORIDA, DEPT OF MILITARY AFFAIRS  
 PUBLIC ANNOUNCEMENT

Invitation to Bid

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General/Building Contractors (GC) for the following project located at Camp Blanding Joint Training Center, 5629 SR 16 West, Starke, Florida 32091

PROJECT NUMBER: 215038

PROJECT NAME: Boat Ramp Repairs

FOR COMPLETE INFORMATION AND SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM AT [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu) on or after August 25, 2016.

POINT OF CONTACT: DMA, CFMO Contracting Branch, (904)823-0255 or email: [ng.fl.flarng.list.ngfl-cfmo-contracting@mail.mil](mailto:ng.fl.flarng.list.ngfl-cfmo-contracting@mail.mil).

Section XII  
 Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Palm City Corporation, Inc., d/b/a Tropic Powersports for the establishment of SANY motorcycles

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 Alliance-Sym, Inc., intends to allow the establishment of Palm City Corporation, Inc., d/b/a Tropic Powersports as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co., Ltd. (line-make SANY) at 3462 Fowler Street, Fort Myers, (Lee County), Florida 33901, on or after September 26, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Palm City Corporation, Inc., d/b/a Tropic Powersports are dealer operator(s): Jimmy Wilson, 3462 Fowler Street, Fort Myers, Florida 33901; principal investor(s): Jimmy Wilson, 3462 Fowler Street, Fort Myers, Florida 33901.

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 US Mail to: Gene Chang, Alliance-Sym, Inc., 3788 Milliken Avenue, Suite C, Mira Loma, California 91752.

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.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Wild Hogs Scooters and Motorsports, LLC lot 5 for the establishment of TMEC motorcycles

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 X Power Motorsports, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports LLC, as a dealership for the sale of motorcycles manufactured by Wuxi

Tmec Power Technology Co., Ltd. (line-make TMEC) at 1431 South Woodland Boulevard, Deland, (Volusia County) Florida 32720, on or after September 26, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports LLC, are dealer operator(s): Jeffrey Rupp, 1431 South Woodland Boulevard, Deland, Florida 32720; principal investor(s): Jonnie Rupp, 1431 South Woodland Boulevard, Deland, Florida 32720, Jason Rupp, 1431 South Woodland Boulevard, Deland, Florida 32720.

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 US Mail to: Ronald Ho, X Power Motorsports, Inc., 1715 Lakes Parkway, Lawrenceville, Georgia 30043.

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.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-125

In re: A LAND DEVELOPMENT REGULATION ADOPTED BY CITY OF APALACHICOLA, ORDINANCE NO. 2011-01

FINAL ORDER

APPROVING APALACHICOLA ORDINANCE NO. 2011-01

The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0555(9), Florida Statutes, approving land development regulations adopted by the City of Apalachicola, Ordinance No. 2011-01 (the "Ordinance").

FINDINGS OF FACT



1. The Apalachicola Bay Area is designated by section 380.0555, Florida Statutes, as an area of critical state concern. The City is within the Apalachicola Bay Area.

2. The Ordinance was adopted by the City, on February 8, 2011, and rendered to the Department on October 16, 2015.

3. The Ordinance amends the City’s Land Development Regulations to establish parameters and requirements for the protection of native patriarch trees.

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. §§ 380.05(6) and 380.0555(9), Fla. Stat.

5. The City, is a local government within the Apalachicola Bay Area of Critical State Concern. § 380.0555, Fla. Stat.

6. The Ordinance is consistent with the City’s Comprehensive Plan as required by section 163.3177(1), Florida Statutes, generally, and specifically Coastal Management Element Objective 2, Policy 2.8, Policy 13.4; and Conservation Element Policy 5.4 and Objective 8.

7. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.

8. 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. §§ 380.05(6) and 380.0555(9), Fla. Stat. The Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern are set forth in section 380.0555(7), Florida Statutes.

9. The Ordinance is consistent with the Principles for Guiding Development in section 380.0555(7), Florida Statutes, as a whole, and is specifically consistent with the following Principle:

(a) Land development shall be guided so that the basic functions and productivity of the Apalachicola Bay Area’s natural land and water systems will be conserved to reduce or avoid health, safety, and economic problems for present and future residents of the Apalachicola Bay Area.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Apalachicola Ordinance No. 2011-01 is consistent with the City of Apalachicola’s Comprehensive Plan and the Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

Taylor Teepell, Director  
Division of Community Development  
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.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

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 following persons by the methods indicated this 23<sup>rd</sup> day of August, 2016.

/s/

Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified U.S. Mail:

The Honorable Van W. Johnson, Sr., Mayor  
Recreation & Community Service Complex  
192 Coach Wagoner Boulevard, Suite 1  
Apalachicola, Florida 32320

Deborah Guillotte, City Clerk  
Apalachicola City Hall  
1 Avenue E.  
Apalachicola, Florida 32320

Cindy Clark, City Planner  
Apalachicola City Hall  
1 Avenue E.  
Apalachicola, Florida 32320

Lee Mathes, City Administrator  
Apalachicola City Hall  
1 Avenue E.  
Apalachicola, Florida 32320

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-16-124  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY CITY OF APALACHICOLA,  
ORDINANCE NO. 2013-03

FINAL ORDER  
APPROVING APALACHICOLA ORDINANCE NO. 2013-03

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0555(9), Florida Statutes, approving land development regulations adopted by the City of Apalachicola, Ordinance No. 2013-03 (the “Ordinance”).

FINDINGS OF FACT

1. The Apalachicola Bay Area is designated by section 380.0555, Florida Statutes, as an area of critical state concern. The City is within the Apalachicola Bay Area.
2. The Ordinance was adopted by the City, on August 6, 2013, and rendered to the Department on October 16, 2015.
3. The Ordinance amends the City’s Land Development Regulations to establish specific development stands for the City’s historic district.

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. §§ 380.05(6) and 380.0555(9), Fla. Stat.

5. The City, is a local government within the Apalachicola Bay Area of Critical State Concern. § 380.0555, Fla. Stat.

6. The Ordinance is consistent with the City’s Comprehensive Plan generally, and specifically Future Land Use Element Policy 2.1, Policy 4.2, and Policy 4.5; and Housing Element Objective 1 and Objective 7 as required by section 163.3177(1), Florida Statutes.

7. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.

8. 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. §§ 380.05(6) and 380.0555(9), Fla. Stat. The Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern are set forth in section 380.0555(7), Florida Statutes.

9. The Ordinance is consistent with the Principles for Guiding Development in section 380.0555(7), Florida Statutes, as a whole, and is specifically consistent with the following Principles:

(a) Land development shall be guided so that the basic functions and productivity of the Apalachicola Bay Area’s natural land and water systems will be conserved to reduce or avoid health, safety, and economic problems for present and future residents of the Apalachicola Bay Area.

(b) Land development shall be consistent with a safe environment, adequate community facilities, a superior quality of life, and a desire to minimize environmental hazards.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Apalachicola Ordinance No. 2013-03 is consistent with the City of Apalachicola’s Comprehensive Plan and the Principles for Guiding Development for the Apalachicola Bay Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ \_\_\_\_\_  
Taylor Teepell, Director  
Division of Community Development  
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.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX 850-921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

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 following persons by the methods indicated this 23rd day of August, 2016.

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

By Certified U.S. Mail:

The Honorable Van W. Johnson, Sr., Mayor  
Recreation & Community Service Complex  
192 Coach Wagoner Boulevard, Suite 1  
Apalachicola, Florida 32320

Deborah Guillotte, City Clerk  
Apalachicola City Hall  
1 Avenue E.

Apalachicola, Florida 32320

Cindy Clark, City Planner  
Apalachicola City Hall  
1 Avenue E.  
Apalachicola, Florida 32320

Lee Mathes, City Administrator  
Apalachicola City Hall  
1 Avenue E.  
Apalachicola, Florida 32320

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TOTAL CONSTRUCTION OF NORTHWEST FLORIDA, INC.

Total Construction of Northwest Florida,  
Legal Notice of Completion of Juvenile Justice Restroom  
Addition and Renovations

Notice is hereby given that the undersigned Contractor has completed and has ready for acceptance by the Board of County Commissioners of Escambia County, Florida, the following construction project:

Juvenile Justice Restroom Addition and Renovations  
1800 St. Mary's Ave., Pensacola, FL 32501

Total Construction of Northwest Florida, Inc.  
6771 N Palafox St, Pensacola, FL 32503

Subcontractors, material men, and other persons having payment claims against the Contractor relating to this project should govern themselves accordingly.

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Section XIII  
Index to Rules Filed During Preceding  
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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