

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BANKING AND FINANCE

Division of Accounting and Auditing

RULE TITLE: Consolidated Equipment Financing Program
RULE NO.: 3A-3.001
PURPOSE AND EFFECT: To incorporate changes that have been made to the Checklist for Requesting Comptroller's Approval to Installment Purchase Equipment through the Consolidated Equipment Financing Program.
SUBJECT AREA TO BE ADDRESSED: Checklist for Requesting Comptroller's Approval to Installment Purchase Equipment through the Consolidated Equipment Financing Program.
SPECIFIC AUTHORITY: 17.29, 287.064(8) FS.
LAW IMPLEMENTED: 287.063, 287.064 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 10:00 a.m., July 12, 1999
PLACE: Room 414, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jack Peterson, Financial Administrator, Bureau of Accounting, Room 414, Fletcher Building, Tallahassee, Florida, (850)410-2434

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 3A-3.001 Consolidated Equipment Financing Program.
(1) No change.
(2)(a) An agency which desires to make deferred payment purchases shall make a written request to participate in the Program or a written request for exemption from the Program. An agency which desires to refinance existing deferred payment purchases may make a written request to participate in the Program. An agency requesting permission to participate in the Program must submit to the Comptroller for preaudit review and approval the following:
1. A completed and executed Checklist for Requesting Comptroller's Approval to Installment Purchase Equipment through the Consolidated Equipment Financing Program, revised 5/99 4/96. The form is hereby incorporated by reference and is available from the Division of Accounting and Auditing, Bureau of Accounting, 101 E. Gaines Street, Fletcher Building, Suite 414, Tallahassee, Florida 32399-0350.
2. through (8)(e) No change.

Specific Authority 17.29, 287.064(8) FS. Law Implemented 287.063, 287.064 FS. History--New 9-10-86, Amended 12-20-94, 5-12-97, 1-27-98,

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

RULE TITLE: Proof of Entitlement to Unclaimed Property
RULE NO.: 3D-20.0022
PURPOSE AND EFFECT: The purpose of the proposed amendments is to clarify what documents should be submitted to the Department when submitting claims for unclaimed property pursuant to Chapter 717, F.S.
SUBJECT AREA TO BE ADDRESSED: Proof of entitlement to unclaimed property.
SPECIFIC AUTHORITY: 717.138 FS.
LAW IMPLEMENTED: 92.525, 717.124, 717.1243, 717.126 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 10:00 a.m., July 19, 1999
PLACE: Room 330, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Peter DeVries, Chief, Unclaimed Property Section, Room 326, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9544

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 3D-20.0022 follows. See Florida Administrative Code for present text.)

- 3D-20.0022 Proof of Entitlement to Unclaimed Property.
(1) Burden of Proof. Each claimant submitting a claim for unclaimed property has the burden to provide the Department with a preponderance of evidence to prove a legal or equitable entitlement to such property. In addition to any statutory requirements and the requirements of Rule 3D-20.0021, F.A.C., each claimant filing a claim to unclaimed property shall provide the following:
(2) Form of Identification. Each claimant shall provide the Department with a copy of a current driver license showing their name and present address. If a current driver license is not available, the claimant shall provide a copy of another form of official identification showing the full name and current address of such person. This subsection does not apply to an attorney or private investigator acting on behalf of the claimant.
(3) Claims on Behalf of Deceased Apparent Owners. A claimant filing a claim for unclaimed property as an heir or as the personal representative of a deceased apparent owner's

estate shall provide an authenticated copy of the deceased apparent owner's death certificate issued by an official or agency of the place where the death occurred.

(a) Claims for Estate Property Having an Aggregate Value of \$1,000 or Less and Estate not Probated.

1. If the apparent owner died testate, the claimant shall provide a certified copy of the will and an executed Estate Affidavit, Form DBF-AP-1243 (effective 1-18-99), which is hereby incorporated by reference and available from the Department of Banking and Finance, Division of Finance, Room 330, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, Telephone 1(888)258-2253.

2. If the apparent owner died intestate, the claimant shall provide a completed Estate Affidavit, Form DBF-AP-1243.

(b) All claimants to property which does not meet the requirements of paragraph (3)(a) above must provide the Department with Letters of Administration if the estate is pending or a probate court order of discharge if the estate is closed.

(c) Open Probate Estates - Claims by Personal Representatives.

1. The personal representative shall provide authenticated Letters of Administration showing the personal representative's right to act on behalf of the estate of the apparent owner.

2. The personal representative shall also provide an original, executed affidavit in the following form:

AFFIDAVIT

STATE OF \_\_\_\_\_ )
COUNTY OF \_\_\_\_\_ )

After being duly sworn, the affiant states as follows:

1. My name is \_\_\_\_\_. I have personal knowledge of the matters set forth herein.

2. I am the personal representative or the co-personal representative of the Estate of \_\_\_\_\_.

3. The Probate of the estate is presently pending the \_\_\_\_\_ Court in and for \_\_\_\_\_ County, State of \_\_\_\_\_. The address, area code and telephone number of the Clerk of the Court in this matter is \_\_\_\_\_.

4. Select one of the following:

a. As personal representative of the estate, I am authorized to file a claim for unclaimed property on behalf of the estate.

b. As co-personal representative of the estate, I am authorized to file a claim for unclaimed property on behalf of the estate. It is not necessary that the other co-personal representative of the estate join in this claim.

c. As co-personal representative of the estate, I am authorized to file a joint claim for unclaimed property on behalf of the estate with the other co-personal representative of

the estate. The name, address and telephone number of the other co-personal representative of the estate is \_\_\_\_\_.

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature of Affiant

Date

Printed Name of Affiant

Street Address

City, State and Zip Code

Telephone Number

(d) Closed Probate Estate - Claims by Heirs. The heir or heirs shall provide authenticated court documents such as the petition for discharge or report of distribution which identify the heir or heirs together with their relative interests in the estate of the deceased apparent owner.

(e) If the estate has been or is being probated in another jurisdiction in a procedure where there is no court order, the claimant shall file with the Department probate documents which identify the heirs, and shall, upon request of the Department, provide the name, address and telephone number of a court or other government official who is able to answer questions about the probate procedures of that jurisdiction.

(4) Unclaimed Business Accounts.

(a) If the unclaimed business account belongs to an active proprietorship or partnership, the claimant shall provide:

1. Documents which indicate that the apparent owner is the same proprietorship or partnership as shown on the Department's records;

2. Documents which reflect the claimant's authorization to file a claim on behalf of the proprietorship or partnership.

(b) If the unclaimed business account belongs to an active corporation, the claimant shall provide:

1. Documentation from the state of incorporation which identify the officers and directors of the corporation;

2. Documents which reflect that the apparent owner is the same corporation as shown on the Department's records;

3. Documentation reflecting the claimant's right to act on behalf of the business.

(c) If the unclaimed business account belongs to a dissolved corporation or partnership, the claimant shall provide:

1. Documents from the state of incorporation showing the date of dissolution;

2. Documentation showing that the apparent owner is the same corporation or partnership as shown on the Department's records;

3. Documents showing entitlement to all or a proportional share of the dissolved corporation or partnership if the claim is filed by, or on behalf of, a shareholder of a dissolved corporation or a partner of a dissolved partnership.

4. Documentation reflecting the claimant's right to act on behalf of the business.

5. A completed United States Bankruptcy Court Application for Search of Bankruptcy Records.

6. If the bankruptcy search is negative, the officer, shareholder or partner making the claim shall file an executed and completed affidavit which states:

AFFIDAVIT

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

After being duly sworn, the affiant states as follows:

1. My name is \_\_\_\_\_ . I have personal knowledge of the matters set forth herein.

2. I am an officer, shareholder or partner of \_\_\_\_\_ ("Account Owner").

3. The account owner is not now nor has it ever been a debtor in bankruptcy.

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Affiant

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State and Zip Code

\_\_\_\_\_  
Telephone Number

Specific Authority 717.138 FS. Law Implemented 92.525, 717.124, 717.1243, 717.126 FS. History--New 3-20-91, Amended 3-13-96, 8-18-96, 1-28-97, 1-18-99, \_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER TITLE:                      RULE CHAPTER NO.:  
Incorporation by Reference                      14-15

RULE TITLE:                                      RULE NO.:  
Manual of Uniform Minimum Standards

for Design, Construction and Maintenance  
for Streets and Highways                      14-15.002

PURPOSE AND EFFECT: The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, commonly referred to as "the Green Book," is being revised.

SUBJECT AREA TO BE ADDRESSED: The rule adopts the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, commonly referred to as "the Green Book." Because the manual has been revised, that revised edition has to be incorporated by reference.

SPECIFIC AUTHORITY: 334.044(2), 336.045(1) FS.

LAW IMPLEMENTED: 336.045 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Administrative and Management Support, Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.002 Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways.

The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways "~~Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways~~", 1999 ~~1989~~ edition, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. Copies of this Department manual and any amendments thereto are available from the Department of Transportation, Maps and Publications Sales, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450, at no more than cost pursuant to 120.53(2)(a), Florida Statutes.

Specific Authority 334.044(2), 336.045(1) FS. Law Implemented ~~120.53(2)~~, 336.045 FS. History--New 1-22-76, Amended 7-13-81, 6-24-84, Formerly 14-15.02, Amended 8-25-86, 11-29-89, \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE:                                      RULE NO.:  
Medicaid County Health Department

Certified Match Program                      59G-4.058

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid County Health Department Certified Match Program Coverage and Limitations Handbook, July 1998. The effect will be to promulgate a rule for the Florida Medicaid County Health Department Certified Match program.

SUBJECT AREA TO BE ADDRESSED: Medicaid County Health Department Certified Match Program.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 381.0056, 381.0057, 409.905, 409.908, 409.9122 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

TIME AND DATE: 9:00 a.m., July 12, 1999

PLACE: Ft. Knox Office Complex, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ward Peck, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7307 or SC 292-7307

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.058 Medicaid County Health Department Certified Match Program.

(1) This rule applies to all county health departments enrolled in the Medicaid County Health Department Certified Match Program, as described in 409.9122.

(2) All county health department providers enrolled in Medicaid under the County Health Department Certified Match Program must comply with the Florida Medicaid County Health Department Certified Match Program Coverage and Limitations Handbook, July 1998, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and EPSDT 221, which is incorporated by reference, in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 381.0056, 381.0057, 409.905, 409.908, 409.9122 FS. History—New

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Provider Enrollment  
 RULE NO.: 59G-5.010

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the revised Florida Medicaid Provider Enrollment Application, July 1999. The application was revised to change all the references from Unisys, Inc. to Consultec, Inc. in preparation for Consultec's takeover as the new Medicaid fiscal agent on July 1, 1999. In addition, the revised application contains the following policy corrections and changes:

1. We added the enrollment policy for providers with multiple office locations.
2. We added the policy that out-of-state independent laboratories that are licensed in Florida may enroll as in-state providers.

3. We added the policy that Community Mental Health Providers and Specialized Therapeutic Foster Care Providers to the list of providers who can use the one page Application for New Location Code.

4. We corrected the surety bond policy to read that "One bond is required for each provider location up to five (5) bonds or an aggregate amount of \$250,000 per geographical area." The current Application says that Home Health Agencies are required to have a bond for every location.

5. We included a revised Electronic Claims Submission Agreement.

SUBJECT AREA TO BE ADDRESSED: Medicaid provider enrollment.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.907, 409.908 FS.

IF REQUESTED IN WRITING BY AN AFFECTED PERSON AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 12:00 p.m., Monday, July 12, 1999

PLACE: 2728 Ft. Knox Blvd., Bldg. 3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Girard, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7344

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.010 Provider Enrollment.

(1) Unless otherwise specified in 59G-4, F.A.C., all providers and billing agents are required to enroll in the Medicaid program and submit a completed Florida Medicaid Provider Enrollment Application, AHCA Form 2200-0003 (July 1999) ~~November 1998~~ which is available from the fiscal agent and incorporated in this rule by reference.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.907, 409.908 FS. History—New 9-22-93, Formerly 10P-5.010, Amended 7-8-97, 9-8-98,

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE TITLE: Special Assessment Fee  
 RULE NO.: 61G5-24.020

PURPOSE AND EFFECT: The proposed rule will establish a special assessment to be paid by all licensees.

SUBJECT AREA TO BE ADDRESSED: Special Assessment Fee.

SPECIFIC AUTHORITY: 455.219(2), 477.016 FS.

LAW IMPLEMENTED: 455.219(2) FS.



THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-14.0015 Notice to the Department of Mailing Address and Place of Practice of Licensee.

Each licensee shall provide by certified mail written notification to the department of the licensee's current mailing address and place of practice. The term "place of practice" means the primary physical location where the osteopathic physician practices the profession of osteopathic medicine.

Specific Authority ~~455.711 FS, 94-119, Laws of Florida~~ Law Implemented ~~455.711 FS, 94-119, Laws of Florida~~ History-New 12-26-94, Formerly 59W-14.0015, Amended

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE TITLES: RULE NOS.:

Fees 64E-3.001

Continuing Education Requirements 64E-3.008

PURPOSE AND EFFECT: The purpose and effect of these proposed rules is to collect from radiologic technologist applicants the actual cost of the examination charged by the testing organization and to establish certificate expiration dates corresponding to the last day of the certificate holder's birth month.

SUBJECT AREA TO BE ADDRESSED: Certification of radiologic technologists.

SPECIFIC AUTHORITY: 468.303, 468.3065, 468.309(1),(2),(3) FS.

LAW IMPLEMENTED: 468.304, 468.306, 468.3065, 468.309, 468.3095 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., July 13, 1999

PLACE: Room 290, Oakland Building, 2009 Apalachee Parkway, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William A. Passetti, Chief, Bureau of Radiation Control, (850)487-1004

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

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Physically Drug Dependent Newborns, Substance Exposed Children, Children Adversely Affected by Alcohol, and the Families of These Children 64F-4

RULE TITLES: RULE NOS.:

Definitions 64F-4.001

Reducing the Impact of Prenatal Substance Abuse 64F-4.002

Reporting Requirements for Physically Drug Dependent Newborns, Substance Exposed Children, and Children Adversely Affected by Parental Alcohol Abuse 64F-4.003

Acceptance of Reports for Investigation and Abuse Registry Responsibility for Initiating Investigations 64F-4.004

Requirements for Notification of the State Attorney and Law Enforcement Officials 64F-4.005

District Responsibilities for Interprogram Coordination of the Investigation and Other Services Provided to Substance Exposed Children and Their Families 64F-4.006

Abuse Registry Staff Responsibilities 64F-4.007

C&F Responsibilities 64F-4.008

CHD Responsibilities 64F-4.009

Responsibilities of the Licensed Substance Abuse Treatment Providers and the Women's Intervention Specialists 64F-4.010

PURPOSE AND EFFECT: Repeal rules that lack specific statutory authority and amend rules to comply with current statutory language and other rules.

SUBJECT AREA TO BE ADDRESSED: Responsibilities for services for families including substance exposed children.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 120.535, 383.011, 383.011(2), 383.14, 39.201, 383.216(10) FS.

LAW IMPLEMENTED: 39.408, 381.001, 393.068, Chapter 39, 381.0011, 383.011, 397.406, 893.03, 383.14, 39.395, 39.401(2)(a), 39.201 FS.

ANYONE WISHING TO PROVIDE INPUT MAY ATTEND A RULE DEVELOPMENT WORKSHOP, WHICH WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., July 15, 1999

PLACE: Building 5, Room 406, 1317 Winewood Boulevard, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Trish Mann, Division of Family Health Services, 2020 Capital Circle, S. E., Bin #A-13, Tallahassee, FL 32399-0700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-4.001 Definitions.

~~For the purpose of this rule chapter, the following definitions will apply:~~

(1) "Abuse ~~hotline registry~~" means Florida's central abuse hotline and tracking system established and maintained by the department to receive all reports of child abuse and neglect made pursuant to ~~Chapter 39 ss. 415.502-415.514~~, F.S.

(2) "Care coordination" means the linking of ~~county health department (CHD) and other~~ health, social, and economic services to improve access to and continued participation in comprehensive prenatal and infant health care.

(3) "Client Information System" means the automated, department-wide information system ~~that which~~ supports the planning, budgeting, management, administration, and delivery of services.

(4) "Department" means State of Florida Department of Health.

(5) "Health care provider" means physicians, physician's assistants, certified nurse midwives, licensed midwives, advanced registered nurse practitioners, and other health care professionals who are licensed in the state of Florida pursuant to Chapters 458 or 459, F.S., or Chapters 464 or 467, F.S., and are actively providing prenatal, intrapartal, or pediatric care.

~~(6) "Physically drug dependent newborn" means an infant age birth to 28 days who has been exposed prenatally to a Schedule I or II drug as defined in s. 893.03, F.S., has the presence of a Schedule I or II drug in his or her system, and exhibits symptoms of withdrawal from the drug.~~

~~(7) "Reasonable cause to suspect" means there are sufficient grounds to make a rational person think that harm is likely to happen to a child because of abuse or neglect, or that an existing injury was the result of abuse or neglect.~~

~~(6)(8)~~ "Service provider" means the primary service provider in a program providing social, or medical, substance abuse, or mental health treatment services to the client and family.

~~(7)(9)~~ "Schedule I and II drugs" means any of the Schedule I or II drugs listed in s. 893.03, F.S. This rule does not apply to those controlled substances administered in conjunction with medically approved treatment procedures or administered in conjunction with a detoxification program as defined in s. 397.021, F.S.

~~(8)(40)~~ "Substance exposed child" means a child from birth to ~~eighteen~~ five years who has been exposed prenatally to a Schedule I or II drug as defined in 64F-4.001(9), F.A.C., or a child exhibiting abnormal growth, abnormal neurological patterns, abnormal behavior, or abnormal cognitive development, whose parents, adult household members, or other persons responsible for the child's welfare exhibit continued chronic and severe use of a Schedule I or II drug.

~~(9)(44)~~ "Women's Intervention Specialists (WIS)" are employees hired by drug treatment providers licensed by the Alcohol ~~and~~ Drug Abuse, ~~and~~ Mental Health ~~P~~rogram ~~O~~ffice (~~SAPO ADM~~) of the Department of Children and Families who provide community education, outreach, and assessment to assist women's enrollment into alcohol and other drug treatment, aftercare services, and any other needed support services.

Specific Authority 383.011(2), ~~397.406, 415.514~~ FS. Law Implemented Chapter 39, ~~Part III~~, 381.0011, 383.011, 397.406, ~~415.502-415.514~~, 893.03 FS. History—New 11-30-93, Amended 5-8-96, Formerly 10D-115.002, Amended.

64F-4.002 Reducing the Impact of Prenatal Substance Abuse.

(1) Health care providers employed by the department or with whom the department contracts for services will ensure that all women of childbearing age who receive services are given information about the adverse effects of prenatal exposure to alcohol and drug use, will review with the women their history of alcohol and other drug use, and will refer for treatment as the professional determines.

(2) Any health care provider employed by the department or with whom the department contracts for services or any departmental staff who identifies that a pregnant woman is abusing alcohol or other drugs will, with the client's consent, refer the client to notify:

(a) The WIS or other substance abuse treatment provider, as designated by the district ~~SAPO ADM program~~, for outreach and referral to a substance abuse treatment program ~~with the releases of information signed; and~~

(b) Healthy Start for care coordination services ~~The local CHD for outreach and care coordination;~~ and

(3) During every prenatal visit with a woman identified as using alcohol or other drugs, all health care providers who are employed by the department or with whom the department contracts for services shall:

(a) Assess and document the woman's current alcohol and other Schedule I – IV drug use pattern;

(b) Document whether the woman is receiving substance abuse treatment; and

(c) Reinforce the information previously given about the adverse affects of alcohol and other drugs, and support positive steps toward abstinence.

~~(4) Substance abuse treatment providers receiving state or federal funds will give assessment and treatment priority to alcohol and other drug abusing pregnant women and to other women up to one year postpartum.~~

~~(4)(5) All departmental health care providers employed by the department or with whom the department contracts for prenatal care providers will consider pregnant substance abusing women as high risk for poor birth outcomes and give them priority appointments for prenatal care and referral for Healthy Start care coordination.~~

Specific Authority 383.011 FS. Law Implemented 383.011, 383.14 FS. History--New 11-30-93, Formerly 10D-115.003, Amended.

64F-4.003 Reporting Requirements for Physically Drug Dependent Newborns, Substance Exposed Children, and Children Adversely Affected by Parental Alcohol Abuse.

(1) Hospitals and birthing centers will complete the Healthy Start Infant Risk Screening Instrument and will refer for Healthy Start care coordination all infants known to be substance exposed children.

~~(2)(4) Any person who knows, or has reasonable cause to suspect, that a newborn is physically drug dependent; or that a child, birth to five years of age, is a substance exposed child for whom there is a reasonable cause for concern that the parent or caregiver is unable to provide safe care for the child, must report such knowledge or suspicion to the abuse hotline registry as required by s. 39.201 415.504 (4), F.S. This report must conform to the criteria for accepting a report as listed in 64F 4.004, F.A.C. The Florida abuse hotline registry's statewide, toll free, telephone number is 1-800-96-ABUSE.~~

~~(3)(2) If there is knowledge or a reasonable cause to suspect that a parent, adult household member, or other person responsible for the child's welfare is dependent on alcohol and that dependence causes abuse, abandonment or neglect of the person to be unable to care for the child, a report of neglect or harm will be made to the abuse hotline registry. The reporter must describe specific behaviors of the mother or other caregiver, whether repeated conduct or a single incident of carelessness, that could reasonably be expected to result in harm, or indicate the specific harm to the child.~~

~~(3) Reports by professionals, as listed in s. 415.504 (1), F.S., must be confirmed in writing to the local protective investigation office of the department within 48 hours of the oral report.~~

(4) If the circumstances are such or the condition of the child is such that, based on suspicion or knowledge, to release the child to the parent or legal custodian would present an imminent danger to the child, any person in charge of a

hospital or institution or any physician treating a child may hold the child in custody for up to 24 hours without parental consent as specified in s. ~~39.395 415.506~~, F.S. That person must immediately notify the abuse hotline registry, which will initiate an investigation and decision on custody of the child.

Specific Authority 120.535, 383.011, 383.14, 39.201 415.514 FS. Law Implemented 39.395, 39.401(2)(a), 383.011, 39.201 415.502 415.514 FS. History--New 11-30-93, Formerly 10D-115.004, Amended.

64F-4.004 Acceptance of Reports for Investigation and Abuse Registry Responsibility for Initiating Investigations.

Specific Authority 383.011, 415.514 FS. Law Implemented 383.011, 415.502 - 415.514 FS. History--New 11-30-93, Amended 5-8-96, Formerly 10D-115.005, Repealed.

64F-4.005 Requirements for Notification of the State Attorney and Law Enforcement Officials.

Specific Authority 415.514 FS. Law Implemented 415.503(9)(a)2., 415.505(1)(a) FS. History--New 11-30-93, Amended 5-8-96, Formerly 10D-115.006, Repealed.

64F-4.006 District Responsibilities for Interprogram Coordination of the Investigation and Other Services Provided to Substance Exposed Children and Their Families.

(1) The Healthy Start coalitions and the county health departments, in conjunction with the Department of Children and Families Each district administrators will ensure that a mechanism is developed to provide coordinated, transdisciplinary assessment investigation of and intervention for the health, safety, and service needs of women who abuse alcohol or other drugs prenatally, and of substance exposed children reported as abused, neglected, or threatened with harm based on parental abuse of alcohol, physical drug dependence, or substance exposure. The mechanism will include:

(a) Prompt information exchange among service providers working with the family including information relating to behaviors, medical or psychological conditions which would place a child or adult at risk or in danger, missed appointments, substance abuse, failure to follow through with planned services or agency or court ordered requirements. Notification of staff of C&F, CHD, and the WIS or licensed substance abuse treatment provider for the purpose of initiating the investigation, assessing the home situation, making emergency placement, or making service decisions as indicated below;

(b) Transdisciplinary assessment of the child, family, and home environment as outlined in 64F 4.008, 64F 4.009, and 64F 4.010, F.A.C.;

(c) Notification of the CHD of the discharge from the birthing facility hospital of a physically drug dependent newborn or substance exposed child; and

(d) Transdisciplinary, interagency communication with all service providers working with the family before reaching a placement decision.



(2) Healthy Start coalitions and the county health departments, in conjunction with Each district administrators will ensure that a mechanism is developed to provide service delivery across program lines which includes:

(a) Early identification and referral of substance abusing pregnant women to prenatal care and substance abuse treatment;

(b) Granting priority appointments for both prenatal services offered through CHDs and/or any health care provider with whom the department contracts for services ~~and for substance abuse treatment services provided by the department contracted facilities that serve women;~~

(c) Expediting the processing of requests for public assistance through Economic Services and requests for determination of Medicaid eligibility;

(d) Informing health care providers ~~employed by DOH or with whom DOH contracts for services~~ of their responsibilities relating to women who abuse alcohol and drugs during pregnancy;

(e) Informing hospitals, birthing centers, and health care providers about their responsibilities related to ~~physically drug dependent newborns~~, substance exposed children, and their families pursuant to these rules;

(f) Communicating the importance of requesting a signed release from the client for each health care, social service, or other treatment agency working with the child and mother, allowing agency staff to communicate, for purposes of care coordination, with other agencies working with the mother, the caregiver, or the child;

(g) Ensuring prompt information exchange among all service providers actively working with the client and family. This includes information related to:

1. Missed alcohol and other drug abuse treatment or health care appointments;
2. Positive drug toxicology laboratory reports;
3. Behaviors or conditions which would place the child in danger;
4. Other behaviors that indicate a failure to follow through with the family support plan, performance agreement or protective supervision case plans; and
5. Change of client address.

(h) Informing DOH staff, hospitals, birthing centers, and other health care providers of ways to refer people for substance abuse treatment;

(i) Developing an ongoing, coordinated assessment and case planning process that includes:

1. A single family support plan, developed in collaboration with the family, that delineates client and service provider responsibilities. A copy of the plan will be given to the family and each participating service provider;

2. Provision for ongoing case staffings which occur at a minimum of every six months for the purposes of coordinating service delivery, improving service provision, and updating the family support plan; and

3. Designation of a lead case manager.

(j) Ensuring that all opinions and assessments from service providers are part of the information presented to the court for purposes of disposition as required by s. 39.408, F.S.

(k) Ensuring that all current service providers communicate at least monthly about client status, or document their inability to communicate or the lack of need for communication in the client's clinical record.

~~(l) Compiling the county reports of substance exposed newborns referred to CHDs specified in the County Public Health Unit Guidebook, "Technical Assistance Guidelines, Child Health 1", April 1, 1993, published by the Florida Department of Health and Rehabilitative Services which is incorporated by reference, and sending that data to the State Health Office.~~

Specific Authority 120.535, ~~383.216(10)~~, ~~415.514~~ FS. Law Implemented 39.408, 381.001, 393.068, ~~415.502~~ - ~~415.514~~ FS. History-New 11-30-93, Formerly 10D-115.007, Amended.

64F-4.007 Abuse Registry Staff Responsibilities.

Specific Authority 383.011, 415.514 FS. Law Implemented 383.011, 393.068, 415.502 - 415.514 FS. History-New 11-30-93, Amended 5-8-96, Formerly 10D-115.008, Repealed.

64F-4.008 C&F Responsibilities.

Specific Authority 383.011, 415.514 FS. Law Implemented 39.408 (3)(a), 383.011, 393.068, 415.502 - 415.514 FS. History-New 11-30-93, Amended 5-8-96, Formerly 10D-115.009, Repealed.

64F-4.009 CHD Responsibilities.

Specific Authority 383.001, 397.406 FS. Law Implemented 383.001, 393.068, 397.406 FS. History-New 11-30-93, Amended 5-8-96, Formerly 10D-115.010, Repealed.

64F-4.010 Responsibilities of the Licensed Substance Abuse Treatment Providers and the Women's Intervention Specialists.

Specific Authority 396.062, 397.031(6) FS. Law Implemented 393.068, 396.052, 397.215(1) FS. History-New 11-30-93, Formerly 10D-115.011, Repealed.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE TITLES:	RULE NOS.:
Definitions	67-39.002
Feasibility Studies	67-39.003
Eligibility Criteria	67-39.004
Fees and Rates	67-39.005
Contractual Provisions	67-39.006
Reimbursable Costs	67-39.008
Program Documents	67-39.010
Guarantee Program	67-39.011
Guarantee Coverage	67-39.012
Guarantee Fund Payments	67-39.014
Audit Requirement	67-39.015

**PURPOSE AND EFFECT:** The purpose of Rule Chapter 67-39, Florida Administrative Code (F.A.C.), is to provide for the fees, rates, and contractual provisions for the issuance of an affordable housing guarantee, under the Florida Affordable Housing Guarantee Program.

**SUBJECT AREA TO BE ADDRESSED:** The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to administration of the Florida Affordable Housing Guarantee Program, as specified in Rule Chapter 67-39, F.A.C.

**SPECIFIC AUTHORITY:** 420.5092 FS.

**LAW IMPLEMENTED:** 420.5092 FS.

**RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**TIME AND DATE:** 10:00 p.m., July 12, 1999

**PLACE:** Florida Housing Finance Corporation, Sixth Floor Seltzer Room, 227 North Bronough Street, Tallahassee, FL 32301

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Gwen Lightfoot, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Linda Hawthorne at the above address. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

67-39.002 Definitions.

(1) "Act" means Section 420.5092 (Florida Affordable Housing Guarantee Program), Florida Statutes.

(2) "Affordable housing guarantee" means an obligation of the guarantee fund to guarantee the payment of an obligation made to finance or refinance the purchase, construction, or rehabilitation of eligible housing.

(3) Corporation "Agency" means the Florida Housing Finance Corporation Agency.

(4) "Eligible housing" means any real and personal property designed and intended for the primary purpose of providing decent, safe, and sanitary residential units for homeownership or rental for persons meeting the eligibility criteria as provided in this rule.

(5) "Eligible persons" means for those projects not subject to any other restriction applicable to other Corporation Agency-financed programs, one or more persons or a family, whose total annual adjusted household income is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the

metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

(6) "Feasibility study" means those studies performed pursuant to this rule.

(7) "Guarantee Fund" means the Affordable Housing Guarantee

Fund created and established with proceeds of revenue bonds issued by the Corporation Agency to implement the Florida Affordable Housing Guarantee Program.

(8) "Guarantee Fund reserve requirement" means the amount of assets, or their equivalent, of the Guarantee Fund determined by the Corporation Agency as necessary to maintain the claims paying ability of the Guarantee Fund. For these purposes, an asset equivalent may include, but is not limited to, a letter of credit, insurance policy, reinsurance treaty or policy, surety, guarantee or other security arrangement.

(9) "Obligee" means a qualified lending institution under a qualified obligation, and its successors and assigns approved by the Corporation Agency.

(10) "Obligor/principals" means the original borrower under a qualified obligation, and its successors and assigns approved by the Corporation Agency.

(11) "Qualified lending institution" means any bank, trust company, national bank, savings bank, state or federal savings and loan association, state or federal credit union, insurance company, private or public pension fund, philanthropic institution or any other entity approved by the Corporation Agency. The term "qualified lending institution" shall also include the Florida Housing Finance Corporation Agency. All qualified lending institutions must submit information, sufficient in detail to demonstrate the capacity to perform the functions and services necessary to adequately comply with the requirements contained in the guarantee documents. Information to be submitted must include a current ~~audited~~ financial statement; description detailing the institution's experience in originating and servicing affordable housing loans; and listing and qualifications of key personnel within the institution's affordable housing operation.

(12) "Qualified Obligation" means an obligation loan which is made or purchased by a qualified lending institution, deemed suitable for guarantee by the Corporation Agency and secured by one of the following: (i) a residential property, (ii) a residential property which is located within an eligible urban or rural area, (iii) a residential property which is located within an economic development or economic opportunity zone, (iv) a residential property which will provide affordable housing, (v) a residential property whose mortgage financing is to be provided by an entity created by local, state or federal legislation, (vi) a residential property that is being lease purchased or (vii) such other collateral as meets the requirements of the feasibility study.

(13) "Residential property" means any existing building, structure, unit thereof or unimproved real property, which is used or occupied, or is intended to be used or occupied, wholly or partly, as the home or residence of one or more persons, including use or intended use for assisted living, emergency, transitional or shelter housing, and housing for persons with special needs.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 4-5-93, Amended 2-16-94, 11-27-96,\_\_\_\_\_.

67-39.003 Feasibility Studies.

The Corporation Agency shall cause to be performed an affordable housing guarantee feasibility study prior to the issuance of any guarantee not contemplated by a previous feasibility study. Each such feasibility study shall be accepted by the governing board of the Corporation Agency prior to the issuance of the guarantee pursuant thereto. Such study shall determine the type of eligible housing for which a guarantee is required for the investment of private capital, the anticipated risk of default for classification of housing, and the level of fees, charges and reimbursement conditions necessary to establish a financially sound affordable housing guarantee program that exposes the funds deposited into the guarantee fund to a reasonable or acceptable level of risk.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 4-5-93, Amended 2-16-94, 12-26-95, 11-27-96,\_\_\_\_\_.

67-39.004 Eligibility Criteria.

In order to be eligible for an affordable housing guarantee issued by the Corporation Agency, the eligible housing must be a multi-family (5 or more dwelling units) housing development or single-family, owner-occupied housing which meets the eligibility criteria provided in the applicable feasibility study. In order for an obligation to be eligible for guarantee, the Corporation Agency must first find that:

(1) The property which is the security for such mortgage meets the requirements of the definition of a qualified obligation;

(2) The obligor/principals are is credit-worthy;

(3) The obligation is in such principal amount and form, and contains such terms and provisions with respect to property insurance, repairs, alterations, payment of taxes and assessments, delinquency charges, default remedies, additional security and other matters as the Corporation Agency, with the advice of counsel, shall determine and are considered customary in the industry, and

(4) The requirements of the Act are adequately met by the terms of the mortgage guarantee contract or other agreements.

(5) The obligation is made for a property that the qualified lending institution's funding is equal to or less than \$65,000 per unit, excluding raw land; and

(6) Previous qualified obligations issued for the obligor/principals are being paid in a satisfactory manner as to loan premium and fee payments and that all loan requirements of those obligations are being met by the obligor/principals.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 4-5-93, Amended 2-16-94, 12-26-95, 11-27-96,\_\_\_\_\_.

67-39.005 Fees and Rates.

For the issuance of an affordable housing guarantee, the Corporation Agency shall charge fees and rates as established in the applicable Feasibility Study to all applicants for a financially sound Affordable Housing Guarantee Program. A fee of not less than .1 percent (.0010) of the total proposed qualified mortgage amount shall be paid by the qualified lending institution at the time a multi-family loan or proposed loan is submitted to the Corporation Agency for consideration of an affordable housing guarantee. A fee of not less than .2 percent (.0020) of the total qualified multi-family mortgage amount shall be paid by the qualified lending institution at the time a Commitment to Guarantee is issued by the Corporation Agency.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 4-5-93, Amended 2-16-94, 12-26-95, 11-27-96,\_\_\_\_\_.

67-39.006 Contractual Provisions.

The Corporation Agency shall establish contractual provisions, which may include a right of foreclosure, to foster reimbursement of moneys paid pursuant to an affordable housing guarantee in the event of a covered default for which the qualified lending institution submits a claim for loss as defined in the guarantee program documents. A copy of the guarantee program documents is available from the Corporation Agency upon request.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 4-5-93, Amended 2-16-94, 12-26-95, 11-27-96,\_\_\_\_\_.

67-39.008 Reimbursable Costs.

All expenses, exclusive of Corporation Agency administrative costs, incurred in the course of processing a request for a guarantee, whether a guarantee is ever issued, shall be paid by the qualified lending institution.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 2-16-94, Amended 2-16-94, 12-26-95, 11-27-96,\_\_\_\_\_.

67-39.010 Program Documents.

The issuance of an affordable housing guarantee requires the generation of certain program documents; including, but not limited to:

(1) Master Guarantee Agreement with Qualified Lending Institution;

(2) Commitment and Certificate of Guarantee; and

(3) Additional Conditions to Commitment and Certificate of Guarantee.

The documents shall be binding and shall fully describe the responsibilities of and remedies available to the signing parties. The guarantee contract or other agreement issued by the Guarantee Fund shall establish the procedures to be followed by an obligee or other beneficiary of the guarantee in the event of a default under the terms of any guaranteed obligation. Prior to submitting a claim for payment, the obligee shall pursue such actions with respect to the pledged collateral as may be directed by the Corporation Agency from among the following: (i) becoming lawfully the obligee in possession thereof; (ii) causing a receiver to be appointed of such property; (iii) obtaining voluntary conveyance of the obligor/principals' right and title to such property; or (iv) obtaining by foreclosure clear and unencumbered title to such property. Such remedy shall be pursued in accordance with the directions provided by the Corporation Agency on the advice of counsel.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 2-16-94, Amended 11-27-96,\_\_\_\_\_.

67-39.011 Guarantee Program.

In order to implement the Guarantee Program the Corporation Agency will shall have the following powers:

(1) Upon Corporation Agency board approval, issue a commitment to guarantee any qualified obligation(s) or aggregate of qualified obligations, guarantee any qualified obligations or aggregate of qualified mortgage loans, enter into contracts, agreements or treaties of insurance regarding any qualified obligations or aggregate of qualified obligations, and provide the guarantee on terms that minimize the financial risk to the guarantee fund while making the project financially feasible;

(2) Guarantee and issue commitments to guarantee any part of the payments required on qualified obligations upon such terms and conditions as contained in the program documents required under Rule 67-39.010;

(3) Enter into commitments to guarantee, contracts to guarantee and reinsurance contracts regarding qualified obligations, and to fulfill its obligations and enforce its rights under any guarantee so furnished;

(4) Fix a premium charge for its guarantee of obligations in an amount to be determined in accordance with the applicable feasibility study and establish and levy such other charges and fees in connection with applications for guarantee, guarantee commitments, contracts of guarantee and as are necessary to recover authorized reimbursable expenses under the Act or feasibility study; such premium charges, other charges and fees shall be payable as incurred;

(5) Consent to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, security or any other term, of any obligation, the security for any obligation, contract or agreement of any kind which the Guarantee Fund has guaranteed or to which the Guarantee Fund is party;

(6) Foreclose any obligation in default or commence any action to protect or enforce any rights conferred upon the Corporation Agency and the Guarantee Fund, and to bid for and purchase such property at any foreclosure or at any other sale, or otherwise to acquire or take possession of any such property;

(7) Hold, manage, administer, lease or sell any property conveyed to or acquired by the Corporation Agency or the Guarantee Fund;

(8) Pay, pursue to final collection, compromise, waive or release any right, title, claim, lien or demand, however acquired, including any equity or right of redemption;

(9) Sell, at public or private sale, any mortgage, mortgage participation or other obligation held by the Corporation Agency or the Guarantee Fund;

(10) Procure insurance against any loss in connection with its property and other assets; and

(11) Establish such other contractual provisions as are necessary or incidental to the foregoing.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 2-16-94, Amended 12-26-95, 11-27-96,\_\_\_\_\_.

67-39.012 Guarantee Coverage.

(1) The guaranteed percentage of the outstanding principal indebtedness of an obligation or any aggregate of obligations authorized to be guaranteed under the Act may be only for such percentage that minimizes the financial risk to the Guarantee Fund while making the project financially feasible.

(2) An obligor/principals shall be, or by reason of an obligation guaranteed by the Guarantee Fund shall become, the owner or lessee of the property which secures the qualified obligation, and shall be able to bear the usual expenses of maintaining such structure and repay the obligation.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 2-16-94, Amended 11-27-96,\_\_\_\_\_.

67-39.014 Guarantee Fund Payments.

(1) The Guarantee Fund shall be maintained for the benefit of the qualified lending institutions whose qualified obligations are guaranteed under the Act. Amounts in the Guarantee Fund shall be used in accordance with the Act to satisfy any valid claim payable therefrom.

(2) Payments pursuant to contracts of guarantee and reinsurance may be made in a lump sum, or in partial payments made within such period of time as may be agreed to by the Corporation Agency and the qualified lending institution. Such payments by the Corporation Agency shall be payable solely and only from the Guarantee Fund. The Agency Corporation shall not guarantee or issue a commitment to guarantee a qualified obligation if the balance of the Guarantee Fund is less than the guarantee fund reserve requirement.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 2-16-94, Amended 11-27-96,\_\_\_\_\_.

67-39.015 Audit Requirement.

At least once in each fiscal year the Guarantee Fund shall be examined for the purposes of auditing the Guarantee Fund's financial condition and determining the soundness of its management and operating policies. The Guarantee Fund shall pay the cost of each such examination. Copies of each report, including the findings, conclusions and recommendations, shall be furnished to the Corporation Agency.

Specific Authority 420.5092(4) FS. Law Implemented 420.5092 FS. History--New 2-16-94, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: David Woodward, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Susan J. Leigh, Chief Executive Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 1999, Corporation Board Meeting

DATE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 25, No. 12, March 26, 1999

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Linda Hawthorne at the above address. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

SUMMARY: These rules provide guidance for the purpose of preparing meeting agendas, establishing a fiscal year, financing an annual budget, selecting officers, establishing committees, employing staff and preparing plans and reports in support of the operation of the regional planning council. The organizational guidelines are being updated as replacements for those of Chapter 29F-1 that are currently being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 186.505 FS.

LAW IMPLEMENTED: 186.505 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., Monday, July 19, 1999

PLACE: East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, Florida 32789

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sandra S. Glenn, Executive Director, East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, Florida 32789

THE FULL TEXT OF THE PROPOSED RULES IS:

29F-1.101 Organization.

There is hereby organized a regional planning council under the authority of Chapter 186, Florida Statutes, which shall be known as the EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL, located in Comprehensive Planning District Six, consisting of the counties of Brevard, Lake, Orange, Osceola, Seminole and Volusia. Council headquarters shall be in a central location as determined by a majority vote of the Council. Field offices may be maintained at other locations.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History--New

29F-1.102 Purpose.

(1) To exercise the rights, duties, and powers of a regional planning council as defined in Chapter 186 and Section 403.723, Florida Statutes, and of a regional planning agency as defined in Chapter 23, Section 403.723, and Chapter 380, Florida Statutes, as amended, including those functions enumerated by legislative finding and declarations of Chapter 186, Florida Statutes, and other applicable federal, State and local laws.

(2) To provide regional coordination for the local governments in the East Central Florida Region.

(3) To exchange, interchange, and review the various programs referred to it that are of regional concern.

Section II Proposed Rules

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

Table with 2 columns: RULE TITLES and RULE NOS. Rows include Organization (29F-1.101), Purpose (29F-1.102), Definitions (29F-1.103), Council Meeting Agenda (29F-1.106), Finances (29F-1.107), Officers, Term of Office and Duties (29F-1.108), Vacancies (29F-1.109), Removal from Office (29F-1.110), Committees (29F-1.111), Staff (29F-1.112), Plans, Studies, Activities, and Reports (29F-1.113), Dissolution (29F-1.114), Information Request (29F-1.115)

PURPOSE AND EFFECT: These rules will provide guidance for the organization and internal operation of the regional planning council.

(4) To promote communication among local governments, public agencies and the private and nonprofit sectors in the Region.

(5) To identify regional problems and issues and work toward their resolution.

(6) To ensure the orderly and balanced growth and development of this Region, consistent with the protection of the natural resources and environment of the Region, and to promote safety, welfare and quality of life of the residents of the Region.

(7) To encourage and promote communications between neighboring regional planning districts in an attempt to ensure compatibility in development and long-range planning goals.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History—New

29F-1.103 Definitions.

(1) Council – the East Central Florida Regional Planning Council.

(2) Council Member(s) – representatives appointed by the Governor or by a member local government or League of Cities.

(3) Elected official – a member of the governing body of a municipality or county or a county elected official chosen by the governing body.

(4) Department – the Florida Department of Community Affairs.

(5) Federal or federal government – the government of the United States of America or any department, commission, agency or instrumentality thereof.

(6) Local general-purpose government – any municipality or county created pursuant to the authority granted under Section 1 and 2, Article VIII of the Constitution for the State of Florida.

(7) Member government – any county or any association representing a group of municipalities located within the Region.

(8) Population – the population according to the current determination by the executive office of the Governor pursuant to Section 186.901, F.S., for revenue sharing purposes.

(9) Principal member unit – each of the counties in the Region.

(10) Region or East Central Florida Region – the geographical area, including both land and water, within or adjacent to the counties of Brevard, Lake, Orange, Osceola, Seminole and Volusia.

(11) State or State government – the government of the State of Florida, or any department, commission, agency or instrumentality thereof.

(12) Strategic regional policy plan – a long-range guide for physical, economic and social development of the Region that identifies regional goals, objectives and policies.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History—New

29F-1.106 Council Meeting Agenda.

(1) For each Council meeting the Agenda shall be set in the following manner:

(a) The Agenda shall be set ten (10) days prior to each meeting.

(b) The Executive Director shall be responsible for setting the Agenda. In fulfilling this responsibility, the Executive Director may consult with the Chairperson. All items requested by the Chairperson shall be placed on the Agenda.

(c) Any additions, modifications or deletions to the Agenda subsequent to it being set shall be in accordance with the provisions of Chapter 120, Florida Statutes. In particular, such additions, modifications or deletions must be determined to be of a critical or emergency nature. Items to be included within the scope of a critical or emergency nature could be items that would require Council action prior to a subsequent regularly scheduled meeting at which time the item could be considered, and that by delaying consideration the purpose of the Council would not be reasonably achieved.

(d) The Agenda shall be considered by the Council at the beginning of each meeting and shall be accepted, or modified and accepted, in accordance with paragraph (c) of this section.

(2) Any person, individual, or organization may request that an item be placed on the Agenda. All requests shall be considered in the following manner:

(a) All requests for placing an item on the Agenda, except those made by the Chairperson, shall be made in writing to the Executive Director stating the following:

1. The subject matter to be considered;
2. The purpose in making the request;
3. The action requested of the Council, if any;

4. The meeting date at which the item would be considered, indicating the reason, if any, for requesting the date.

(b) The item requested shall be placed on the Agenda of the next regularly scheduled meeting, provided that:

1. The request is received a minimum of fourteen (14) days prior to the meeting;

2. The Executive Director determines that:

a. the subject matter of the request can reasonably be considered to be within the purpose of the Council as set forth in Rule 29F-1.102 of this chapter, and;

b. sufficient staff effort and resources are available to properly prepare a report and recommendation on the requested subject, when necessary.

In making these determinations, the Executive Director may confer with the Chairperson. All requests that are not placed on the Agenda shall be brought to the Council's attention by the Executive Director at the next meeting.

(c) Should a Council Member wish to have an item, previously considered and acted upon by the Council, reconsidered, the Council Member may request, at any regular Council meeting, that the item be placed on the next meeting Agenda. The request must receive a majority vote of the Council Members present to agenda the item.

(3) Unless otherwise provided by Chapter 120, Florida Statutes, or provided herein, Robert's Rules of Order, as revised, shall rule.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History--New

29F-1.107 Finances.

(1) The Council's work year and fiscal year shall be the twelve (12) months beginning the first day of October and ending the thirtieth day of September.

(2) The Council shall adopt a work program and budget for each fiscal year by the beginning of that fiscal year. The Council shall provide, by July 1 of each year, an estimate of the next fiscal year's membership fee to the governing body of each county local government member unit. Each county local government member unit shall include in its annual budget and provide to the Council funds in an amount sufficient to fund its proportionate share of the Council's adopted budget.

(3) The proportionate share of the Council's budget shall be an amount that bears the same ratio to the local share of the total annual Council budget as the population of each county local government member unit bears to the total population of all participatory counties. The local share is the total annual budget minus funds supplied to the Council under contract with Federal or State agencies.

(4) The Council, in adopting its annual budget, shall establish a reasonable minimum financial contribution from each county local government member unit.

(5) Assessments shall be due in full on October 1.

(6) Each county local member government that does not remit the assessed amount by November 1 shall lose all voting privileges, both for representatives from the principal member and other appointees from the county, until payment is made.

(7) The following persons are designated to sign all checks issued by the Council: 1) the Chairperson; 2) the Vice-Chairperson; 3) the Secretary-Treasurer; and 4) the Executive Director of the Council. An additional Council Member and/or additional staff persons may be designated as signator by the Council to avoid problems associated with time or distance. All checks over \$1,000 are to be signed by two (2) of the above-designated persons.

(8) The budget and such other changes, amendments or supplements as may be necessary to conduct the fiscal affairs of the Council may be amended by action of the Council provided, however, that the budget may not be amended to increase the annual per capita contribution by the county local government member units.

(9) The purchase of any single item of either equipment or goods that will require the expenditure of more than three thousand dollars (\$3,000), and that is not included in the current approved budget, must be approved by the Council.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History--New

29F-1.108 Officers, Term of Office and Duties.

(1) At the annual meeting of the Council, the Council shall elect from its membership the following officers: Chairperson, Vice-Chairperson and Secretary-Treasurer. Each member so elected shall serve for one (1) year or until reelected or a successor is elected.

(2) The newly elected officers shall be declared installed following their election, and shall assume the duties of office.

(a) The Chairperson shall be responsible for overseeing the organization of the work of the Council; for seeing that all policies of the Council are carried out; for signing any contract or other instrument that the Council deems in its interest; and for presiding over all Council meetings. The Chairperson, or a designated Council Member, shall be an ex officio member of all committees.

(b) The Vice-Chairperson shall act in the Chairperson's absence or inability to act. The Vice-Chairperson shall perform such other functions as may be assigned by the Chairperson or the Council.

(c) The Secretary-Treasurer shall be responsible for minutes for the meeting, keeping the roll of members, general oversight of the financial affairs of the Council and such other duties as may be assigned by the Chairperson or the Council.

(3) There shall be an Executive Committee consisting of the Chairperson, Vice-Chairperson, Secretary/Treasurer and the immediate past Chairperson still in continuous service on the Council. If there is no immediate past Chairperson still in continuous service, the Council shall elect a member to serve on the Executive Committee until such time as there is an immediate past Chairperson still in continuous service.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History--New

29F-1.109 Vacancies.

Any vacancy in membership shall be filled for the unexpired term in the same manner as the initial appointment.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History--New

29F-1.110 Removal from Office.

Should a Council Member have three (3) consecutive absences from regular meetings or miss more than one-half of the regularly scheduled meetings in a calendar year, the Secretary shall so advise the appropriate member government, or the Governor, and request another appointment. Members may be

removed from the Council by the authority which made the appointment only after written notice of such action has been given to the Council.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History—New

#### 29F-1.111 Committees.

(1) The Council shall establish and maintain such committees as it deems necessary to carry out the purposes and objectives of the Council. Committees shall be created or discontinued by the Chairperson as directed by the Council.

(2) All committees and chairmen thereof shall be appointed by the Council Chairperson with the approval of a majority of the Council, except that when the need arises between regular meetings of the Council, the Chairperson may fill vacancies and/or appoint temporary committee members or a temporary committee Chairperson. Any person so appointed by the Chairperson between regular meetings of the Council shall have full and complete authority to vote and carry out the duties of regular committee members until the next regular Council meeting or such shorter period of time as the Chairperson shall determine. The authority of the person appointed by the Chairperson between regular meetings of the Council may not extend past the next regular meeting unless confirmed by a majority of the Council. If a majority of the Council does not confirm the person appointed for future service on the committee, this shall in no way affect the validity of the actions taken by such person during the period between regular meetings of the Council.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History—New

#### 29F-1.112 Staff.

(1) The Council shall employ and set the compensation of an Executive Director, who shall serve at the pleasure of the Council.

(a) The Executive Director may be dismissed by the Council provided, however, that said dismissal shall have been initiated at a regular meeting of the Council in accordance with the following procedure:

1. The question of dismissing the Executive Director shall be raised by a representative of the Council at a regular meeting of the Council;

2. The question of dismissal of the Executive Director must be approved by the Council for inclusion on the agenda of the next regular meeting of the Council;

3. The agenda in which a motion for dismissal is included shall be published not less than 7 days in advance of the regular Council meeting at which the proposal for dismissal shall be considered by the Council;

4. The notice and agenda of said Council meeting shall be mailed to each Council representative at least 7 days in advance of the meeting;

5. Any motion for dismissal of the Executive Director must be approved by a majority of Council representatives present at the meeting.

(2) The Executive Director shall employ and discharge professional, technical, or clerical staff as may be necessary to carry out the purpose of the Council. The Executive Director may make agreements with other agencies, within or without the geographic boundaries of the region, for temporary transfer, loan or other cooperative use of staff employees and, with the consent of the Council or pursuant to procedures established by the Council, may acquire the services of consultants.

(3) The Executive Director shall be responsible to the Council for supervising and administering the work program of the Council, including preparation of a proposed annual budget, for administration and supervision of Council employees, and for acquiring employee benefit coverages.

(4) The Executive Director shall act as assistant to the Council officers in performing their duties and shall, at the direction of the Secretary-Treasurer, prepare minutes of each meeting and be responsible for distributing copies to members of the Council, and shall perform such other duties and responsibilities as directed by the Council.

(5) The Executive Director shall be an ex-officio member of all Council committees.

(6) The Executive Director shall act as agency clerk.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History—New

#### 29F-1.113 Plans, Studies, Activities, and Reports.

(1) In the event one or more governmental units or public agencies within the Region should desire the Council staff to conduct special studies or activities pertaining to a portion of the entire Region, they may make application to the Council by ordinance, resolution, rule or order, wherein the applying entities bind themselves to pay all costs involved in the study or activity. If the Council deems the study or activity feasible, it may enter into a separate contract with the particular entity to conduct same.

(2) The Council shall prepare an annual report on its activities. Copies of this report shall be provided to the appropriate State entities and all general-purpose local governments within the Region. Copies of the report will also be available to interested persons upon payment of the cost to produce the report.

(3) The Council shall make reports jointly with other regional planning councils to the appropriate legislative committees, as required or requested.

(4) The Council shall annually prepare an accounting of the receipts and disbursements of all funds received by the Council for its preceding fiscal year. This accounting shall be rendered in accordance with Section 186.505(8).



Specific Authority 186.505 FS. Law Implemented 186.505 FS. History--New

29F-1.114 Dissolution.

In the event that the Council is dissolved, any funds remaining on hand belonging to the Council will be repaid to the various member local governments comprising the Council in proportion to their contribution during the year of such dissolution, exclusive of financial obligations incurred by the Council up until the time of dissolution.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History--New

29F-1.115 Information Request.

(1) The principal office of the East Central Florida Regional Planning Council is located at 1011 Wymore Road, Suite 105, Winter Park, Florida 32789. All official forms, publications, or documents are available for public inspection at the Council's principal office during regular business hours.

(2) Copies of the Council's forms, publications and official documents prepared for public dissemination are available as follows:

(a) Public agencies, defined as those organizations representing the public government agencies situated in the State of Florida, receive printed Council publications at no charge:

(b) Private organizations situated in Florida and all parties outside of Florida can receive printed Council publications at cost:

(c) Both private organizations and public agencies can receive Council forms and documents at cost:

(d) Council publications out of print or forms and documents are available for public inspection at the Council's principal office. Any person wishing photocopies may receive them at cost.

(3) Photocopies of other items in the public record of the Council may be obtained at cost.

Specific Authority 186.505 FS. Law Implemented 186.505 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Sandra Glenn, Executive Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Hon. Larry Whaley, Chairman, ECFRPC

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 1999

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO: 99-16R

RULE TITLE: RULE NO.:

Federal Regulations Adopted by Reference 62-204.800

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments adopt by reference 40 CFR 60, Subpart Ce, Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators, promulgated by the U.S. Environmental Protection Agency on September 15, 1997, 62 FR 48379. The proposed amendments also establish a deadline for the submittal of compliance schedules and Title V applications applicable to existing hospital/medical/infectious waste incinerators.

SPECIFIC AUTHORITY: 403.061, 403.8055 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, FS.

SUBSTANTIALLY AFFECTED PERSONS MAY FILE OBJECTIONS WITH THE ENVIRONMENTAL REGULATION COMMISSION AT THE FOLLOWING ADDRESS: 3900 Commonwealth Boulevard, Mail Station 18, Tallahassee, Florida 32399-3000, Attention: Jacki McGorty. Objections must be received within 14 days of publication of this notice and must specify the portions of the proposed rule to which the person objects and the reason for the objection. Objections, which are frivolous, will not be considered sufficient to prohibit adoption of the rule as published.

WRITTEN COMMENTS: The Secretary of the Department of Environmental Protection will consider written comments received within 21 days of publication of this notice. Comments should be submitted to: Mr. Michael Hewett, Division of Air Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

(8) Chapter 40, Code of Federal Regulations, Part 60, Subpart C, Emission Guidelines and Compliance Times.

(d) Hospital/Medical/Infectious Waste Incinerators. 40 CFR 60, Subpart Ce, Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators, promulgated September 15, 1997, 62 FR 48379, is hereby adopted and incorporated by reference, effective September 1, 1999, subject to the following provisions.

1. Applicability. The applicability of Rule 62-204.800(8)(d), F.A.C., shall be the same as set forth in 40 CFR 60.32e.

2. Definitions. The terms used but not defined in 40 CFR 60, Subpart Ce, have the meaning given them in the Clean Air Act and in 40 CFR 60, Subparts A, B and Ec.

3. Emission Limiting Standards.

a. The opacity limit applicable to each hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., shall be the same as set forth in 40 CFR 60.52c(b).

b. Except as provided for in Rule 62-204.800(8)(d)3.c., F.A.C., the emission limits applicable to each small, medium and large hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., shall be the same as set forth in Table 1 of 40 CFR 60, Subpart Ce.

c. The emission limits applicable to each small hospital/medical/infectious waste incinerator, subject to Rule 62-204.800(8)(d), F.A.C., located more than 50 miles from the boundary of the nearest Standard Metropolitan Statistical Area (defined in 40 CFR 60.31e), and which burns less than 2,000 pounds per week of hospital waste and medical/infectious waste, shall be the same as set forth in Table 2 of 40 CFR 60, Subpart Ce. The 2,000 pound per week limitation shall not apply during performance tests.

4. Operator Training and Qualification. The operator training and qualification requirements applicable to each hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., shall be the same as set forth in 40 CFR 60.53c.

5. Waste Management. The waste management plan requirements applicable to each hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., shall be the same as set forth in 40 CFR 60.55c.

6. Inspection. Each small hospital/medical/infectious waste incinerator subject to the emission limits under Rule 62-204.800(8)(d)3.c., F.A.C., shall comply with the inspection requirements and inspection schedule set forth in 40 CFR 60.36e.

7. Compliance and Performance Testing.

a. Except as provided for under Rule 62-204.800(8)(d)7.b., F.A.C., the compliance and performance testing requirements applicable to each hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., shall be the same as set forth in 40 CFR 60.56c, excluding the fugitive emissions testing requirements under 40 CFR 60.56c(b)(12) and (c)(3).

b. Each small hospital/medical/infectious waste incinerator subject to the emission limits under Rule 62-204.800(8)(d)3.c., F.A.C., shall comply with the compliance and performance testing requirements set forth in 40 CFR 60.37e(b).

8. Monitoring.

a. Except as provided for under Rule 62-204.800(8)(d)8.b., F.A.C., the monitoring requirements applicable to each hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., shall be the same as set forth in 40 CFR 60.57c.

b. Each small hospital/medical/infectious waste incinerator subject to the emission limits under Rule 62-204.800(8)(d)3.c., F.A.C., shall comply with the monitoring requirements set forth in 40 CFR 60.37e(d).

9. Reporting and Recordkeeping.

a. The reporting and recordkeeping requirements applicable to each hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., shall be the same as set forth in 40 CFR 60.58c(b), (c), (d), (e), and (f), excluding 60.58c(b)(2)(ii) and (b)(7).

b. In addition to the requirements of Rule 62-204.800(8)(d)9.a., F.A.C., each small hospital/medical/infectious waste incinerator subject to the emission limits under Rule 62-204.800(8)(d)3.c., F.A.C., shall comply with the reporting and recordkeeping requirements set forth in 40 CFR 60.38e(b).

10. Compliance Times.

a. Each hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., shall comply with the operator training and qualification requirements of Rule 62-204.800(8)(d)4., F.A.C., according to the schedule set forth in 40 CFR 60.39e(e).

b. Each small hospital/medical/infectious waste incinerator subject to the emission limits under Rule 62-204.800(8)(d)3.c., F.A.C., shall comply with the inspection requirements of Rule 62-204.800(8)(d)6., F.A.C., according to the schedule set forth in 40 CFR 60.39e(e).

c. Except as provided for under Rule 62-204.800(8)(d)10.d., F.A.C., each hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., shall comply with all remaining requirements of Rule 62-204.800(8)(d), F.A.C., according to the schedule set forth in 40 CFR 60.39e(b).

d. Each hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., that chooses to comply with the alternate schedule set forth in 40 CFR 60.39e(c), shall submit to the Department the information specified in 40 CFR 60.39e(d)(1)(i) and (ii) as part of the permit application required pursuant to Rule 62-204.800(8)(d)11., F.A.C.

11. Permit Application Deadline. Any hospital/medical/infectious waste incinerator subject to Rule 62-204.800(8)(d), F.A.C., is subject to the permitting requirements of Chapter 62-213, F.A.C. Any hospital/medical/infectious waste incinerator that becomes subject to the permitting requirements of Chapter 62-213, F.A.C., for the first time solely because it is subject to Rule 62-204.800(8)(d), F.A.C., shall file an

application for an operation permit under the requirements of Chapter 62-213, F.A.C., no later than May 1, 2000, unless the facility will cease operations permanently within one year of the U.S. Environmental Protection Agency's approval of the Florida Department of Environmental Protection's 40 CFR 60, subpart Ce implementation plan, in which case an application for an operation permit under the requirements of Chapter 62-213, F.A.C., shall not be required. Any hospital/medical/infectious waste incinerator that has previously filed an application for an operation permit under the requirements of Chapter 62-213, F.A.C., shall file an amendment to its application (if the permit has not been issued) or an application for a permit revision no later than May 1, 2000.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087 FS. History--New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-07-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry George, Administrator, Office of Policy Analysis and Program Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Howard L. Rhodes, Director, Division of Air Resource Management

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 1999

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE TITLE: Exemption of Spouse of Member of Armed Forces from License Renewal Requirements

RULE NO.: 64B11-5.0065

PURPOSE AND EFFECT: The Board proposes to create a new rule to address a spouse's exemption from license renewal if he or she is a member of the armed forces.

SUMMARY: The Board approved for a new rule to be promulgated which will set forth language that a spouse of a member of the armed forces will be exempt from the license renewal requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.207(2), 468.204 FS.

LAW IMPLEMENTED: 455.507(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Occupational Therapy /MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-5.0065 Exemption of Spouse of Member of Armed Forces from License Renewal Requirements.

A licensee who is the spouse of a member of the armed forces of the United States and was caused to absent from the State of Florida because of the spouse's duties with the armed forces and who at the time the absence became necessary was in good standing with the Board of Occupational Therapy and entitled to practice as an Occupational Therapists or Occupational Therapist Assistant in Florida shall be exempt from all licensure renewal provisions. The licensee must document the absence and the spouse's military status to the Board.

Specific Authority 455.507(2), 468.204 FS. Law Implemented 455.507(2) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 1999

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE TITLES:	RULE NOS.:
Legal Base and Authority	65A-24.012
Administrative Responsibilities	65A-24.013
Terms, Definitions, Abbreviations, Acronyms	65A-24.014
General Eligibility	65A-24.015
Eligible Categories	65A-24.016
Time Limitations for Program Administration	65A-24.017
Ineligible Categories of Assistance	65A-24.018
Reconsideration Review and State Fair Hearing	65A-24.019
Fraud, Duplication of Benefits, Grant Misapplication, Exemptions from Garnishment	65A-24.020
Applications, Locations, Time Limitations	65A-24.023
Document, Substantiate, Verify	65A-24.024

PURPOSE AND EFFECT: These proposed rule amendments correct statutory, technical and rule content deficiencies. The proposed amendments are the result of a rule review conducted to specifically identify obsolete and redundant rule text and inappropriate statutory, federal regulation or rule citations within these rules.

SUMMARY: 65A-24.012 – Federal statute and regulation citations and the name of the department are updated; 65A-24.013 – the entire rule is repealed; 65A-24.014 – the definitions of “legally married”, “Adequate Flood Insurance” and “Verify” are amended; minor grammatical corrections are made; the definition of “National Flood Insurance program” is expanded; and, the definitions of “Administrative Panel” and “Generic Rooms” are removed; 65A-24.015 – Federal statute and regulation citations and the address of the Grant Coordinating Officer are updated; 65A-24.016 – statements about qualifying housing repairs, personal property and flood insurance are amended; 65A-24.017 – A federal regulation citation is updated; 65A-24.018 – Statements about ineligible expenses are amended or added in regard to improvements and additions, property for secondary or vacation homes, and food with some minor rewording in other statements; 65A-24.019 – The name of the appeal hearing office is updated; statements about an administrative review panel are removed; and statements about fair hearings/appeals are simplified; 65A-24.020 – A federal regulation citation is updated; 65A-24.023 – Statements about civil rights information are removed; and 65A-24.024 – The address for obtaining the State Administrative Plan is updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.35 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 11:00 a.m., July 19, 1999

PLACE: Building 3, Room 414, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Wilbur Williams, Coordinator for Special Programs, 1317 Winewood Boulevard, Building 3, Room 412J, Tallahassee, Florida 32399-0700

THE FULL TEXT OF THE PROPOSED RULES IS:

65A-24.012 Legal Base and Authority.

(1) Federal

(a) No change.

(b) Section 411 ~~408~~ of P. L. 93-288, Individual and Family Grant Program.

(c) through (d) No change.

(e) Federal Emergency Management Agency Regulation 44 CFR 206.131, IFG Subpart E ~~205.54~~.

(2) State

(a) No change.

(b) Section 414.35 ~~409.60~~, Florida Statutes, Emergency ~~Disaster~~ Relief.

(c) No change.

(d) Section 20.19, Florida Statutes, Department of Children Health and Family Rehabilitative ~~Children Health and Family Rehabilitative~~ Services.

(e) Section 216.212, Florida Statutes, Budgets for federal funds; restrictions on expenditure of federal funds ~~restricted~~.

(f) through (g) No change.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History–New 10-1-87, Formerly 10C-24.012, Amended.

65A-24.013 Administrative Responsibilities.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History–New 10-1-87, Formerly 10C-24.013, Repealed.

65A-24.014 Terms, Definitions, Abbreviations, Acronyms.

(1) through (2) No change.

(3) Family – A social unit living together and comprised of:

(a) Legally married individuals or those couples living together as if they were married persons in a common law arrangement and their dependents; or

(b) through (c) No change.

(4) Dependent – A person who is normally claimed as such on the Federal tax ~~r~~Return of another, according to the Internal Revenue Code. It may also mean the minor children of a couple not living together where the children live in the affected residence with the parent who does not actually claim them on the tax return.

(5) No change.

(6) Assistance from Other Means – Assistance including monetary or in-kind contributions, from: other Federal, State or local governmental programs; insurance; voluntary or charitable organizations; or from any sources other than those of the individual or family. It does not include expendable items, as defined in this rule.

(7) through (20) No change.

(21) National Flood Insurance Program, – NFIP – the program of flood insurance coverage and floodplain management administreed under the Act (the National Flood Insurance Act of 1968) and applicable Federal regulations in 44 CFR, Subchapter B.

(22) through (23) No change.

~~(24) Administrative Panel – One or more professional employees from the Department of Children and Family Services who will determine grant eligibility, items, services, and amounts to be awarded. These individuals may not be application nor verification staff.~~

~~(24)(25) Temporary Housing Assistance Program – No other changes.~~

~~(25)(26)~~ Minimal Repair Program, MRP – No other changes.

~~(26)(27)~~ Incidence Period – No other changes.

~~(27)(28)~~ Emergency – No other changes.

~~(28)(29)~~ IFG Program Manager – No other changes.

~~(29)(30)~~ Expendable Items – No other changes.

~~(30)(31)~~ Flowage Easement – No other changes.

~~(31)(32)~~ Designated Area – No other changes.

~~(32)(33)~~ Financial Assistance for Acquisition or Constructive Purpose – No other changes.

~~(33)(34)~~ Immediate Threat – No other changes.

~~(34)(35)~~ Primary Residence – No other changes.

~~(34)(35)~~ Primary Residence – No other changes.

~~(35)(36)~~ Essential Living Area – No other changes.

~~(36)(37)~~ Destroyed – No other changes.

~~(38)~~ Generic Room – A standard, average room with floors, walls, ceiling, entry and windows.

~~(37)(39)~~ Adequate Flood Insurance – A flood insurance policy that will ~~which~~ covers real or personal property, or both, up to the amount of the maximum IFG program grant award \$5,000 building and \$2,000 contents for homeowners or \$5,000 contents for renters.

~~(38)(40)~~ Document – No other changes.

~~(37)~~ Destroyed – No other changes.

~~(39)(41)~~ Verify – To confirm the accuracy of information through a source other than the individual. Verification may be secured on the telephone, in written form, ~~or~~ by personal contact, or, in the case of necessary expenses and services needs, verified by an on-site inspection.

~~(40)(42)~~ Substantiate – No other changes.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History–New 10-1-87, Formerly 10C-24.014, Amended.

65A-24.015 General Eligibility.

To qualify for a grant an individual or family representative must:

(1) through (4) No change.

(5) Meet all requirements as contained in:

(a) Federal Register, Volume 51, No. 178, September 15, 1986, pages 32642 through 32651. Federal Emergency Management Agency, 44 CFR Part 206.131 205, Individual and Family Grant Programs, as amended by P.L. 100-707; ~~hereby incorporated by reference~~;

(b) No change.

(c) ~~FEMA Federal Emergency Management Agency Memorandum dated Sep 4, 1987, Subject: Comments on Proposed IFG Regulation, hereby incorporated by reference~~;

(d) through (f) No change;

(g) Individual and Family Grant Program State Administrative Plan approved by the Federal Emergency Management Agency for each individual disaster, including all amendments made thereto for each disaster. Copies may be

obtained following the submission to and approval of FEMA ~~by the Federal Emergency Management Agency~~ for each disaster, by contacting the Grant Coordinating Officer or Program Administrator, ~~Public Assistance Policy Development and Training~~, Department of Children and Family Services, 1317 Winewood Boulevard, Building ~~1 6~~, Room ~~203B 441~~, Tallahassee, Florida 32399-0700.

(6) Individuals or families who incur a necessary expense or serious need in the major disaster area may be eligible for assistance without regard to their alienage, their residency in the major disaster area, or their residing in the state, except that for assistance in the “housing” category, where ownership and residency in the declared disaster area are required.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History–New 10-1-87, Formerly 10C-24.015, Amended.

65A-24.016 Eligible Categories.

Assistance shall be made available to meet necessary expenses or serious needs by providing essential items or services in the following categories:

(1) Housing. With respect to primary residences, including mobile homes, ~~that which~~ are owner-occupied at the time of the disaster, grants shall be authorized to:

(a) Repair, replace, or rebuild the residence, including costs associated with a mobile home (developing a mobile home site, towing, connecting to utilities and setting up the home);

(b) Provide access to the residence (including repair or replacement of private roads or bridges serving one or more than one family);

(c) Clean ~~and~~ ~~or~~ make sanitary;

(d) Remove debris from the such residences if the debris constitutes a health or safety hazard to the resident or threatens to cause additional damage to the residence;

(e) Provide ~~or take~~ ~~minimal~~ ~~um~~ ~~protective~~ measures to protect against the immediate threat of damage (including moving mobile homes to prevent or reduce damage); and

(f) Implement hazard mitigation ~~Minimization~~ measures.

(2) through (5) No change.

(6) Cost of a three ~~the first~~ year's flood insurance premium to meet the requirements of adequate flood insurance as defined in 65A-24.014, F.A.C.

(7) No change.

(8) Other items that may be determined necessary on a case-by-case basis such as expenses ~~as are determined by the Administrative Panel~~ as necessary to meet a serious family need.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History–New 10-1-87, Formerly 10C-24.016, Amended.

65A-24.017 Time Limitations for Program Administration.

The following time limits will be adhered to during the operation of this program.

(1) As per federal regulation 44 CFR ~~206.131(j)(1)(i) 205.54(vii)(f)~~, the Governor may indicate his intention to implement the IFG Program in his initial request for major disaster declaration or by separate letter no later than seven days following the day on which the major disaster was declared.

(2) No change.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History—New 10-1-87, Formerly 10C-24.017, Amended.

65A-24.018 Ineligible Categories of Assistance.

Grants will not be authorized for any item or service in the following categories:

(1) No change.

(2) Improvements or additions to real or personal property, except where state or local codes require such upgrading as required by under the category of “minimization measures”;

(3) Landscaping;

(4) Real property for secondary or vacation homes;

~~(5)(4)~~ No other changes.

~~(6)(5)~~ No other changes.

(7) Food;

~~(8)(6)~~ To purchase items that can be or services generally characterized as nonessential, luxury or decorative;

~~(9)(7)~~ No other changes.

~~(10)(8)~~ Cover serious needs and necessary expenses for which assistance from other sources has been offered or received; and

~~(11)(9)~~ Engage in ~~conduct~~ any activities prohibited by law.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History—New 10-1-87, Formerly 10C-24.018, Amended.

65A-24.019 Reconsideration Review and State Fair Hearing.

(1) Right of Appeal. Any decision regarding eligibility for or amount of assistance may be appealed within 60 days after the date on which the applicant for such assistance is notified of the award or denial of award of such assistance. Purpose. In order to provide the individual or family with a detailed explanation of the Department's proposed action, an opportunity for a reconsideration review of the proposed action will be provided, upon request. The affected individual or family and representative will be allowed an opportunity to discuss the proposed action with a Department representative or Administrative Panel member and present any additional pertinent information or evidence. An additional purpose of the Reconsideration Review is to provide an initial mediation step that may possibly eliminate the need to resort to a State Fair

~~Hearing. The State Fair Hearing entails a considerable length of time and would not provide a rapid means of responding to an appeal request in a timely manner consistent with the immediate urgency of the program.~~

(2) Reconsideration Review Request. At the applicant's written request, either separate from or as an initial step in an appeal, the Individual and Family Grant Program will review the state's determination of eligibility or grant amount and notify the applicant of the results of this reconsideration review. The individual requesting Reconsideration Review must do so in person or in writing to the specified office within 10 days of the dates shown on the Federal Emergency Management Agencies rejection or approval notice.

~~(3) Scheduling Reconsideration Review. Upon receiving a request for a Reconsideration Review, the Administrative Panel will schedule a review to be held within 15 days of receiving the request.~~

~~(4) Reconsideration Review Decision. The review by the Administrative Panel will include the initial action taken and any additional information submitted that is necessary to make an objective decision. The Administrative Panel will notify the individual of the decision and issue appropriate forms for action required.~~

~~(5) Fair Hearing. The individual must be advised of his right to have his case reviewed by a Fair Hearing Officer instead of a Reconsideration Review or following such, but may not request a Reconsideration Review following a State Fair hearing.~~

~~(3)(6) State Fair Hearing. The individual must be advised of his right to have his case reviewed by a Fair Hearing Officer. At the applicant's written if specifically requested by the individual, a face-to-face hearing will be conducted by a State Hearing Officer from the Office of Public Assistance Appeal Hearings Section. The individual will be informed that such an appeal may result in a delay in reaching a final decision up to 3 months from the date of the request.~~

~~(4)(7) Fair Hearing Decision. The decision of the State Hearing Officer may uphold, reverse or modify the decision rendered by the IFGP Administrative Panel and the decision will be final and binding, unless changed by judicial action by a court of competent jurisdiction.~~

~~(5)(8)~~ No other changes.

~~(6)(9)~~ No other changes.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History—New 10-1-87, Formerly 10C-24.019, Amended.

65A-24.020 Fraud, Duplication of Benefits, Grant Misapplication, Exemptions from Garnishment.

(1) through (5) No change.

(6) Exemptions from Garnishment. As provided in 44 CFR ~~206.131 205.54~~ all proceeds received or receivable under the IFG Program shall be exempt from garnishment, seizures, encumbrance, levy, execution, pledge, attachment, release, or

waiver. No rights under this provision shall be assignable or transferable. The exemptions listed above will not apply to the state recovering grant funds obtained fraudulently, grants expended for unauthorized items or services, grants expended for items for which assistance is received from other means and grants not expended or committed as of the date the State requests Federal reimbursement and grants authorized for acquisition or construction purposes where proof of purchase of flood insurance has not been provided to the state as required.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History--New 10-1-87, Formerly 10C-24.020, Amended.

65A-24.023 Applications, Locations, Time Limitations.

(1) Applications. An application is a specific written request on the designated FEMA application form, which has been signed by the applicant, with the exception of telephone applications, to have his eligibility determined. The applicant must be informed of categories of assistance, penalties for fraud, right to appeal and to have a fair hearing, ~~and the Civil Rights provisions~~. An applicant may withdraw the application at any time without affecting the right to reapply during the time period established for receiving applications. The applicant is responsible to keep appointments with staff and furnish information, documentation and verification needed to establish eligibility within time periods specified.

(2) through (3) No change.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History--New 10-1-87, Formerly 10C-24.023, Amended.

65A-24.024 Document, Substantiate, Verify.

(1) Applicants shall be required to provide documentation to the Department such as, ~~but not limited to~~, estimates, receipts, bills, titles, deeds, award letters and insurance payoffs and policies applicable to the category of assistance as required by the program and as specified within the approved State Administrative Plan for each disaster. The State Administrative Plan is maintained by the Grant Coordinating Officer Public Assistance Policy Development and Training section, Department of Children and Family Services, at 1317 Winewood Boulevard, Building 1 6, Room 203B 441, Tallahassee, Florida 32399-0700.

(2) through (6) No change.

Specific Authority 414.45 FS. Law Implemented 414.35 FS. History--New 10-1-87, Formerly 10C-24.024, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rodney McInnis and Tab Bush

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Public Assistance Policy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 1999

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLES:	RULE NOS.:
Definitions	67-21.002
Application and Selection Process for Loans	67-21.003
Applicant Administrative Appeal Process	67-21.0035
Selection Criteria and Guidelines for Selection of Developments	67-21.004
Determination of Method of Bond Sale	67-21.0045
Selection of Qualified Lending Institutions as Credit Underwriters, Originators or Servicers	67-21.005
Development Requirements	67-21.006
Fees	67-21.007
Terms and Conditions of Loans	67-21.008
Interest Rate on Mortgage Loans	67-21.009
Issuance of Revenue Bonds	67-21.010
No Discrimination	67-21.011
Advertisements	67-21.012
Private Placements of Multifamily Mortgage Revenue Bonds	67-21.013
Credit Underwriting Procedures	67-21.014
Use of Bonds with other Affordable Housing Finance Programs	67-21.015
Compliance Procedures	67-21.016
Transfer of Ownership	67-21.017
Refundings and Troubled Development Review	67-21.018
Issuance of Bonds for 501(c)(3)'s	67-21.019

PURPOSE AND EFFECT: The purpose of Rule Chapter 67-21, Florida Administrative Code (F.A.C.), is to establish the procedures by which the Florida Housing Finance Corporation shall administer the application process, determine loan amounts and issue multifamily mortgage revenue bonds for new construction or substantial rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond Program.

SUMMARY: Prior to the opening of an Application Cycle, the Corporation (1) researches the market need for affordable housing throughout the state of Florida and (2) evaluates prior application cycles to determine what changes or additions should be made to the Rule or Application. The proposed amendments to the Rule and adopted reference material include changes that will create a formulated process for selecting Developments that apply for funding in 2000 application cycle.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.502, 420.503, 420.507, 420.508, 420.509 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

DATE AND TIME: 2:00 p.m., July 12, 1999

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Gwen Lightfoot, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULES IS:

67-21.002 Definitions.

(1) "Acknowledgment Resolution" means the official action taken by Florida Housing to reflect its intent to attempt to finance a Development provided that the requirements of Florida Housing, the terms of the Loan Commitment, and the terms of the Credit Underwriting Report are met. Such official action shall ~~will~~ not be taken until Florida Housing has received the information necessary to make the findings required by the Code and the Act.

(2) "Act" means the Florida Housing Finance Corporation Act, sections 420.501 through 420.517, Florida Statutes, as amended.

(3) "Affiliate" means any person that (i) directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the Applicant (ii) serves as an officer or director of the Applicant or of any Affiliate of the Applicant, or (iii) is the spouse, parent, child, sibling, or relative by marriage of a person described in (i) or (ii) above.

(4)(3) "Annual Recertification" means the compilation of the gross income of all persons or families qualified as lower-income tenants to continue to meet the requirements established in section 142(d) of the Code.

(5)(4) "Annual Household Income" means the gross income of a person, together with the gross income of all persons who intend to permanently reside with such person in the Development to be financed by Florida Housing, annual household income to be defined as that income as of the date of occupancy shown on the income certification promulgated from time to time by Florida Housing.

(6) "Applicant" means any person or entity, for profit or not-for profit, that is seeking a loan from Florida Housing for a multifamily Development and that has agreed to subject itself to the regulatory powers of Florida Housing by submitting an Application.

(7)(5) "Application" means the completed Form ~~MFMRB2000~~ ~~MRMRB2000~~ and its appendices together with exhibits ~~and the Application Fee~~ submitted to Florida Housing

by the ~~Applicant Developer~~ in accordance with the provisions of this Rule Chapter and in the Application in order to apply for the Multifamily Bond Program.

(8)(6) "Application Fee" means the non-refundable application fee to Florida Housing in an amount ~~not to exceed one percent of the requested Loan amount and as listed in 67-21.007 established in the Application.~~

(7) "~~Application Review~~" means ~~the review of all applications by Florida Housing staff wherein a determination is made as to whether any application is complete.~~

(9)(8) "Authorized Investments" means any of the following securities:

(a) Investments permitted under s. 215.47(1) and (2), without regard to any limitations set forth therein.

(b) Investment agreements the issuer of which is rated or the guarantor of which is rated in one of the three highest rating categories by a nationally recognized rating service.

(10)(9) "Board" or Board of Directors means the Board of Directors of Florida Housing.

(11)(40) "Bond Counsel" means the ~~nationally recognized~~ attorney or law firm retained by Florida Housing to serve the specialized function generally described in the industry as bond counsel.

(12)(41) "Bonds" or "Revenue Bonds" means the Bonds of Florida Housing issued to finance Mortgage Loans, including any Bond, debenture, note, or other evidence of financial indebtedness issued by Florida Housing under and pursuant to the Act.

(13)(42) "Bond Trustee" or "Trustee" means a financial institution with trust powers which acts in a fiduciary capacity for the benefit of the bond holders, and in some instances Florida Housing, in enforcing the terms of the Program Documents.

(14)(43) "Code" is the Internal Revenue Code of 1986, as amended, or similar predecessor or successor provisions applicable to a Development to be financed under this rule, together with corresponding and applicable final, temporary or proposed regulations and revenue rulings issued or amended with respect thereto by the Treasury Department or Internal Revenue Service of the United States.

(15) "Completeness and Threshold Check" or "CTC" means the examination of the Application by a Credit Underwriter assigned by FHFC. This examination shall determine if all required information has been provided in the Application. Simultaneously, the Credit Underwriter shall verify and analyze all information in accordance with the Completeness and Threshold Check List found in Appendix A of the Application.

(16) "Contact Person" means a person with decision-making authority for the Applicant, Developer, or owner of the Development with whom the Corporation will correspond concerning the Application and the Development.



(17) "Corporation" or "Florida Housing" or "FHFC" means the Florida Housing Finance Corporation created pursuant to the Act.

~~(18)(14)~~ "Cost of Issuance Fee" means the fee charged by Florida Housing to the Applicant for the payment of the costs and expenses associated with the sale of Bonds and the loaning of the proceeds, including a fee for Florida Housing.

~~(19)(15)~~ "Credit Enhancement or Guarantee Instrument" means a letter of credit, third party guarantee, insurance contract or other collateral or security pledged to Florida Housing or its Trustee for a minimum of ten years by a third party Credit Enhancer or financial institution securing, or insuring or guaranteeing the repayment of the mortgage loan or Bonds under Florida Housing's ~~P~~program. A Credit Enhancement or Guarantee Instrument of less than ten years must be approved by the Board prior to being accepted to secure any Bonds.

~~(20)(16)~~ "Credit Enhancer" means a financial institution, insurer or other third party which provides a Credit Enhancement or Guarantee Instrument acceptable to Florida Housing securing repayment of the Mortgage Loan or Bonds issued pursuant to Florida Housing's ~~P~~program.

~~(21)(17)~~ "Credit Underwriter" means the legal representative under contract with Florida Housing having the responsibility for providing stated ~~agreed upon~~ credit underwriting services. Such services shall include, for example, a comprehensive analysis of the Applicant, the real estate, the economics, but not be limited to, reviewing the financial feasibility and viability of the Developments, the ability of the Applicant and the Development team to proceed, and the evidence of need for affordable housing in order to determine that the Development meets the Program requirements. The Credit Underwriter shall determine a recommended Bond amount and, at the direction of Florida Housing, recommending to Florida Housing the maximum amount of a Loan that should be made to a Development, whether an initial loan or a refunding, or the expected net operating income of the Development.

~~(22)(18)~~ "Credit Underwriting Report" means a report that is produced follows the Threshold Check and includes recommendations or suggestions submitted by the Credit Underwriter designated by Florida Housing and includes a thorough analysis of the proposed Development and a statement as to whether a loan is recommended, and if so, the amount recommended to review such information. The Credit Underwriter or Florida Housing may request such information as is necessary to properly analyze the credit risk being presented to Florida Housing and/or the bondholders. The ~~Applicant Developer~~ shall pay the cost of such credit underwriting in addition to any other fees payable to Florida Housing in conjunction with the Application and Program financing.

~~(19) "Cross collateralization" means the pledging of the security of one Development to the obligations of another development.~~

~~(23)(20)~~ "Demonstration Development" shall mean a development which provides a unique, demonstrated benefit to a population or area not adequately served by existing Florida Housing programs, and which ~~D~~development may serve as a replicable model for future Florida Housing programs.

~~(24) "Developer" means any individual, association, corporation, joint venturer or partnership which possesses the requisite skill, experience, and credit worthiness to successfully produce affordable multifamily housing pursuant to this Rule Chapter. The Developer, as identified in an Application, may not change until the Development is complete.~~

~~(21) "Developer, Applicant or Borrower" are considered synonymous for the purposes of this rule, depending upon the stage of the loan process and shall be considered to apply to related entities as determined by Florida Housing and shall mean any individual, association, corporation, joint venturer or partnership that is a sponsor or financial beneficiary of a multifamily Development and that is requesting a loan from Florida Housing for such Development and that has agreed to subject itself to the regulatory powers of Florida Housing by submitting an Application.~~

~~(25)(22)~~ "Developer Fees" means the fee earned by the Developer of a Development. ~~Developer Fees include Developer overhead, Developer profit, and the contingency reserve. Developer Fees are not included in the calculation of Total Development Costs. For new construction Developments, Developer fees shall be limited to 20 percent of Total Development Costs, excluding land costs and any reserves required by lenders. For acquisition and rehabilitation Developments, Such fee Developer fees shall be limited to 16 15 percent of Total Development Costs excluding land and building acquisition costs. A Developer Fee on the building acquisition cost shall be limited to 4% of the cost of the building(s) exclusive of land cost. Consulting fees, if any, must be paid out of the Developer Fee. Consulting fees include, for example, payments for Application consultants, construction management or supervision, or local government consultants. Fees for the Applicant's attorney(s) which are in excess of an amount equal to the greater of \$40,000 or 0.75% of the total amount of the Bonds must also be paid out of the Developer Fee. Fees for services provided by architects, accountants, appraisers, engineers or Financial Advisors may be included as part of the Total Development Costs, except those fees for a Financial Advisor that are in excess of \$10,000 must be paid out of the Developer Fee before Developer overhead, profit and acquisition costs, and any reserves required by lenders, plus five percent of total acquisition costs. For the purpose of the HUD Risk Sharing Program, if there exists an Identity of Interest relationship as defined herein between the Applicant,~~

~~Borrower, or Developer and the General Contractor, the allowable fees shall in no case exceed the amount allowed for the Developer Fees pursuant to the HUD subsidy layering regulations review. Florida Housing shall not authorize fees to be paid fees for duplicative services or duplicative overhead. Any amounts paid to Developer consultants or agents (or attorneys in excess of an amount equal to the greater of \$40,000 or 0.75% of the principal amount of the Bonds) in connection with construction and financing of the Development (excluding attorneys employed by or on behalf of Florida Housing) shall be deducted against the total Developer Fees permitted hereunder.~~

~~(26)(23) "Development" means any work or improvement located or to be located in the state, including real property, buildings, and any other real and personal property, designed and intended for the primary purpose of providing decent, safe, and sanitary residential housing, whether new construction, the acquisition of existing residential housing, or the remodeling, improvement, rehabilitation, or reconstruction of existing housing, which is intended for use as multifamily rental housing, together with such related nonhousing facilities as Florida Housing determines to be necessary, convenient, or desirable. A Development shall constitute a "project" within the meaning of the Act.~~

~~(27) "Difficult Development Area" means any area designated by the Secretary of Housing and Urban Development as having high construction, land, and utility costs relative to area median gross income in accordance with Section 42(d)(5), IRC.~~

~~(28)(24) "Disclosure Counsel" means the Special Counsel designated by Florida Housing to be responsible for the drafting and delivery of Florida Housing's disclosure documents such as including, but not limited to, preliminary official statements, official statements, reoffering memorandums or private placement memorandums and continuing disclosure agreements. The fees of Disclosure Counsel shall be set by contract with Florida Housing and shall be paid from the Cost of Issuance Fee or from the Good Faith Deposit submitted with the Loan Commitment.~~

~~(25) "Elderly Person" means a person 62 years of age or older.~~

~~(26) "Elderly Household" means a household of one or more natural persons or a family wherein the head or co-head of the household is an Elderly Person at initial move in.~~

~~(29)(27) "Elderly Housing" or "Elderly Unit" means housing or a unit being occupied or reserved for qualified persons pursuant to the Federal Fair Housing Act and Section 760.29(4), Florida Statutes Elderly Persons.~~

~~(30) "Eligible Persons" or "Eligible Household" means one or more natural persons or a family, irrespective of race, creed, national origin, or sex, determined by the Corporation to~~

~~be of low or very low income. In determining the income standards of eligible persons for its various programs, the Corporation shall take into account the following factors:~~

~~(a) Requirements mandated by federal law.~~

~~(b) Variations in circumstances to the different areas of the state.~~

~~(c) Whether the determination is for rental housing.~~

~~(d) The need for family size adjustments to accomplish the purposes set forth in this Rule Chapter.~~

~~With respect to the use of Housing Credits, an "Eligible Person" or "Eligible Household" shall mean one or more persons or a family having a combined income which meets the income eligibility requirements of the Housing Credits Program and Section 42 of the Code.~~

~~(31)(28) "Executive Director" means the Executive Director or Chief Executive Officer of Florida Housing.~~

~~(32)(29) "Final Board Approval" means formal action by the Board of Directors to adopt a resolution to award a portion of Florida Housing's State Bond Allocation to a Development and which triggers preparation of final Program Documents.~~

~~(33)(30) "Financial Advisor" means, with respect to an issue of Bonds, a professional who is either under contract to Florida Housing or is engaged by the Applicant Developer who advises on matters pertinent to the issue, such as structure, timing, marketing, fairness of pricing, terms, bond ratings, cash flow, and investment matters.~~

~~(34)(31) "Florida Housing" means the Florida Housing Finance Corporation as created by the Act.~~

~~(35)(32) "General Contractor" means an entity duly licensed in the State of Florida meeting the following criteria:~~

~~(a) The Development superintendent is an employee of the General Contractor and the costs of that employment are charged to the general requirements line item of the General Contractor's budget;~~

~~(b) The Development construction trailer and other overhead is paid directly by the General Contractor and charged to general requirements;~~

~~(c) Building permits are issued in the name of the General Contractor;~~

~~(d) Payment and performance bond (or approved alternate security for General Contractor's performance, such as a letter of credit or other guarantee acceptable to Florida Housing) is, if required, issued in the name of the General Contractor; and~~

~~(e) No more than 20 percent of the construction cost is sub-contracted to any one entity.~~

~~(36)(33) "General Contractor's Fee" means a fee inclusive of general requirements, profit and overhead. General Contractor's Fees shall be limited to 14 percent of hard costs, excluding any hard cost contingencies. For the purpose of the HUD Risk Sharing Program, if there exists an Identity of Interest as defined herein between the Applicant Borrower and the General Contractor, the allowable fees shall in no case~~

exceed the amount allowable pursuant to the HUD subsidy layering review. Additionally, fees ~~shall will~~ be allowed to be paid only to the person or entity that actually meets the definitional requirements to be considered a General Contractor. Florida Housing ~~shall will~~ not allow fees for duplicative services or duplicative overhead.

~~(37)(34)~~ “Good Faith Deposit” means a total deposit equal to one percent of the Loan amount reflected in the Loan Commitment ~~or the Application, whichever is greater~~, paid by the ~~Applicant Borrower~~ to Florida Housing, which ~~shall will~~ be applied toward the Cost of Issuance Fee, and of which one-half is payable ~~not later than 7 calendar days after the Board approves the final Credit Underwriting Report at the time of entering into final credit underwriting~~ and the balance is payable at the time of execution of the Loan Commitment. If the Good Faith Deposit is exhausted, the ~~Applicant shall Developer will~~ be required to pay an additional deposit to ensure payment of the expenses associated with the processing of the Application, the sale of the Bonds, including document production and the securitization of the Loan. The Good Faith Deposit shall be remitted by certified check or wire transfer.

~~(38)~~ “Housing Credit Program” means the federal tax credit program administered by FHFC in accordance with Section 42 of the Code and rule Chapter 67-48, F.A.C.

~~(39)(35)~~ “HUD Risk Sharing Program” means the demonstration program authorized by Section 542 of the Housing and Community Development Act of 1992.

~~(40)(36)~~ “Identity of Interest” means, for the purpose of the HUD Risk Sharing Program, any person or entity that has a one percent or more financial interest in the Development and in any entity providing services for a fee to the Development. Unless otherwise excluded, persons or entities that share in the net profits of the Development shall be construed as having an ownership interest to the extent that they share in Development or project revenues. The Identity of Interest definition shall not apply to the tax credit syndicator, limited partner investors, or professionals who are retained pursuant to a negotiated fee arrangement consistent with industry standards and which fee arrangement does not incorporate the payment of fees from Development operating revenues.

~~(41)(37)~~ “Income Certification,” “Tenant Income Certification” or “Form TIC-1” means that Form TIC-1 which is adopted and incorporated herein by reference, revised ~~February 1999 July 22, 1996~~, and which shall be used to certify the income of all tenants residing in a ~~Set-aside~~ unit in a Development.

~~(42)(38)~~ “Issuer” means the Florida Housing Finance Corporation.

~~(43)(39)~~ “Land Use Restriction Agreement” means that agreement among Florida Housing, the Bond Trustee and the ~~Applicant Developer~~ which sets forth certain restrictions on the use of the Development to comply with the Code, the Act, this rule, the policies of Florida Housing and any requirements of a

Credit Enhancer. Such document may also be known as the “LURA” or the “Regulatory Agreement” and ~~shall will~~ be recorded prior to the Mortgage in the public records in the county where the Development is located, unless the Board or the Executive Director expressly agrees to subordinate the LURA to facilitate the financing.

~~(44)(40)~~ “Loan” means the loan made by Florida Housing to the ~~Applicant Developer~~ from the proceeds of the Bonds issued by Florida Housing.

~~(45)(41)~~ “Loan Agreement” means the Loan or Program Document wherein Florida Housing and the ~~Applicant Developer~~ specify the terms and conditions upon which the proceeds of the Bonds shall be loaned, and the terms and conditions for repayment of the Loan.

~~(46)(42)~~ “Loan Commitment” means the Loan or Program Document executed by Florida Housing and the ~~Applicant Developer~~ after the issuance of a favorable Credit Underwriting Report and filed with Florida Housing along with full payment of the Good Faith Deposit before substantive work commences on Program Documents other than the Loan Commitment. The Loan Commitment defines the conditions under which Florida Housing agrees to lend the proceeds of the Bonds to the ~~Applicant Borrower~~ for the purpose of financing all or a portion of a Development.

~~(47)~~ “Local Government” means a unit of local general-purpose government as defined in Section 218.31(2), FS, (1995).

~~(48)(43)~~ “Local Public Fact Finding Hearing” means a public hearing requested by any person residing in the county or municipality in which the proposed Development is located and which is conducted by Florida Housing for the purpose of receiving public comment or input regarding the financing of a proposed Development with Bonds by Florida Housing.

~~(49)(44)~~ “Lower Income Tenants” means individuals or families whose annual income does not exceed either 50 percent or 60 percent; ~~(depending on the minimum Set-aside elected)~~ of the area median income as determined by HUD with adjustments for household size. In no event shall occupants of a Development unit be considered to be Lower Income Tenants if all the occupants of a unit are students [~~as defined in Section 151(c)(4) of the Code~~] or if the tenants do not comply with the provisions of the Code defining Lower Income Tenants. (See Section 142 of the Code.) If Taxable Bonds or Bonds that do not require State Bond Allocation are being used to finance the Development, Lower Income Tenants shall be defined as an individual or family with an Annual Household Income not in excess of 80 percent of the state or county median income, whichever median income is higher. In the event Bonds are issued on behalf of a corporation organized under Section 501(c)(3) of the Code, the set-aside shall not be less than required by the 501(c)(3) documents.

(50)(45) "Mortgage" means the instrument securing the Loan which creates a first, co-equal or acceptable subordinate lien on the Development, subject to permitted encumbrances.

(51)(46) "Mortgage Loan" means the Loan secured by the Mortgage and evidenced by a Note or Mortgage Note.

(52) "Notice of Funding Availability" or "NOFA" means the notification published in the Florida Administrative Weekly which shall contain the deadline for submission of Applications, the estimated funding amount, and any targeting requirements. Said notice shall be published at least 30 days prior to the deadline contained in such notice. The NOFA shall be mailed to all entries on FHFC's Program mailing list.

(53) "Principal" means any individual acting in their individual capacity or acting as president, vice president, treasurer or secretary, member of the board of directors or the legal or beneficial owner of 10% or more of any class of stock of a corporation which is a general partner of a limited partnership Applicant or Developer; or the general partner of a limited partnership that is the general partner of a limited partnership Applicant or Developer; or is a partner in a general partnership or joint venture acting alone or as a part of another entity that is an Applicant or Developer. With respect to a limited liability company either acting alone or as a part of another entity that is an Applicant or Developer, each manager and each member is a principal. With respect to a registered limited liability partnership either acting alone or as a member of another entity that is an Applicant or Developer, each partner is a principal. With respect to a trust either acting alone or as a part of another entity that is an Applicant or Developer, any individual or entity owning 10% or more of the beneficial interest in the trust is a principal. A General Contractor, Management Agent, Architect/Engineer, Attorney that participates on an arms-length fee arrangement are not considered Principals of the Applicant entity.

(54)(47) "Private Placement" means the sale of Florida Housing Bonds directly or through an Underwriter or Placement Agent to 35 or fewer initial purchasers who are not purchasing the Bonds with the intent to offer the Bonds for retail sale and who are Qualified Institutional Buyers.

(55)(48) "Program" means Florida Housing's Multifamily Mortgage Revenue Bond Program.

(56)(49) "Program Documents or Loan Documents" means the Loan Commitment, Loan Agreement, Note, Mortgage, Credit Enhancement or Guarantee Instrument, Land Use Restriction Agreement, Trust Indenture, Preliminary and Final Official Statements, Intercreditor Agreement, Assignments, Bond Purchase Agreement, Compliance Monitoring Agreement, Mortgage Servicing Agreement and such other documents as are required by Florida Housing to issue and secure repayment of the Bonds and Mortgage, to protect the interests of the Bond owners and Florida Housing and, ~~if applicable,~~ to protect the tax-exempt status of the Bonds.

(57)(50) "Public Policy Criteria" means the requirements and guidelines established by Florida Housing and set forth in 67-21.004, F.A.C. Applicants who seek a Loan from Florida Housing shall elect which Public Policy Criteria they ~~shall will~~ agree to incorporate into the design of their Development. These ~~shall will~~ be incorporated in the Loan Commitment and Program Documents. Such Public Policy Criteria have been adopted for the purpose of accomplishing the programmatic goals of the Code, Florida Housing and the Act.

(58)(51) "Qualified Institutional Buyer" is sometimes called a "sophisticated investor" and specifically includes the following:

(a) Any of the following entities, acting for its own account or the accounts of other Qualified Institutional Buyers, that in the aggregate, own and invests on a discretionary basis at least \$100 million in securities of issuers that are not affiliated with the entity:

1. Any insurance company as defined in section 2(13) of the Securities Exchange Act;

2. Any investment company registered under the Investment Company Act or any business development company as defined in section 2(a)(43) of that Act;

3. Any Small Business Investment Company licensed by the U.S. Small Business Administration under sections 301(c) or (d) of the Small Business Investment Act of 1958;

4. Any plan established and maintained by a state or state agency or any of its political subdivisions, on behalf of their employees;

5. Any employee benefit plan within the meaning of title I of the Employee Retirement Income Security Act of 1974;

6. Trust funds of various types, except for trust funds that include participants' individual retirement accounts or H.R. 10 plans;

7. Any business development company as defined in section 202(a)(22) of the Investment Advisors Act of 1940;

8. Any organization described in section 501(c)(3) of the Internal Revenue Code, corporation (except a bank or savings and loan defined in Section 3(a)(2) or 3(a)(5)(A) of the Securities and Exchange Act, or a foreign bank or savings and loan or similar institution), partnership, Massachusetts or similar business trust, or any investment adviser registered under the Investment Advisors Act.

(b) Any dealer registered under Section 15 of the Securities Exchange Act, acting on its own behalf or on the behalf of other Qualified Institutional Buyers who in the aggregate own and invest at least \$10 million of securities of issuers not affiliated with the dealer (not including securities held pending public offering).

(c) Any dealer registered under section 15 of the Securities Exchange Act acting in a riskless principal transaction on behalf of a Qualified Institutional Buyer.

(d) Any investment company registered under the Investment Company Act that is part of a family of investment companies that together own at least \$100 million in securities of issuers, other than companies with which the investment company or family of investment companies is affiliated.

(e) Any entity, all of whose equity owners are Qualified Institutional Buyers.

(f) Any bank or savings and loan defined in section 3(a)(2) or 3(a)(5)(A) of the Securities Exchange Act, or foreign bank or savings and loan or similar institution that, in aggregate with the other Qualified Institutional Buyers, owns and invests in at least \$100 million in securities of affiliates that are not affiliated with it and that has an audited net worth of at least \$25 million as demonstrated during the 16 to 18 months prior to the sale.

(59) "Qualified Census Tract" means any census tract which is designated by the Secretary of Housing and Urban Development as having 50% or more of the households at an income which is less than 60% of the area median gross income in accordance with Section 42(d)(5), IRC.

~~(60)(52)~~ "Qualified Lending Institution" means any bank or trust company, mortgage banker, savings bank, credit union, national banking association, savings and loan association, building and loan association, insurance company, the Florida Housing Development Corporation, or other financial institution authorized to transact business in the State of Florida and which customarily provides service or otherwise aids in the financing of mortgages on real property in Florida.

~~(61)(53)~~ "Qualified Project Period" means the period of time, as provided in the Code, that a Development Project financed with Tax-Exempt Bonds must comply with the Lower Income Tenant Set-aside.

~~(62)(54)~~ "Set-Aside" means the occupancy requirements or restrictions for Developments financed by Florida Housing. Such ~~S~~set-aside requirements shall ~~will~~ be set forth in the Land Use Restriction Agreement and other such Program Documents as are deemed necessary by Florida Housing. The minimal ~~S~~set-aside requirements are as follows:

(a) For Taxable Bonds – 20 percent or more of the residential units in the Development shall ~~will~~ be occupied or held available for occupancy by one or more persons or a family whose Annual Household Income does not exceed 80 percent of the State or county median income, whichever median income is higher.

(b) For Tax-Exempt Bonds – 20 percent or more of the residential units in the Development shall ~~will~~ be occupied or held available for occupancy by one or more persons or a family whose Annual Household Income does not exceed 50 percent of the State or county median income whichever is higher or 40 percent or more of the residential units in the Development ~~will~~ be occupied by or held available for one or more persons or a family whose Annual Household Income does not exceed 60 percent of the State or county

median income whichever is higher or that which is required by the Code at the time of issuance of the Bonds or required by Florida Housing to meet its programmatic purposes.

~~(63)(55)~~ "Special Counsel" means the attorney, attorneys, law firm or law firms retained by Florida Housing to serve as counsel to Florida Housing or as Disclosure Counsel pursuant to a contract between the Special Counsel and Florida Housing.

~~(64)(56)~~ "State Board of Administration" or "SBA" means the State Board of Administration created by and referred to in s. 9, Article XII of the State Constitution.

~~(65)(57)~~ "State Bond Allocation" means the allocation of the State private activity bond volume limitation pursuant to Chapter 159, Part VI, F.S., administered by the Division of Bond Finance and allocated to Florida Housing for the issuance of its tax-exempt Bonds.

~~(66)(58)~~ "Student" means an individual who is considered a full-time student by the educational institution being attended or will be a full-time student at an educational institution with regular facilities and students other than correspondence school, during five months of the certification year.

~~(67)(59)~~ "Taxable Bonds" means those Bonds on which the interest earned is included in gross income of the owner for federal income tax purposes pursuant to the Code.

~~(68)(60)~~ "Tax-exempt Bonds" means those Bonds on which all or part of the interest earned is excluded from gross income of the owner for federal income tax purposes pursuant to the Code.

~~(69)(61)~~ "TEFRA Hearing" means a public hearing held pursuant to the requirements of the Code and in accordance with the Tax Equity and Fiscal Responsibility Act (TEFRA), at which members of the public or interested persons are provided an opportunity to present evidence or written statements or make comments regarding a requested application for Tax-exempt financing of a Development by Florida Housing.

~~(62) "Threshold Check" means the required documentation verification and review by the Credit Underwriter before a Development may be approved for admission to final Credit Underwriting.~~

~~(70)(63)~~ "Total Development Cost" means the sum total of all costs incurred in the construction development of a Development all of which shall be subject to the approval by the Credit Underwriter and shall be approved by Florida Housing as reasonable and necessary. Such costs may include, but not be limited to:

(a) The cost of acquiring real property and any building thereon, including payment for options, deposits, or contracts to purchase properties.

(b) The cost of site preparation, demolition, and development.

(c) Any expenses relating to the issuance of Tax-exempt Bonds or Taxable Bonds by Florida Housing related to the particular Development.

(d) Fees in connection with the planning, execution, and financing of the Development, such as those of architects, engineers, attorneys, accountants, Financial Advisors and Florida Housing. The fees for attorneys and Financial Advisors are limited pursuant to Rule 67-21.002(25), F.A.C.

(e) The cost of studies, surveys, plans, permits, insurance, interest, financing, tax and assessment costs, and other operating and carrying costs during construction, rehabilitation, or reconstruction of the Development.

(f) The cost of the construction, rehabilitation, and equipping of the Development.

(g) The cost of land improvements, such as landscaping and offsite improvements related to the Development, whether such costs are paid in cash, property, or services.

(h) Expenses in connection with initial occupancy of the Development.

(i) Allowances established by Florida Housing for working capital, or contingency reserves, and reserves for any anticipated operating deficits during the first two years after completion of the Development.

(j) The cost of other such items, including relocation costs, indemnity and surety bonds, premiums on insurance, and fees and expenses of trustees, depositories, and paying agents for Bonds.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.502, 420.503, 420.507, 420.508 FS. History--New 12-3-86, Amended 2-22-89, 12-4-90, 11-23-94, 2-6-97, 1-7-98, Formerly 9I-21.002, Amended 1-26-99,

#### 67-21.003 Application and Selection Process for Loans.

(1) Florida Housing hereby adopts by reference the Application and its appendices (Form MFMRB2000, MFMRB99, effective October 1999 ~~November 1998~~) which provides the instructions and forms necessary for submission of an Application for participation in the Program. Said Application package form may be obtained from Florida Housing by contacting the Multifamily Bond Program Administrator, Florida Housing at 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301. ~~Said Application includes a detailed timeline timeframe, including deadlines for receipt of information necessary to complete the final Credit Underwriting, shall be provided to all Applicants after the cycle has closed. The detailed timeline shall include the deadlines which must be met for~~ ~~For those Applicants using Developments utilizing either or both of Florida Housing's Guarantee Fund and through the HUD Risk-Sharing programs, the timeframes set forth in the Application relative to those programs must also be met.~~

(2) An Application may be submitted at any time; however, priority in reviewing and ranking Applications for award of State Bond Allocation for a calendar year shall be

given to Applications received by Florida Housing by the deadline specified in the Notice of Funding Availability published ~~noticed~~ in the Florida Administrative Weekly. Applications received after the noticed deadline shall not be processed, reviewed, or ranked in any way until such time as the list of Applications received by the noticed deadline has been exhausted. ~~The notice shall be published at least 14 days prior to any such deadline and shall also be mailed to each person and entity who has requested a copy of such notice. As set forth in said notice, Florida Housing may elect to reserve a portion of its private activity bond allocation for multifamily revenue bonds for use solely for Demonstration Developments or in connection with HUD multifamily developments. Developments wholly owned by not-for-profit corporations qualifying under Section 501(c)(3) of the Code which are not requesting State Bond Allocation are governed by Rule 67-21.019, F.A.C. shall not be required to submit an Application under the Program.~~

(3) All Applications must be complete, accurate, legible and timely when submitted, and must be accompanied by the applicable Application Fee which includes the estimated costs for the and TEFRA fees, CTC, Limited Restricted Appraisal, and Market Study. An original and ~~three two~~ three photocopies ~~opies~~ shall be submitted, except if a Development is proposing to use Florida Housing's Guarantee Fund Program, an original and four photocopies shall be submitted; or if a Development is proposing to participate in HUD Risk Sharing, an original and five photocopies shall be submitted.

(4) Upon receipt of an Application, all required copies and all applicable fees, staff shall assign a tracking number and a Credit Underwriter for each Application. The Applications shall then be forwarded to the assigned Credit Underwriter for the CTC.

(5) Applications which receive a satisfactory CTC shall be ranked using the criteria established by the Board and listed in Rule 67-21.004, F.A.C.

(6) This ranking shall be transmitted to all Applicants along with notice of appeal rights. Following the completion of the informal appeal process, the resultant ranking shall be presented to the Board for approval along with the Hearing Officer's Recommended Orders, if any. The Board shall be asked to issue Acknowledgement Resolutions at this time.

~~(4) Upon receipt, an Application shall undergo Application Review. Any change in information submitted in an Application may be grounds for rejection of an Application.~~

~~(7)(5) Based on the order of the ranked Applications and the availability of State Bond Allocation, the Board shall designate those Applications to be offered the opportunity to enter final Credit Underwriting, on staff's determination that an Application is complete, the Executive Director shall designate those Developments to undergo the Threshold Check and staff shall assign a Credit Underwriter to each Development. Developments which receive a satisfactory Threshold Check~~

shall be ranked by the Board utilizing the Selection Criteria and Guidelines enumerated in Rule 67-21.004 and targeting criteria selected by the Board. Applications which are not deemed complete or which do not receive a satisfactory Threshold Check shall remain unranked; however, if there is not a sufficient number of completed Applications which have achieved satisfactory Threshold Checks to utilize available private activity bond allocation, Florida Housing may elect to allow incomplete Applications to provide additional information necessary to rank such Applications on the same basis as Applications were previously ranked. Based on their ranking and the availability of State Bond Allocation, the Board shall designate those Developments to be invited to enter Credit Underwriting. The Board may invite more Developments into Credit Underwriting than can be funded with the available State Bond Allocation. Applicants electing to proceed to Credit Underwriting with Applications ranked below the available State Bond Allocation do so at their own risk. Applicants shall be notified in writing of the opportunity to enter final Credit Underwriting. A detailed timeline for submitting required fees and information to the Credit Underwriter shall be included. Failure to meet the deadlines established by such timeline shall result in the immediate termination of Credit Underwriting activities and the Application shall be moved to the bottom of the ranked list. Applicants electing to proceed to final Credit Underwriting do so at their own risk.

(8) Applications which do not receive a satisfactory CTC shall remain unranked; however, if there is not a sufficient number of ranked Applications to use the available State Bond Allocation for the Program, Florida Housing shall notify all unranked Applicants and provide a period of 14 days for such Applicants to submit all necessary information and documents to the assigned Credit Underwriter to cure all unsatisfactory items.

(9) At the conclusion of the 14 day cure period, the Credit Underwriter shall evaluate the additional information and determine if the Application is now satisfactory for purposes of the CTC. This determination must be submitted to FHFC not later than 7 days after the end of the 14 day cure period.

(10) Applications that successfully complete the CTC after the 14 day cure period shall be evaluated and ranked by staff using the criteria established by the Board and listed in Rule 67-21.004, F.A.C. This ranking shall be presented to the Board for approval and authorization of invitations to Credit Underwriting. In the event that time constraints preclude presentation of this ranking to the Board for approval and authorization of Credit Underwriting, staff shall offer Applicants the opportunity to enter Credit Underwriting at their own risk only to the extent that there is sufficient State Bond Allocation to fully fund the proposed Developments.

~~(11)(6)~~ Based on the ranking and the availability of State Bond Allocation, Florida Housing shall initiate TEFRA hearings on the proposed Developments. The invitation into Credit Underwriting and the Acknowledgment Resolution are nonbinding commitments used by Florida Housing to formally acknowledge a proposed Development and to establish a date for certifying reimbursable costs. Neither the TEFRA hearing, the The invitation into final Credit Underwriting, nor and the Acknowledgment Resolution do not in any way obligate Florida Housing to finance the proposed Development in any way.

~~(12)(7)~~ Upon receipt of the Credit Underwriting Report, issuance of the Acknowledgment Resolution, Florida Housing shall submit the Application to its Financial Advisor, if any, for a preliminary recommendation of determination for the method of Bond Sale for each Development pursuant to Rule 67-21.0045.

~~(8)~~ Following Florida Housing receipt of a favorable Threshold Check from the Credit Underwriter and the preliminary recommendation of the method of Bond Sale from Florida Housing's Financial Advisor, if any, or from the staff, the Board shall designate by resolution the method of Bond Sale considered appropriate for financing. The Board shall also assign a bond underwriter, structuring agent, or Financial Advisor, as needed.

~~(13)(9)~~ Proposed Developments that are ranked, but not selected by the Board to enter final Credit Underwriting, shall remain on the ranking list in the event State Bond Allocation becomes available to fund additional other Developments. Developments on the ranking list that are not designated by the Board to receive State Bond Allocation in the calendar year in which Application was made shall be removed from the ranking list. If the current year's State Bond Allocation is insufficient to finance a Development, a new Application must be filed to be eligible for a future year's State Bond Allocation.

~~(14)(40)~~ Florida Housing shall notify the Applicant, in writing, of the Board's determination related to approval of the entering final Credit Underwriting Report and require request that the Applicant submit one-half of the Good Faith Deposit within 7 calendar days, and the information required to complete final Credit Underwriting. The notice shall also inform the Applicant of the Board's determination with respect to the method of Bond Sale. The Applicant must remit one-half of the Good Faith Deposit to Florida Housing within seven business days of receipt of the notice. The Good Faith Deposit shall be subject to forfeiture in accordance with the terms of the Program Documents in the event the Loan is not closed. The Applicant shall comply with time frames for submitting information required for final Credit Underwriting established by Florida Housing based on the recommendation of the Credit Underwriter.

~~(15)(44)~~ Upon favorable recommendation of the final Credit Underwriting report and preliminary recommendation of the method of bond sale from Florida Housing's Financial Advisor, or from the staff, the Board shall designate by resolution the method of bond sale considered appropriate for financing. ~~receipt of staff recommendation,~~ The Board shall consider authorizing the execution of the Loan Commitment and shall consider reserving State Bond Allocation for a Development. The Board shall also assign a bond underwriter, structuring agent, or Financial Advisor and any other professionals necessary to complete the transaction. Staff shall assign FHFC counsel as needed.

~~(16)(42)~~ Following receipt of one-half of the Good Faith Deposit, Florida Housing's assigned counsel shall begin documenting the terms of the transaction, including the Loan Commitment. ~~After execution of the Loan Commitment by the Developer, receipt of a favorable Credit Underwriting report, and payment of the balance of the Good Faith Deposit, staff shall agenda final approval of the proposed Development for the Board.~~

~~(17)(43)~~ Upon execution of a Loan Commitment Applicant shall pay and the submission of the balance of the Good Faith Deposit and by the Developer, Florida Housing shall authorize the preparation of the required documents which shall include:

- (a) Loan Agreement;
- (b) Note;
- (c) Mortgage;
- (d) Guarantee Instrument Agreements, if any;
- (e) Land Use Restriction Agreement;
- (f) Trust Indenture;
- (g) Preliminary and Final Official Statements;
- (h) Financial Monitoring Agreements;
- (i) Compliance Monitoring Agreements; and
- (j) Such other documents as are necessary to establish and secure the Mortgage Loan and the issuance of the Bonds.

~~(18)~~ If any Applicant, an Affiliate of an Applicant or a partner of a limited partnership is determined by the Corporation to have engaged in fraudulent actions or to have deliberately misrepresented information within the current Application or in any previous Applications for financing or Housing Credits administered by the Corporation, the Applicant and any of Applicant's Affiliates shall be ineligible to participate in any program administered by the Corporation for a period of up to two fiscal years, which shall begin from the date the Board approves disqualification of the Applicant's Application.

~~(19)~~ Prior to instituting any change, including change orders and other changes resulting in any modification or deviation from the final Credit Underwriting Report as

approved by the Board, Applicant shall notify Florida Housing Finance Corporation. All changes to the Development plans, tenant programs and other specifications which were used to describe the Development in accordance with this Rule Chapter and MFMRB2000 and represented to the Credit Underwriter and Development servicer are affected by this prior notification requirement. Failure to obtain FHFC's approval prior to implementing any changes to an Application that detailed the Development's plans, programs and specifications shall result in making the Applicant subject to the ineligibility conditions specified in 67-21.003 (18) above.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.502, 420.507(4),(13),(14),(18),(19),(20),(21),(24), 420.508 FS. History--New 12-3-86, Amended 12-4-90, 11-23-94, 9-25-96, 1-7-98, Formerly 91-21.003, Amended 1-26-99, \_\_\_\_\_.

#### 67-21.0035 Applicant Administrative Appeal Procedures.

(1) Following the Credit Underwriter's completion of the CTC, a notice regarding whether or not the Application received a satisfactory CTC shall be provided to each Applicant.

(2) Applicants who wish to contest the decision relative to the CTC for their own Application must petition for a review of the decision in writing within 10 calendar days of the date of the notice. The request must specify in detail the basis for the appeal and the issues to be appealed. Unless the appeal involves disputed issues of material fact, the appeal shall be conducted on an informal basis. Florida Housing staff shall review the appeal and shall provide to the Applicant a written position paper which indicates whether a change will be made regarding each issue appealed. If the Applicant disagrees with Florida Housing's position paper, the Applicant shall be given an opportunity to participate in an informal administrative hearing. If the appeal raises issues of material fact, a formal hearing shall be conducted pursuant to Section 120.57(1), Florida Statutes. Failure to timely file a petition shall constitute a waiver of the right of the Applicant to such an appeal.

(3) For purposes of 67-21.035(2) above, the written notification, petition, or request for review is deemed timely filed when it is received by the FHFC prior to 5:00 PM Tallahassee, Florida time of the last day of the designated time period at the following address: Florida Housing Finance Corporation 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, Attention: Corporation Clerk. For the purpose of this subsection, "received" means delivery by hand, U.S. Postal Service, or other courier service, or by facsimile. Petitions or requests for review that are not timely filed shall constitute a waiver of the right of the Applicant to such a review.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.502, 420.507(4),(13),(14),(18),(19),(20),(21),(24), 420.508 FS. History--New \_\_\_\_\_.



67-21.004 Federal Set-Aside and Public Policy Requirements Selection Criteria and Guidelines for Selection of Developments.

(1) Each Application shall designate one of the following minimum federal Set-aside requirements that the Development shall ~~will~~ meet when the Development construction or rehabilitation is completed:

(a) Twenty percent of the residential units in the Development shall ~~will~~ be occupied by or reserved for occupancy by one or more persons or a family whose Annual Household Income does not exceed 50 percent of the area State or county median income limits adjusted for family size, whichever is higher (the 20/50 Set-aside); or

(b) Forty percent of the residential units in the Development shall ~~will~~ be occupied by or reserved for occupancy by one or more persons or a family whose Annual Household Income does not exceed 60 percent of the area State or county median income limits adjusted for family size, whichever is higher (the 40/60 Set-aside).

(2) In addition to meeting the minimum required Set-aside described in paragraph (1) above, each Development selected for financing in the Program shall have Florida Housing Program funding that does not exceed \$65,000 per unit, ~~excluding raw land,~~ and shall satisfy the Public Policy Criteria as follows: a minimum of three of the Public Policy Criteria requirements listed in paragraphs (a) and (b) below. At least two of the three Public Policy Criteria must be selected from the list of criteria set forth in paragraph (a).

(a) ~~All Applicants A Development Application shall commit to provide reflect the Developer's commitment to satisfy a minimum of two of the following criteria:~~

~~1. At least 20 percent of the units in the Development shall be three bedroom units or greater.~~

~~2. At least 20 percent or 40 percent of each unit size in excess of one bedroom and studio units in the Development to shall be occupied or reserved for occupancy by Lower Income Tenants in proportion to the minimum Set-aside requirement elected, as follows:~~

~~1.a. if the Development satisfies the 20/50 Set-aside, 20 percent of the units at or below 50 percent of area median gross income limit, adjusted for family size and determined in accordance with Section 142(d) of the Code, or~~

~~2.b. if the Development satisfies the 40/60 Set-aside, 40 percent of the units at or below 60 percent of area median gross income limit, adjusted for family size and determined in accordance with Section 142(d) of the Code, or~~

~~3.c. in the case of Developments financed through the issuance of Taxable Bonds (or for specific cases pursuant to the Code, Tax-exempt Bonds), 20 percent of the units at or below 80 percent of state or county median income limit, whichever is higher, and with family size adjustment (or for Developments financed prior to the Code, as amended, ) or without family size adjustment). The foregoing shall not apply~~

to Developments which are also financed with Tax-exempt debt in which at least 50 percent of the Bonds issued are Tax-Exempt in nature.

~~(b) In addition to satisfying 67-21.004(2)(a) above, a Development Application shall reflect the Applicant's commitment to satisfy a minimum of three of the Public Policy Criteria listed in 1-6 below in this sub-paragraph.~~

~~1. At least 20% of the units in the Development shall be three bedroom units or greater.~~

~~3. All Set-aside units in the Development shall have lower rent rates than comparably sized new units in the area and which were built at the same time or since construction of the Development and which are of comparable construction quality. Documentation of comparable rents must be made to Florida Housing and its compliance monitoring agent as requested.~~

~~2.4. Increase the selected minimum Set-aside units by 10 percent, therefore:~~

(i) if the Development satisfies a 20/50 Set-aside, at least 30 percent of the units in the Development, shall be occupied or reserved for occupancy by persons or families having incomes at or below 50 percent of area median gross income limit, adjusted for family size and determined in accordance with Section 142(d) of the Code,

(ii) if the Development satisfies a 40/60 Set-aside, at least 50 percent of the units in the Development, shall be occupied or reserved for occupancy by persons or families having incomes at or below 60 percent of area median gross income limit, adjusted for family size and determined in accordance with Section 142(d) of the Code, or

(iii) in the case of Developments financed through the issuance of Taxable Bonds, at least 30 percent of the units in the Development shall be occupied or reserved for occupancy by persons or families having incomes at or below 80 percent of the state or county median income limit, whichever is higher, and with family size adjustment (or for Developments financed prior to the 1986 IRS Code, as amended) or without family size adjustment). The foregoing shall not apply to Developments which are also financed with Tax-exempt debt in which at least 50 percent of the Bonds issued are Tax-exempt in nature.

~~5. At least 10 percent of the units in the Development shall be allocated for priority in renting to applicants for occupancy who are active participants in a welfare to work program approved by Florida Housing.~~

~~3.6. All units in the Development shall serve as Elderly Units pursuant to the Federal Fair Housing Act. This criterion cannot be selected in combination with the criterion criteria to provide a minimum percentage of three-bedroom or four-bedroom units.~~

~~(b) A Development Application may comply with one or more of the following optional requirements:~~

4.1. The Applicant Developer agrees to a Qualified Project Period that shall extend a minimum of 10 years beyond the period of time provided for in the Code.

5.2. The Applicant Developer of the Development shall develop and implement a minimum of two tenant programs as an integral part of the Development and approved by Florida Housing, such as day after school child care, adult literacy training, health care, or meals, or other tenant programs as described in the Application.

6.3. The Applicant Developer of the Development shall develop and implement a program as described in the Application approved by Florida Housing that would assist Lower Income Tenants in moving into a homeownership situation.

~~(3) In the event that a Development involves a commitment to comply with the requirement described in subparagraph (2)(a)5., above, the Developer shall:~~

~~(a) Provide a written notice relating to the Development to the local housing agency, WAGES Board, applicable local government, or community project agency, if any, in the county in which the Development will be located not later than 30 days after construction begins stating the total number of units to be constructed, including bedroom size, the location, the name and telephone number of the person to contact for further information.~~

~~(b) Provide a notice containing both the information referred to in paragraph (a), above, and the anticipated date on which leasing will begin to each agency referred to in paragraph (a), above, no later than one month prior to the anticipated date of initial occupancy or completion of rehabilitation of any unit.~~

~~(c) Develop a system under which:~~

~~1. at least 10 percent of all units in the Development shall be reserved for a period of one month from the date of initial occupancy or completion of rehabilitation of any unit in the Development for active participants in a welfare to work program approved by Florida Housing to apply for occupancy;~~

~~2. at all times, active participants in a welfare to work program approved by Florida Housing shall be given priority over other applicants for occupancy; and~~

~~3. after initial occupancy of a unit or completion of rehabilitation of such unit, a separate waiting list of applicants currently participating in a welfare to work program approved by Florida Housing shall be maintained.~~

~~(3)(4) All Public Policy Criteria and factors selected by the Applicant shall Developer set forth in Rule 67-21.004 will be verified through Florida Housing's Credit Underwriting if the Development Application is approved by Florida Housing. Any proposed changes to the Public Policy Criteria selected by the Applicant Developer and identified in its Development Application may be only to other Public Policy Criteria set forth in Rule 67-21.004 and must be submitted to Florida~~

Housing for prior approval. Florida Housing may grant such approval if it would not alter the Application ranking Development's priority.

~~(4)(5) Initial consideration shall will be given based on any or all of the criteria set forth below as shall be established by the Board of Florida Housing and included in the Application and in such order of priority as set forth in the Application. Each criteria shall, will, where possible, be evaluated on a sliding scale as set forth in the Application.~~

~~(a) A commitment to provide more than the minimum low-income set-aside; however, in no event shall the Set-aside for Multifamily Bond requirements exceed 80% of the units;~~

~~(b) Developments with no other Florida Housing subsidy (Developments utilizing Florida Housing's Guarantee Fund, HUD Risk-Sharing or Predevelopment Loan Fund shall will not be considered as having a Florida Housing subsidy);~~

~~(c) Demonstration Developments that can serve as a model for satisfying a defined housing need as determined by the Board;~~

~~(d) The experience of the Developer or Applicant;~~

~~(e) Diversification of the Developers receiving funding in a given cycle;~~

~~(f) Diversification of the Developers receiving funding in previous cycles;~~

~~(g) Developments with which the lowest ratio State of private activity Bond allocation per unit financed;~~

~~(h) Developments which benefit a specific population, county or other area of the state;~~

~~(i) Developments which have special or unique value to a population targeted by the Board;~~

~~(j) Developments which target relief in areas of the state affected by a natural disaster;~~

~~(k) Developments with the lowest per-unit Developer and General Contractor fee; and profit and/or lowest per unit cost;~~

~~(l) Developments with the lowest per unit cost;~~

~~(m)(n) Developments with a commitment for credit enhancement;~~

~~(n)(m) Developments with credit enhancement not constituting a private placement of Bonds;~~

~~(o)(n) Public Policy Criteria Selected by the Applicant; Developer;~~

~~(p)(o) Developments with a commitment from the Florida Housing Finance Corporation Guarantee Program;~~

~~(q) Special farmworker housing needs;~~

~~(r) Urban-infill housing needs.~~

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.502, 420.507(4),(6),(12),(13),(14),(18),(19),(21), 420.508 FS. History--New 12-3-86, Amended 2-22-89, 12-4-90, 11-23-94, 9-25-96, 2-6-97, 1-7-98, Formerly 91-21.004, Amended 1-26-99.

67-21.0045 Determination of Method of Bond Sale.

(1) Florida Housing may sell Bonds for the purpose of financing a proposed Development through a negotiated sale, competitively bid sale or Private Placement. Prior to the sale of Bonds for a Development, the Board shall authorize a resolution specifying the method of sale.

(2) With the exception of Applicants who are seeking a Private Placement, following receipt of the Credit Underwriting Report, ~~approval of the Development ranking list by the Board~~, staff shall provide Florida Housing's Financial Advisor, ~~if any~~, copies of the such report Applications for review and preparation of a written recommendation for the method of Bond sale.

(3) In preparing a recommendation for the method of sale to the Board, the Financial Advisor shall consider the following:

- (a) The cost components of the sale, including interest costs and financing costs. The purpose of the analysis is to determine how these costs are affected by the alternative forms of sale.
- (b) The anticipated credit and security structure of the transaction.
- (c) The proposed financing structure of the transaction.
- (d) The financing experience of the Applicant Developer.
- (e) Florida Housing's programmatic objectives.
- (f) Market stability.
- (g) Other factors identified by staff, counsel, or the Applicant Developer.

(4) ~~Upon receipt of the Applications, Florida Housing's Financial Advisor shall evaluate each proposed transaction and make a preliminary written recommendation on the appropriate form of sale. The written recommendation shall include an identification of the Development, the recommended method of sale, and a brief rationale for the preliminary recommendation for each Development, and a summary statement as to why the particular method of sale is being recommended.~~

(5) For those transactions that Florida Housing's Financial Advisor recommends as candidates for a competitive sale, Florida Housing shall will engage a structuring agent. ~~(The Applicant may, at its sole expense, Developer shall engage a Financial Advisor for the transaction. Any cost to the Applicant in excess of \$10,000 must be paid out of Developer Fee.)~~

(6) For those transactions that Florida Housing's Financial Advisor recommends for a negotiated sale, Florida Housing shall will appoint an underwriter.

~~(7) Following the Threshold Check for a Development, staff will transmit the Development's term sheet to Florida Housing's Financial Advisor for a final recommendation as to the method of Bond sale. The analysis shall apply the considerations listed in paragraph (3) above. Florida Housing's Financial Advisor shall prepare a final written~~

~~recommendation as to the method of Bond sale for consideration by the Board. The recommendation shall identify the Development, recommend the method of sale, include a discussion of each criterion's relevance and effect on the transaction, and a summary statement as to why the particular method of sale is being recommended.~~

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.507(4),(13),(19),(20), 420.508, 420.509 (12) FS. History—New 1-7-98, Formerly 91-21.0045, Amended 1-26-99, \_\_\_\_\_.

67-21.005 Selection of Qualified Lending Institutions As Credit Underwriters, Originators or Servicers.

(1) Qualified Lending Institutions shall be selected to underwrite, participate in the origination of and service eligible Mortgage Loans.

(2) The criteria which shall be considered for selection of Qualified Lending Institutions to participate in the Program shall include:

- (a) The statutory requirement that the lending institution be a bank or trust company, mortgage banker, savings banker, savings bank, credit union, national banking association, building and loan association, insurance company, the Florida Housing Development Corporation, or other financial institution or governmental agency authorized to transact business in the State of Florida and which customarily provides service or otherwise aids in the financing of mortgages on real property located in the State of Florida.
- (b) The credit underwriting and loan servicing experience and financial condition of the Qualified Lending Institution.
- (c) Marketability of the Bonds using the Qualified Lending Institution as credit underwriter and servicer.
- (d) Requirements of any rating agency rating the Bonds applicable to a credit underwriter and servicer.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.502(20), 420.507(4),(6),(13),(18),(19),(20),(21), 420.508 FS. History—New 12-3-86, Amended 9-25-96, 1-7-98, Formerly 91-21.005, Amended 1-26-99, Repromulgated.

67-21.006 Development Requirements.

A Development shall at a minimum meet the following requirements or an a Applicant Developer shall be able to certify that the following requirements shall be met with respect to a Development:

- (1) Must provide safe, sanitary and decent multifamily residential housing for lower, middle and moderate income persons or families.
- (2) Must be owned, managed and operated as a Development to provide multifamily residential rental property comprised of a building or structure or several proximate buildings or structures, each containing four or more dwelling units and functionally related facilities, in accordance with section 142(d) of the Code.
- (3) All of the Development shall consist of similar units, containing complete facilities for living, sleeping, eating, cooking and sanitation for a single person or family.

(4) None of the units in the Development shall be used on a transient basis, nor shall they be knowingly leased for a period of less than 180 days unless a determination is made by Florida Housing that there is a specific need in that particular area for leasing arrangements of less than 180 days, but in no event shall a lease be for a period less than 30 days, nor shall a Development be used as a hotel, motel, dormitory, fraternity house, sorority house, rooming house, hospital, sanitarium, nursing home or rest home or trailer court or park.

(5) All of the dwelling units shall be rented or shall be available for rent on a continuous basis to members of the general public, and the Applicant Developer shall not give preference to any particular class or group in renting the dwelling units in the Development, except to the extent that dwelling units are required to be occupied in compliance with the Code or are being held for older persons in accordance with the Federal Fair Housing Act and set aside for Elderly Persons in Developments with Elderly Units approved by Florida Housing.

(6) The ~~Developer or~~ Applicant shall have no present plan to convert the Development to any use other than the use as a residential rental property.

(7) None of the units shall at any time be occupied by the owner of the Development or an individual related to the owner as such terms are defined by the Code; provided, however, that in Developments containing more than 50 residential units, such owner or related person may occupy up to one unit per each 100 units in a Development and such owner or related person must reside in a unit that is in a building or structure which contains at least five residential units.

(8) Commencing with the date on which at least 10 percent of the units in the Development are occupied:

(a) At least 20 percent or 40 percent, whichever is applicable based on Applicant's selection of the minimum federal Set-Aside, of the occupied and completed residential units in the Development shall be occupied by Lower Income Tenants, prior to the satisfaction of which no additional units shall be rented or leased, except to an individual or family that is also a Lower Income Tenant;

(b) All of the Public Policy Criteria selected in the Application must be met; and

(c) After initial rental occupancy of such residential units by Lower Income Tenants, at least 20 percent or 40 percent, whichever is applicable based on Applications selection of the minimum federal Set-aside, of the completed residential units in the Development project at all times shall be rented to and occupied by Lower Income Tenants as required by Section 142(d) of the Code, if the Development is financed with the proceeds of Tax-exempt Bonds, or as required by the Act, if the Development is financed with the proceeds of Taxable Bonds, or held available for rental if previously rented to and occupied by a Lower Income Tenant.

(9) The Applicant Developer shall obtain and maintain on file income certifications from each Lower Income Tenant immediately prior to initial occupancy and at least annually thereafter.

(10) The ~~Developer or~~ Applicant shall not take, permit, or cause to be taken any action which would adversely affect the exemption from federal income taxation of the interest on Tax-exempt Bonds, nor shall the Applicant Developer fail to take any action which is necessary to preserve the exemption from federal income taxation of the interest on Tax-exempt Bonds.

(11) The ~~Developer or~~ Applicant shall take such action or actions as shall be necessary, to comply fully with the Code, Florida Statutes, and Florida Housing Rules.

(12) The ~~Developer or~~ Applicant shall execute or cause to be executed a Loan Agreement, Mortgage and such Credit Enhancement or Guarantee Instruments as shall be necessary to secure the Bonds.

(13) The Applicant Developer may limit the leasing of Elderly uUnits in a Development to older persons or those persons who qualify pursuant to the Federal Fair Housing Act in conjunction with the required income restrictions. Elderly Persons or to Elderly Persons who qualify as Lower Income Tenants and who comply with the Code income limitations.

(a) ~~The Developer may elect to achieve compliance with the requirement that 20 or 40 percent of the units in a Development be set aside for Lower Income Tenants or families as required by the Code by electing to lease to Elderly Persons who are also Lower Income Tenants under the Code.~~

(b) ~~The Developer may lease Elderly Units to Lower Income Tenants if a sufficient number of Elderly Persons cannot be found and the following criteria have been satisfied:~~

(14) In the event that the Applicant has determined that the market no longer supports the Development as housing for older persons pursuant to the Federal Fair Housing Act and desires to rent to younger persons or families, the following criteria must be met:

a.1. A Evidence of a viable marketing plan is submitted to and is acceptable to Florida Housing showing to show a good faith effort to market the unit to older persons.

b.2. The Applicant demonstrates Developer shows that a good faith effort was made to lease the unit in accordance with the Federal Fair Housing Act to older persons an Elderly Person and that such effort was made for at least six months 30 days after the certificate of occupancy for the relevant unit was issued.

3. The Developer agrees to continually maintain a waiting list with priority for Elderly Persons who apply after such time that such unit or units were made available to Lower Income Tenants.

c. The Applicant has requested and received Board approval.

~~(15)~~(14) The Applicant and Developer of a proposed rehabilitation Development shall make every effort to rehabilitate existing housing (i) without displacing existing tenants or (ii) by temporarily moving existing tenants to unaffected units within the Development until the renovation of affected units are completed.

~~(16)~~(15) The owner of a Development must notify Florida Housing of an intended a change in the management company. Florida Housing must approve the Applicant's Developer's selection of a management agent prior to such company assuming responsibility for the Development. The Applicant's Developer authorized representative and management agent of the Development must attend a Florida Housing-sponsored training workshop on certification and compliance procedures prior to the leasing of any units in the Development.

~~(17)~~(16) The Applicant Developer shall use cost certifications with respect to each Development as required by the United States Department of Housing and Urban Development ("HUD") in connection with Developments financed by HUD, including the HUD Risk Sharing Program.

~~(18)~~(17) The Applicant Developer shall provide annually to the Trustee audited financial statements on the Development and any other information required by Florida Housing to comply with continuing disclosure requirements imposed by law.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.502, 420.507(9),(11),(14),(18),(19),(20),(21), 420.508 FS. History--New 12-3-86, Amended 2-22-89, 12-4-90, 9-25-96, 1-7-98, Formerly 9I-21.006, Amended 1-26-99, \_\_\_\_\_.

67-21.007 Fees.

Florida Housing shall collect the following fees and charges in conjunction with the Program:

(1) Application Package Fee: Each Applicant must obtain an Application Package and "Developer's Handbook" from Florida Housing. A fee of \$60 shall be payable to Florida Housing by any person requesting a copy of the Application Package, and said fee must be received by Florida Housing prior to the issuance of an Application Package.

(2) Application Fee: At the time of submission of the Application, Applicants shall submit a non-refundable Application fee to Florida Housing in the an amount of \$11,500 not to exceed one percent of the Loan Amount and established in the Application form. This fee includes the minimum estimated costs for the Limited Restricted Appraisal, Market Study, Completeness and Threshold Check, and TEFRA Fee. If actual costs exceed estimated costs for these items, Applicant shall be responsible for payment of the balance due as invoiced.

(3) TEFRA Fee: This fee is included in Application fee. \$500 of the Application Fee As part of the Application process, Applicants shall submit a \$500.00 deposit to Florida Housing that shall be applied to the actual cost of publishing required newspaper advertisements and Florida Administrative Weekly

notices of TEFRA hearings. If the actual cost of the required publishing exceeds \$500.00, Applicant shall be invoiced for the difference. If a Local Public Fact Finding Hearing is requested, the Applicant Developer shall be responsible for payment of any fees incurred by Florida Housing's counsel. If the first TEFRA approval period has expired and second TEFRA notice and hearing is required, Applicant is responsible for all costs associated with additional TEFRA process.

~~(4) Threshold Check Fee: Applicants shall submit the required non-refundable Threshold Check Fee for each Development to the Credit Underwriter designated by Florida Housing within seven calendar days of the date of the notification from Florida Housing that the Application has entered the Threshold Check process and prior to credit review by the Credit Underwriter. The Threshold Check Fee shall be determined pursuant to a contract between Florida Housing and the Credit Underwriter and shall be set forth in the Application.~~

~~(5) Appraisal Fee: Applicants shall submit the required non-refundable Appraisal Fee for each Development to the Credit Underwriter designated by Florida Housing simultaneously with the delivery of the Threshold Check Fee. The Appraisal Fee shall be determined pursuant to the contract between Florida Housing and the Credit Underwriter and shall be set forth in the Application. This fee shall not be required for Applicants meeting the requirements of Rule 67-21.014(3)(c).~~

~~(6) Market Study Fee: Applicants shall submit the required non-refundable Market Study Fee for each Development to the Credit Underwriter designated by Florida Housing simultaneously with the delivery of the Threshold Check Fee. The Market Study Fee shall be determined pursuant to the contract between Florida Housing and the Credit Underwriter and shall be set forth in the Application. This fee shall not be required for Applicants meeting the requirements of Rule 67-21.014(3)(c).~~

~~(4)~~(7) Final Credit Underwriting And Appraisal Fee: Applicants shall submit the required non-refundable Final Credit Underwriting and Appraisal Fee for each Development to the Credit Underwriter designated by Florida Housing within seven calendar days of the date of the invitation by Florida Housing to enter the final credit underwriting process and prior to final credit review by the Credit Underwriter. The Final Credit Underwriting Fee shall be determined pursuant to a contract between Florida Housing and the Credit Underwriter and shall be set forth in the Application.

~~(5)~~(8) Good Faith Deposit: The Applicant shall pay a total deposit equal to one percent of the Bond Amount Loan Amount in the Loan Commitment or the Loan Amount in the Application, whichever is larger, to Florida Housing, which may be applied toward the Cost of Issuance Fee. The Good Faith Deposit is payable in two equal installments: the first installment (one-half of one percent); is due when the Board

~~approves the final Credit Underwriting Report within seven business days of receiving the invitation to enter the final phase of credit underwriting. The balance is payable when at the time of the Developer executes executing the Loan Commitment which shall be not later than 5 calendar days from receipt of the Loan Commitment.~~

~~(6)(9) Cost of Issuance Fee: Florida Housing shall require Applicants Borrowers or participating Qualified Lending Institutions selected for participation in the Program, to deliver to Florida Housing, or, at the request of Florida Housing, directly to the Trustee, before the date of delivery of the Bonds, a Cost of Issuance Fee in an amount determined by Florida Housing to be sufficient to pay the costs and expenses relating to issuance of the Bonds, which amount shall be deposited into an account to be held by the Trustee. Florida Housing shall provide the Applicant with a good faith estimate of the Cost of Issuance Fee following award of a portion of Florida Housing's State Bond Allocation to the Development by the Board. The Applicant Developer shall pay all costs and expenses incurred by Florida Housing in connection with the issuance of the Bonds, the expenditure of the Loan proceeds, and provision of a Credit Enhancement, if any, even if such costs and expenses may exceed the Cost of Issuance Fee. Any amounts remaining in this account at the time the balance is transferred and the account closed pursuant to the Trust Indenture shall will be returned to the Applicant. considered additional Florida Housing Fee and will be retained by Florida Housing.~~

~~(7)(10) HUD Risk Sharing Fees: Applicants also using the HUD Risk Sharing Program for the Development shall be responsible for associated fees, as follows:~~

~~(a) Format II Environmental Review Fee – The fee to be paid by the Applicant shall be determined by contract between Florida Housing and the environmental professional and shall be listed in the Application Package.~~

~~(b) Subsidy Layering Review Fee – The fee to be paid by the Applicant shall be determined by the contract between Florida Housing and the Credit Underwriter, and shall be listed in the Application Package.~~

~~(c) HUD Endorsement Closing Docket Deposit – At closing, the Applicant shall pay a \$10,000 deposit to Florida Housing to be held in escrow pending receipt of documentation required for completion of the HUD Endorsement Closing Docket. Said documentation shall be due no later than 60 days prior to the scheduled endorsement date. If all required documentation is complete and timely submitted, Florida Housing shall return the deposit and interest earned to the Applicant upon Florida Housing's receipt of the HUD Final Endorsement. If all required documentation is not timely submitted or is incomplete, Florida Housing shall will retain a daily pro-rata share of the deposit in an amount equal to one-thirtieth of the initial deposit for each day the required~~

documentation remains outstanding. The balance and interest earned, if any, shall will be returned to the Applicant upon Florida Housing's receipt of the HUD Final Endorsement.

~~(d) Fees of the Florida Housing Finance Corporation Affordable Housing Guarantee Program pursuant to Rule 67-39, F.A.C.~~

~~(8)(11) Compliance Monitoring Fees: The annual monitoring fee to be paid by the Applicant shall be determined by contract between Florida Housing and the monitoring agent and shall be listed in the Application Package.~~

~~(9)(12) Permanent Loan Servicing Fees: The annual servicing fee to be paid by the Applicant shall be determined by contract between Florida Housing and the Servicer and shall be listed in the Application Package.~~

~~(10)(13) Financial Monitoring Fees: The annual financial monitoring fee to be paid by the Applicant shall be determined by contract between Florida Housing and the monitoring agent and shall be listed in the Application Package.~~

~~(11)(14) Other Florida Housing Program Fees:~~

~~(a) Housing Credit Fees – If Housing Credits are used for the Development, the same Compliance Monitoring Fee for that program shall be collected from the Applicant in conjunction with the Compliance Monitoring fee for the Program fee schedule as described in Rule Chapter 67-48, F.A.C., shall apply and be paid by the Applicant to Florida Housing and/or the Credit Underwriter.~~

~~(b) Florida Affordable Housing Guarantee Program Fees – If the Guarantee Program is used in the Development, the same fee schedule described in Rule 67-39, F.A.C. shall apply and be paid by the Applicant to Florida Housing.~~

~~(12)(15) Development Cost Pro Forma: All of the fees set forth above with respect to the Program and other FHFC programs are part of the Total Development Cost. These costs must be included in the Development project cost pro forma. Failure to timely pay any fee shall cause the Development to be placed at the bottom of removed from the ranking list and no further processing of the Application shall will occur until such fee has been paid and the Board has directed that the Application be reinstated.~~

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.507(4),(19) FS. History–New 12-3-86, Amended 1-7-98, Formerly 9I-21.007, Amended 1-26-99,\_\_\_\_\_.

67-21.008 Terms and Conditions of Loans.

(1) Each Mortgage Loan for a Development made by Florida Housing shall:

(a) Be evidenced by a properly executed Note or other evidence of indebtedness and be secured by a properly recorded Mortgage;

(b) Provide for payment of the Mortgage Loan in full not later than the expiration of the useful life of the property financed with the proceeds of the Mortgage Loan, and in any event, not later than 45 years from the date of the Mortgage Loan;

(c) Not exceed 95 percent of the Total Development Cost;

(d) If the Mortgage Loan is to provide financing for the construction of a Development, have each advance thereof secured, insured, or guaranteed in such manner as Florida Housing determines shall protect its interest and those of the Bond holders;

(e) Have the initial review, approval, and origination process accomplished by a Qualified Lending Institution meeting the requirements of Florida Statutes, section 420.508, which lending institution shall be paid a fee for its services which Florida Housing determines is usual in the lending industry and that is in accordance with the contract between Florida Housing and the Qualified Lending Institution;

(f) Be serviced by such Qualified Lending Institution or other private entity engaged in the business of servicing mortgage loans in Florida as Florida Housing shall approve, which servicer shall be paid such fees and charges for its services as Florida Housing shall determine is reasonable and usual in the lending industry; and

(g) Require the submission to Florida Housing ~~by the Developer~~ of an annual audited financial statement for the Development, or for the Applicant Borrower if revenue from multiple projects is being pledged.

(2) Upon approval, execution, and satisfaction of the terms of the Program Documents by the Applicant Developer and Florida Housing, the Bond sale and the Loan shall be scheduled for closing.

(3) The ~~Developer or Applicant~~ may obtain construction financing from an alternative source with the Bond proceeds being invested in accordance with an investment agreement subject to the requirements of the Code for Tax-exempt Bonds.

(4) The ~~Developer or Applicant~~ shall also establish and maintain escrow deposits sufficient to pay any insurance premiums and applicable taxes.

(5) Florida Housing shall charge such Program administration fees as are required to pay the cost of administering the pProgram during the life of the Bonds and Loan.

(6) The interest rate on the Loan shall be determined by Florida Housing, at the time of the sale of the Bonds based on the financing structure and the interest rate on the Bonds.

(7) Prepayments shall be permitted only in accordance with the terms and conditions of the Program Documents.

(8) Florida Housing shall appoint a trustee and servicing agent when necessary to administer the Program and service the Loan.

(9) All Florida Housing Loans are contingent upon:

(a) The sale, issuance and delivery of the Bonds and the availability of Bond proceeds.

(b) The ~~Developer or Applicant~~ obtaining title insurance on the property.

(c) The ~~Developer or Applicant~~ obtaining all governmental approvals for constructing and operating the Development as a multifamily housing Development.

(d) The Applicant Developer providing to Florida Housing and Special Counsel the Note, Mortgage, financing statements, survey, hazard insurance policies, liability insurance policies, escrow agreement, investment agreements, opinions of counsel including preference opinions, if required, and such other documents as are necessary to ensure that Florida Housing has a properly secured Mortgage as required under the Act and to protect the holders of the Bonds.

(e) If required by Bond Counsel in order to deliver their opinion in connection with the issuance of the Bonds or at the request of Florida Housing, the Bonds being validated pursuant to chapter 75, F.S., and a certificate of no appeal issuing.

(f) Receipt of TEFRA approval for Tax-exempt Bonds.

(10) All Loans shall be reviewed and originated by a servicer designated by Florida Housing, in conformance with the Act. Early submission of the Good Faith Deposit to Florida Housing may accelerate work of the attorneys. The costs incurred as a result of early payment of the Good Faith Deposit are not refundable in the event the Development is not funded.

(11) The Applicant Developer shall agree to execute or cause to be executed all of the Program Loan Documents required by Florida Housing to secure the unconditional payment of the Loan and to retain the tax-exempt status of the Bonds, if Bonds are issued as Tax-exempt Bonds.

(12) The Applicant Borrower shall, prior to the requested date for funding, supply in draft form to Florida Housing the following documents with respect to the Development being financed, together with any other documents required by the Loan Agreement:

(a) A survey dated within 90 days of the date submitted showing the location of all improvements, encroachments, easements and rights-of-way, and a site plan which has been approved by all governmental authorities.

(b) A fully completed, executed and sealed surveyors' certification to Florida Housing.

(c) Written evidence of appropriate zoning and governmental approvals.

(d) Plans and specifications bearing the seal of a licensed engineer.

(e) Policies of insurance and evidence of payment of premiums.

(f) Required opinions of counsel necessary for the issuance of the Bonds.

(g) A commitment for mortgagee title insurance in favor of Florida Housing or its Trustee or designated servicer, with only standard exceptions and such other exceptions as are usually permitted in mortgage loans of this nature. Such policy shall be in an amount not less than the Loan amount plus an amount sufficient to cover any debt service reserve required by Florida Housing.

(h) A copy of the deed or form of deed conveying the land for the Development to the Applicant Developer.

(i) Evidence as to the status of liens, including mechanic's liens, recorded against the property and the permission of Florida Housing to allow any liens to remain recorded against the land or the Development.

(j) Such other documents as shall be reasonably required by Florida Housing, by the Loan Commitment, or by Florida Housing's respective counsel to protect the interests of Florida Housing in the financing.

(13) The Borrower shall not sell, transfer, nor otherwise assign any of its interest in the Development without the prior written consent of Florida Housing.

(14) Florida Housing may require that all Loans be guaranteed or collateralized but shall require all Loans to be secured to the extent necessary to protect Florida Housing and Bond holders.

(15) Any Loan financed with proceeds of Tax-exempt Bonds shall provide that the portion of any debt service reserve fund associated therewith to be financed with Tax-Exempt Bonds shall not exceed six months of debt service on the Bonds.

Specific Authority 420.507(12), 420.508(3)(c) FS. Law Implemented 420.502, 420.507(4),(6),(9),(11),(21), 420.508 FS. History--New 12-3-86, Amended 12-4-90, 11-23-94, 9-25-96, 1-7-98, Formerly 9I-21.008, Amended 1-26-99, \_\_\_\_\_.

67-21.009 Interest Rate on Mortgage Loans.

Florida Housing shall ~~will~~ establish the interest rate on Mortgage Loans at the time of sale of the Bonds. The interest rate shall in no event exceed the arbitrage limit which is legally allowed without jeopardizing the tax-exempt status of the Bonds, if Bonds are issued as Tax-exempt Bonds.

Specific Authority 420.507(12), 420.508(3)(c) FS. Law Implemented Chapter 75, 420.507, 420.508 FS. History--New 12-3-86, Amended 1-7-98, Formerly 9I-21.009, Amended \_\_\_\_\_.

67-21.010 Issuance of Revenue Bonds.

Florida Housing shall ~~will~~ fund Mortgage Loans with the proceeds from the sale of Revenue Bonds. The issuance and sale of the Bonds shall be governed by resolutions adopted by Florida Housing and by applicable law and rule. If Bonds cannot be sold or cannot be sold in an amount or at an interest rate or under conditions which are in the best interest of Florida Housing, Florida Housing shall terminate its Loan Commitment and such other agreements as were executed in conjunction with the proposed Loan.

Specific Authority 420.507(12), 420.508(3)(c) FS. Law Implemented 420.507(6), 420.508, 420.509 FS. History--New 12-3-86, Amended 1-7-98, Formerly 9I-21.010, Amended 1-26-99, \_\_\_\_\_.

67-21.011 No Discrimination.

Florida Housing, its staff or agents, Applicants, Developers, or participants under the Program shall not discriminate under this Program against any person or family, on the basis of race, creed, national origin, age, religion, handicap, familial status or

sex, against persons or families on the basis of their having minor children, except that nothing herein shall be deemed to preclude a Developer from discrimination based on age in renting units in accordance with the Federal Fair Housing Act Elderly Housing, or to preclude a Developer from discrimination based on income in renting units Set-aside for Lower Income Tenants in compliance with the requirements of the Code or with the requirements of section 420.509(19), F.S., for Tax-exempt Bonds.

Specific Authority 420.507(12), 420.508(3)(c) FS. Law Implemented 420.502, 420.507(14) FS. History--New 12-3-86, Amended 2-22-89, 12-4-90, 1-7-98, Formerly 9I-21.011, Amended 1-26-99, \_\_\_\_\_.

67-21.012 Advertisements.

Florida Housing shall require the Applicant Developer to withdraw from circulation advertisements with respect to the Development determined by Florida Housing to violate or be inconsistent with its policy of providing safe and sanitary affordable housing for low, moderate and middle income persons, families or persons or families with minor children.

Specific Authority 420.507(12), 420.508(3)(c) FS. Law Implemented 420.507(9),(14) FS. History--New 12-3-86, Amended 1-7-98, Formerly 9I-21.012, Amended 1-26-99, \_\_\_\_\_.

67-21.013 Private Placements of Multifamily Mortgage Revenue Bonds.

Florida Housing may issue Revenue Bonds to fund Mortgage Loans; or to refund outstanding Bonds by means of a negotiated Private Placement of such Bonds to a Qualified Institutional Buyer. Florida Housing shall designate the placement agent with respect to such Bonds, who shall be on Florida Housing's approved bond underwriters list. A Qualified Institutional Buyer who is an underwriter may contract to immediately resell such Bonds to other Qualified Institutional Buyers, which transaction shall continue to constitute a Private Placement. The amount of any placement agent fee and any amounts paid by any third party to an initial Qualified Institutional Buyer which is an underwriter shall be subject to the approval of Florida Housing or its designee. Unless such Bonds are rated in one of the three highest rating categories by a nationally recognized rating service, such Bonds shall not be held in a full book-entry system (but may be DTC-Eligible) and shall comply with at least one of the following criteria:

(1) The Bonds shall be issued in minimum denominations of \$100,000 and each purchaser of such Bond, including subsequent purchasers unless the requirements of (2) or (3) below are met, shall certify to Florida Housing prior to any purchase or transfer of any Bond that such purchaser is a Qualified Institutional Buyer; or

(2) The Bonds shall be issued in minimum denominations of \$250,000 and an investment letter satisfactory to Florida Housing and its counsel shall be obtained from each initial purchaser of the Bonds (including any purchaser purchasing such Bonds in an immediate resale from an underwriter), but shall not be required of subsequent purchasers of the Bonds, to



the effect that, among other things, such purchaser is a Qualified Institutional Buyer, is purchasing such Bonds for its own account and not for immediate resale to other than another Qualified Institutional Buyer, and has made an independent investment decision as a sophisticated or institutional investor; or

(3) The Bonds shall be issued in minimum denominations of \$250,000 and an investment letter satisfactory to Florida Housing and its counsel shall be obtained from each initial purchaser of the Bonds and from each subsequent transferee of the Bonds prior to any transfer thereof, to the effect that such purchaser is a Qualified Institutional Buyer.

Specific Authority 420.507(12), 420.508(3)(c) FS. Law Implemented 420.507(4),(5),(6),(9),(11),(14),(16),(18),(19),(20),(21) FS. History—New 11-23-94, Amended 1-7-98, Formerly 91-21.013, Amended 1-26-99.

67-21.014 Credit Underwriting Procedures.

(1) ~~After the cycle closing date, Following the Application Review process,~~ Florida Housing shall assign and forward all those Applications ~~determined by staff to be complete~~ to the Credit Underwriter for the Completeness and Threshold Check.

~~(a) A notification of whether or not an Application has been forwarded to Threshold Check shall be provided by Florida Housing. Upon notification that an Application has entered the Threshold Check process, the required Threshold Check Fee must be received within seven calendar days of the date of the notice. Florida Housing will, within the specified seven calendar days, submit a copy of the Applicant's Application Package to the Credit Underwriter. Failure to submit the Threshold Check Fee by the specified deadline shall result in a loss of ranking for the Application.~~

~~(a)(b)~~ A positive recommendation as to compliance with the Completeness and Threshold Check by Florida Housing's Credit Underwriter and approval by Florida Housing's Board of Directors shall be required for a Development to be invited to final Credit Underwriting.

~~(b)(e)~~ An invitation into final Credit Underwriting shall require that the Applicant submit the Final Phase Credit Underwriting Fee and information required to complete the final Credit Underwriting, to the Credit Underwriter in accordance with the schedule established by Florida Housing upon the recommendation of the Credit Underwriter. Failure to submit the Final Phase Credit Underwriting Fee and information by the specified deadline shall result in a loss of ranking for the Application.

(2) The Credit Underwriter shall in final Credit Underwriting analyze and verify all information in the Application Package in order to make a recommendation to the Board on the feasibility of the Development.

(a) If the Credit Underwriter determines that special expertise is required to review information submitted to the Credit Underwriter which is beyond the scope of normal underwriting procedures, the cost of such expertise shall be borne by the Applicant.

(b) The Credit Underwriter shall review the proposed financing structure to determine whether the Loan is feasible.

(c) In addition to operating expenses, the Credit Underwriter must include an estimate for replacement reserves when calculating the final net operating income available to service the debt. A minimum amount of \$200 per unit must be deposited annually in the replacement reserve account for all Developments. This amount may be adjusted by the Board based on a physical needs assessment. An Applicant may choose to fund a portion of the replacement reserves at closing from moneys other than the proceeds of the Bonds. This partial funding ~~The amount~~ cannot exceed 50 percent of the required replacement reserves for two years and must be placed in escrow at closing. Applicants with Credit Enhancement may employ a different replacement reserve structure with Florida Housing's approval.

(d) Florida Housing shall consider the following when determining the need for construction completion guarantees based on the recommendations of the Credit Underwriter:

1. Liquidity of any guarantee provider.
2. Applicant's, Developer's and General Contractor's history in successfully completing Developments of similar nature.
3. The past performance of the Applicant, Developer, General Contractor, or management agent, in developing, constructing or managing Developments financed by Florida Housing or its predecessor, including, by way of example and not limitation, nonpayment of fees and noncompliance with program requirements.
4. Exposure of Florida Housing funds compared to Total Development Costs. At a minimum, the corporate general partner of the borrowing entity shall provide a personal guarantee for completion of construction. In addition, a letter of credit ~~and~~ or payment and performance bond shall will be required if Florida Housing determines upon recommendation of the Credit Underwriter after evaluation of conditions in paragraphs 1. through 3., above, that additional surety is needed.

(e) The Credit Underwriter shall review and make a recommendation to Florida Housing whether the number of loans and construction commitments of the Applicant and its principals will impede its ability to proceed with the successful development of each proposed Florida Housing Development.

(f) The Credit Underwriter shall consider the appraisal of the Development and other market study documentation to make a recommendation as to whether the market exists to support both the demographic and income restriction Set-asides committed to within the Application.

(g) If the Credit Underwriter requires additional clarifying materials in the course of the underwriting process, the Credit Underwriter shall notify Florida Housing and request the information from the Applicant. Such requested information shall be submitted within five business days of receipt of the request therefor. Failure for any reason to submit required information by the specified deadline shall result in a loss of ranking for the Application.

(h) If audited financial statements are unavailable from the Applicant or from those members of the development team that are guaranteeing completion, the Applicant shall submit Credit Underwriter shall request federal tax returns for the past three ~~two~~ years to the Credit Underwriter.

~~(i)(3)(a)~~ Required appraisals, market studies, pre-construction analyses, and environmental studies (other than Phase I Environmental Site Assessments) shall be completed by professionals approved by Florida Housing's Credit Underwriters. Approval of appraisers and contractors to complete market and environmental studies shall be based upon review of qualifications, professional designations held, references and prior experience with similar types of Developments.

~~(j)(b)~~ A limited restricted appraisal as defined by the Uniform Standards of Professional Appraisal Practice and separate market study shall be ordered as part of the Completeness and Threshold Check or at the request of the Developer, a full or self-contained appraisal may be ordered at such time. A full or self-contained appraisal as defined by the Uniform Standards of Professional Appraisal Practice shall be ordered not later than when an Application enters final Credit Underwriting. The Applicant may choose an appraiser from the Credit Underwriter's approved list of appraisers; however, the Credit Underwriter shall order, upon notification by the Applicant and at the Applicant's expense, the appraisals of the Development. The Applicant is responsible for notifying the Credit Underwriter of the requested appraiser within 48 hours of when Application enters final Credit Underwriting in time to ensure the timely delivery of the appraisals. The Credit Underwriter shall review the appraisals to properly evaluate the loan request in relation to the property value.

~~(k)(e)~~ Appraisals and separate market studies submitted with the Application which have been ordered by third party credit enhancers or syndicators and which meet the above requirements and are acceptable to the Credit Underwriter may be used utilized instead of the Appraisal or market study referenced above.

~~(3)(4)~~ The Applicant shall review and provide written comments on the draft Credit Underwriting report to Florida Housing and Credit Underwriter within the time frame established by Florida Housing. Florida Housing shall provide comments on the draft report and, as applicable, on the Applicant's comments to the Credit Underwriter. The Credit Underwriter shall then review and incorporate Florida

Housing's and Applicant's comments and release the revised report to Florida Housing and the Applicant. Any additional comments from the Applicant shall be received by Florida Housing and the Credit Underwriter within the established time frame. Then, the Credit Underwriter shall ~~will~~ provide a final report, which shall ~~will~~ address comments made by the Applicant to Florida Housing.

~~(4)(5)~~ After approval by the Board of the Credit Underwriter's favorable recommendation from of final Credit Underwriting and payment of one-half of the Good Faith Deposit, the Board of Directors, Florida Housing ~~s~~Staff and Florida Housing Counsel shall begin negotiations of the Loan Commitment.

Specific Authority 420.507(12), 420.508(3)(c) FS. Law Implemented 420.507, 420.508, 420.509 FS. History--New 1-7-98, Formerly 91-21.014, Amended 1-26-99, \_\_\_\_\_.

67-21.015 Use of Bonds with Other Affordable Housing Finance Programs.

(1) Applicants may use Tax-exempt or Taxable Bond financing in conjunction with other affordable housing finance programs administered by Florida Housing, including, by way of example, and not of limitation, the Housing Credit, the State Apartment Incentive Loan, the Florida Affordable Housing Guarantee, HOME Investment Partnerships Rental Loan, Predevelopment Loan Program and HUD Risk Sharing Programs.

(2) Applicants desiring to apply for financing from multiple programs shall submit separate applications using forms prescribed by each program and shall submit fees as required by the other programs, except that Applicants do not need to submit a separate Application for non competitive Housing Credits; this Application for Multifamily Bonds shall be used for non-competitive Housing Credits as well as Tax-exempt Bonds. Applicants shall, however, be required to pay the Housing Credits Application Fee. This fee should be submitted to the Housing Credits Program at the same time as Final Cost paperwork is submitted to the Housing Credits Program.

(3) Applicants that receive funding from other programs and the Multifamily Mortgage Revenue Bond Program shall comply with the requirements of the applicable program rule and this rule.

Specific Authority 420.507(12), 420.508(3)(c) FS. Law Implemented 420.507, 420.508 FS. History--New 1-7-98, Formerly 91-21.015, Amended 1-26-99, \_\_\_\_\_.

67-21.016 Compliance Procedures.

(1) Any duly authorized representative of Florida Housing shall be permitted at any reasonable time to inspect and monitor Development and tenant records and facilities. All tenant records shall be maintained by the owner of the Development within 50 miles of the Development site.

(2) Florida Housing or its representative shall conduct on-site Development inspections at least annually.

(3) Florida Housing must approve the selection or replacement of a management company prior to such company assuming responsibility for the Development, using the following criteria:

(a) Review of company information including key management personnel, management experience and procedures;

(b) Review of company forms such as application for apartment residence, income verification forms, lease, etc.;

(c) Key management company representative attendance at a Florida Housing compliance workshop; and

(d) A meeting between Florida Housing compliance staff and the key management company representative after the compliance workshop.

(4) Florida Housing ~~shall~~ ~~with~~ document approval of the management company to the owner of the Development after successful completion of items (3)(a)-(d).

(5) The Owner of the Development shall maintain complete and accurate income records pertaining to each tenant occupying a Set-aside unit. Records for each occupied Set-aside unit shall contain the following documentation:

(a) The tenant's application containing the name or names of each household member, employment and income information for each household member, and other information required by the owner of the Development;

(b) An executed lease agreement listing the term of the tenancy and all of the tenants residing in the unit;

(c) Verification of the income of each tenant as is acceptable to prove income under Section 8 of the U. S. Housing Act of 1937, as in effect on the date of this Rule Chapter;

(d) Information as to the assets owned by each tenant; and

(e) Income Certification Form TIC-1 for each tenant. A sample Form TIC-1 can be obtained from Florida Housing.

(6) The Applicant shall submit Program Reports pursuant to the following: The initial Program Report shall be submitted prior to the time of Loan closing, if the Development is occupied, or by the 25th of the month following rental of the initial unit in the Development. Subsequent Program Reports shall be submitted each month and are due no later than the 25th of each month thereafter. The Program Reports shall be accompanied by the certificate of continuing program compliance and copies of all Tenant Income Certifications executed since the last Program Report (to be sent to Florida Housing and the monitoring agent).

(7) The Developer shall, at least monthly, submit to Florida Housing and the Trustee a certificate of continuing program compliance stating the percentage of dwelling units that are:

(a) Occupied by lower-income tenants.

(b) Being held vacant for occupancy by lower-income tenants.

(c) Occupied by other persons.

(8) Florida Housing shall monitor compliance of all terms and conditions of the Loan and in the Land Use Restriction Agreement, which Land Use Restriction Agreement shall be recorded in the public records of the county wherein the Development is located. The Land Use Restriction Agreement ~~shall~~ ~~with~~ be recorded first. Violation of any term or condition of the documents evidencing or securing the Loan shall constitute a default during the term of the Loan. Florida Housing shall take legal action to effect compliance if a violation of any term or condition relative to the Set-aside of units for Lower Income Tenants is discovered during the course of compliance monitoring or by any other means.

(9) Sponsors shall annually certify that the household gross income, adjusted for family size of each household occupying a unit set aside for Lower Income Tenants meets income requirements specified in Section 142(d)(3)(B) of the Code. Should the annual recertification of such households result in noncompliance with income occupancy requirements, the next available unit must be rented to a household qualifying under the provisions of Section 420.5087(2), Florida Statutes, in order to ensure continuing compliance of the Development.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.507(4),(13),(14), 420.508, 420.509 FS. History--New 1-7-98, Formerly, 91-21.015, Amended 1-26-99,\_\_\_\_\_.

67-21.017 Transfer of Ownership.

(1) Any transfer of ownership of any Development shall be subject to approval by Florida Housing as described below and limitations of the Code. The determination of whether a transfer of ownership of a Development shall be deemed to take place for purposes of this rule shall be made in accordance with the provisions of the Land Use Restriction Agreement and other Program Documents for such Development. Developers shall advise Florida Housing in writing of any change of ownership of the Developer aggregating 50 percent or more of ownership interests in the Developer within any six-month period.

(2) A request for transfer of ownership shall be submitted to Florida Housing in writing and include evidence that the current owner has agreed to the proposed sale. A detailed opinion letter from the Applicant's legal counsel describing the scope of the proposed transaction must also be provided. Florida Housing shall notify the current owner and potential purchaser of any additional information necessary for the Board to make an informed decision. A written request for a transfer of ownership (along with additional information requested by Florida Housing for the Board package) which is received by Florida Housing at least 21 days prior to a noticed Board meeting shall be considered at the next Board meeting.

(3) Upon favorable consideration by the Board to a request for transfer, Florida Housing shall assign a Credit Underwriter, Bond Counsel, Special Counsel, and other professionals as needed to effect the transfer.

(4) Prior to the transfer of ownership (a) the prospective purchaser and the conditions of the assumption of the Program Documents must be approved by the Credit Underwriter as meeting the terms of its credit underwriting report, Bond Counsel and Special Counsel as complying with all applicable legal requirements, and Florida Housing as meeting the stated purposes of Florida Housing, (b) all outstanding fees owing to Florida Housing shall be paid, (c) the Development shall be in compliance with all existing regulatory requirements imposed by Florida Housing or its predecessor, (d) if the Set-aside requirements in the term of the existing Land Use Restriction Agreement are is expired or have less than 12 months remaining, such agreement shall be extended for a minimum of two years from the date of closing. The Credit Underwriter shall conduct a credit underwriting of the new owner upon any transfer of ownership. Additionally, the new owner shall be notified that any refunding of bonds associated with such Development project shall require a full Credit Underwriting of the Development.

(5) The prospective purchaser or current owner shall be responsible for payment of all fees for professional services rendered in association with the transfer of ownership.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.508(3)(a), 420.507, 420.508 FS. History--New 1-7-98, Formerly 9I-21.017, Amended 1-26-99, \_\_\_\_\_.

67-21.018 Refundings and Troubled Development Review.

(1) Refunding of previously issued Bonds shall in all instances be at the option of Florida Housing and not an obligation of Florida Housing.

(2) Florida Housing shall will endeavor where feasible to refund Bonds which are either in default or face a pending default.

(3) Approval by Florida Housing for a refunding of an issue of Bonds for reasons related to pending default shall be subject to the following:

- (a) determination of the quality of the impending default;
- (b) submission of a sworn certificate of impending default by the Developer or Credit Enhancer;
- (c) submission of sworn certificate from the Developer or Credit Enhancer that conditions causing default are likely to continue;
- (d) submission of certified information from a certified public accountant concerning cash contributions to the Development, financial condition of the Development, including analysis of tax benefits derived from Development losses, and the financial condition of the Developer or Credit Enhancer;
- (e) independent evidence of market conditions in the Development location;
- (f) evidence of effort by the Developer or Credit Enhancer to procure other sources of capital infusion;
- (g) statement by the Developer or Credit Enhancer of the continued public purpose to be achieved by refunding;

(h) agreement by the Developer or Credit Enhancer to update the Land Use Restriction Agreement, including retention of state and federal income limits;

(i) new Credit Underwriting by Florida Housing, with new Bond amount determined by Florida Housing based upon real estate underwriting criteria and equal to the lesser of the amount determined by Florida Housing or the Credit Enhancer, to provide assurance that a similar default condition will not present itself in the future;

(j) the full risk of refunding is taken by the Credit Enhancer through full indemnification of Florida Housing; with consideration given to personal indemnification from the Developer if sufficient financial strength can be demonstrated;

(k) all costs of refunding are paid by the Developer or the Credit Enhancer outside of Bond proceeds, including all applicable fees;

- (l) retention of annual fees by Florida Housing;
- (m) provision of other evidence of the immediacy of default;
- (n) retention of the Credit Enhancement; and
- (o) management of the Development is reviewed and approved by Florida Housing.

(4) In connection with all refundings, the following shall apply:

- (a) All outstanding fees of Florida Housing shall be paid in connection with the refunding;
- (b) The Set-Asides required by the ~~original~~ Land Use Restriction Agreement shall be extended for a period determined by Florida Housing;
- (c) A Credit Underwriting and an existing property valuation report shall be required (which may incorporate any Credit Underwriting undertaken within the past twelve months in connection with a transfer of ownership of the same Development);
- (d) Additional operating deficit or other guarantees and establishment of replacement reserves or increase in existing reserves may be required as specified in the Credit Underwriting report;
- (e) The loan shall be amortized over the remaining life of the Bonds; and
- (f) Any material changes to the underlying documents shall be deemed to constitute a refunding for purposes hereof.
- (g) The owner of the Development must applicant should provide a written request for the refunding and a detailed opinion from Applicant's counsel describing the scope of the transaction on forms provided by Florida Housing. It shall not be necessary to complete an Application in connection with a refunding request.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.507, 420.508 FS. History--New 1-7-98, Formerly 9I-21.018, Amended 1-26-99, \_\_\_\_\_.

67-21.019 Issuance of Bonds for 501(c)(3)'s.

(1) Florida Housing shall entertain requests for it to serve as the issuer of tax exempt Bonds for the acquisition or construction of multifamily housing to be owned by a not-for-profit corporation organized under Section 501(c)(3) of the Code.

(2) In connection with all bonds issued pursuant to 67-21.019, F.A.C., Applicants shall be required to comply with the provisions of Rule 67-21.003, 67-21.004 [other than paragraph (4) therein] and Rule 67-21.0045 through 67-21.018, as if the 501(c)(3) Bonds are being issued as Tax-exempt Bonds under Section 141 of the Code, except with respect to Rule 67-21.007(4) and Rule 67-21.014, no CTC or CTC fee shall be required, and except with respect to 67-21.004(2), only one Public Policy Criteria shall be satisfied in addition to the minimum federal Set-aside.

(3) In addition, Applicant shall submit the following:

(a) an abbreviated Application using specified forms from MFMRB2000;

(b) an initial bond counsel fee of \$1,000 along with IRS Form 1023 and all attachments and correspondence to and from the IRS relative to 501(c)(3) status of the Applicant; and

(c) an opinion from Applicant's counsel (at Applicant's sole expense evidencing the Applicant's qualifications as a 501(c)(3) and Applicant's authority to incur bond debt for multifamily housing.

Specific Authority 420.507(12) FS. Law Implemented 420.502, 420.507(14),(24), 420.508 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Joyce Martinez, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Susan J. Leigh, Chief Executive Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 1999, Corporation Board Meeting

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 25, No. 12, March 26, 1999

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Linda Hawthorne at the above address. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

**Section III**  
**Notices of Changes, Corrections and**  
**Withdrawals**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Law Enforcement**

RULE NO.: RULE TITLE:  
62N-24.010 Pinellas County Boating Restricted Areas

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 20, in the May 21, 1999, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Law Enforcement**

RULE NO.: RULE TITLE:  
62N-24.011 Okeechobee Waterway Boating Restricted Areas

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 16, in the April 23, 1999, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE NO.: RULE TITLE:  
64B10-11.001 Application for Examination

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 25, No. 11, March 19, 1999, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE NO.: RULE TITLE:  
64B10-11.004 Examination Review Procedures

**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. 25, No. 11, March 19, 1999, issue of the Florida Administrative Weekly. The changes are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsection (2) of the rule shall now read as follows:

(2) The actual costs of the examination review shall be borne by the applicant.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #04, Tallahassee, Florida 32399-3254.

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE NO.:                    RULE TITLE:  
64B10-15.0021            Approved Providers

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Nursing Home Administrators hereby gives notice of an additional public hearing on the above-referenced rule to be held on August 13, 1999, at 9:00 a.m., or shortly thereafter, at the Radisson Hotel, 415 N. Monroe Street, Tallahassee, Florida. The rule was originally published in Vol. 25, No. 11, of the March 19, 1999, Florida Administrative Weekly. This additional hearing is being held in response to comments received from the Joint Administrative Procedures Committee and also comments provided by the Board members at the May 13-14, 1999 board meeting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Taylor, Executive Director, Board of Nursing Home Administrators/MQA, 2020 Capital Circle, S. E., Bin #C04, Tallahassee, Florida 32399-3254.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE NO.:                    RULE TITLE:  
64B11-4.001                Use of Prescription Devices

**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. 25, No. 14, April 19, 1999, issue of the Florida Administrative Weekly. The changes to this rule are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsections (1)(d) and (2)(d) of this rule shall now read as follows:

(1)(d) Supervised treatment sessions shall be conducted under the supervision of licensed occupational therapists and occupational therapy assistants who have completed an eight (8) hours course in the use of electrical stimulation devices and five (5) supervised treatments or licensed physical therapists and physical therapist assistants trained in the use of electrical stimulation devices. Treatment supervisors must have a minimum of 24 months prior experience in the use of electrical stimulation devices.

(2)(d) Supervised treatment sessions shall be conducted under the supervision of licensed occupational therapists and occupational therapy assistants who have completed an eight (8) hour course in the use of ultrasound devices and five (5)

supervised treatments or licensed physical therapists and physical therapist assistants trained in the use of ultrasound devices. Treatment supervisors must have a minimum of 24 months prior experience in the use of ultrasound devices.

In addition, the following technical changes are being made to Subsection (1)(f):

(1)(f) Any occupational therapist or occupational therapy assistant who uses such electrical stimulation device shall, upon request of the Board or the Department present proof that he or she has obtained the training required by this rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Occupational Therapy/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE NO.:                    RULE TITLE:  
64B11-4.002                Occupational Therapy Aides and  
  Other Unlicensed Personnel  
  Involved in the Practice of  
  Occupational Therapy

**SECOND 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. 25, No. 14, April 9, 1999, issue of the Florida Administrative Weekly. The changes to this rule are in response to comments provided by the staff of the Joint Administrative Procedures Committee. Subsections (4) and (5) of this rule shall now read as follows:

(4) Occupational therapy aides may perform ministerial duties, tasks and functions without direct supervision which shall include, but not be limited to:

- (a) Clerical or secretarial activities.
- (b) transportation of patients/clients.
- (c) Preparing, maintaining or setting up of treatment equipment and work area.
- (d) Taking care of patients'/clients' personal needs during treatment.

(5) Occupational therapy aides shall not perform tasks that are either evaluative, assessive, task selective or recommending in nature which shall include, but not be limited to:

- (a) Interpret referrals or prescriptions for occupational therapy services.
- (b) perform evaluative procedures.
- (c) Develop, plan, adjust, or modify treatment procedures.
- (d) Act on behalf of the occupational therapist in any matter related to direct patient care which requires judgment or decision making except when an emergency condition exists.
- (e) Act independently or without direct supervision of an occupational therapist.
- (f) Patient treatment.

(g) Any activities which an occupational therapy aide has not demonstrated competence in performing.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Occupational Therapy/MQA, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255

**Section IV  
Emergency Rules**

**NONE**

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

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that on June 4, 1999, the Florida Public Service Commission received a Petition from Southeast Pay Telephone, Inc. (Docket No. 990717-TC), seeking waiver of Rule 25-24.515(13), Florida Administrative Code. The rule requires that all pay telephone stations allow incoming calls to be received. The locations of the pay telephone stations are as follows: Burns Linton Shell, 380 W. Linton Boulevard, Delray Beach, FL; and Burns Linton/Congress Shell, 2100 W. Linton Boulevard, Delray Beach, FL. Comments on this Petition should be filed with the Commission's Division of Records and Reporting, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0863, within 14 days of publication of this notice.

A copy of the Petition may be obtained from: Commission's Division of Records and Reporting, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850, or by calling (850)413-6770.

For additional information, contact: Donna Clemons, Division of Legal Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, or telephone (850)413-6199.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection gives notice of its intent to issue a variance from the provisions of Rules 62-4.242(2)(a)2.b. and 62-4.224(5)(c), Florida Administrative Code (File No. 52-0126541) to the U.S. Army Corps of Engineers, c/o Richard E. Bonner, P.E., Jacksonville District, Post Office Box 4970, Jacksonville, Florida 32232-0019, to allow water quality within the Outstanding Florida Water to be lowered as a result of the proposed activity for a period

exceeding 30 days, and to allow the approved mixing zone to include waters within and adjacent to Anclote River dredge cuts 10, 11, 12, 13, 14 and the turning basin.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida 33619-8218, Telephone (813)744-6100.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the Florida Statutes is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

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

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the

proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(4), petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

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

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301. Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

Pursuant to Section 120.542(8), F.S., the Department of Environmental Protection announces that the City of Pahokee has withdrawn its Petition for Variance or Waiver.

NAME OF THE PETITIONER: City of Pahokee, Florida.

DATE THE PETITION WAS FILED: September 24, 1998

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Rules 62-701.600 and 62-701.620, Florida Administrative Code, which regulate the closure of landfills.

REFERENCE TO THE PLACE AND DATE OF PUBLICATION OF THE NOTICE OF THE PETITION: Florida Administrative Weekly, October 30, 1998, Vol. 24, No. 44.

THE DATE THE PETITION FOR VARIANCE OR WAIVER WAS WITHDRAWN: June 7, 1999

EXPLANATION OF HOW A COPY OF THE WITHDRAWAL CAN BE OBTAINED: A copy of the letter withdrawing the Petition for Variance or Waiver is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Requests for copies or inspections should be made to Mary Jean Yon, Section Administrator at the above address, telephone (850)488-0300.

**DEPARTMENT OF HEALTH**

The Board of Psychology hereby gives notice pursuant to Section 120.542, F.S., that on June 10, 1999, it received a Petition from Ilene R. Berson, seeking a variance of Rules 64B19-11.003(1) and 64B19-11.0035(1), Florida Administrative Code. Rule 64B19-11.003(1) states that "no academic degree other a Psy.D., Ph.D. in Psychology or an Ed.D. in Psychology will be considered to show eligibility for examination." Rule 64B19-11.0035(1) states that "proof satisfactory to the Board for the purpose of determining



eligibility for examination must be in the form of a true copy of the applicant's transcript confirming the applicant received a Ph.,D. in Psychology, a Psy.D., or an Ed.D. in Psychology from an institution of higher learning recognized and approved by the United States Department of Education."

Comments on this petition should be filed with Board of Psychology, 2020 Capital Circle, S. E., Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

A copy of the Petition may be obtained from Kaye Howerton, Executive Director, Board of Psychology, 2020 Capital Circle, S. E., Bin C#05, Tallahassee, Florida 32399-3255.

**FLORIDA INLAND NAVIGATION DISTRICT**

Notice is hereby given that the Florida Inland Navigation District received on June 3, 1999, a Petition from Palm Beach County seeking a variance from Rule 66B-2.008(1)(d), Florida Administrative Code, regarding the deadline for submission of permit for projects seeking funding under the District's Waterway Assistance program, which deadline was June 1, 1999. Petitioner has requested a variance to extend this deadline until July 23, 1999. Comments on this Petition should be filed with the Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, within 14 days of publication of this notice.

For additional information, contact Mark Crosley, Assistant Executive Director at the above address, (561)627-2286.

NOTICE IS HEREBY GIVEN that the Florida Inland Navigation District received on June 4, 1999, Petitions from the Jacksonville Port Authority, the City of Daytona Beach, the City of New Smyrna Beach, the City of Titusville, St. Lucie County, the Town of Jupiter, Palm Beach County and Miami-Dade County seeking a variance from Rule 66B-2.008(1)(d), Florida Administrative Code, regarding the deadline for submission of permits for projects seeking funding under the District's Waterway Assistance program, which deadline was June 1, 1999. The petitioners have requested a variance to extend this deadline until July 23, 1999. Comments on this Petition should be filed with the Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, within 14 days of publication of this notice.

For additional information, contact Mark Crosley, Assistant Executive Director, at the above address or telephone (561)627-3386.

NOTICE IS HEREBY GIVEN that the Florida Inland Navigation District received on June 1, 1999, a Petition from the City of St. Augustine, seeking a variance from Rule 66B-2.004(7), Florida Administrative Code, regarding the deadline for evidence of a 25-year ownership, management or

lease agreement to maintain management rights to the property in question under the District's Waterway Assistance program, which deadline was June 1, 1999. Petitioner has requested a variance to extend this deadline until July 23, 1999. Comments on this Petition should be filed with the Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, within 14 days of publication of this notice.

For additional information, contact Mark Crosley, Assistant Executive Director, at the above address (561)627-2286.

**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that the Florida Housing Finance Corporation received on June 10, 1999, a petition from National Development of America, LLC, in conjunction with Partnership and Housing, Incorporated (collectively the "Applicant") seeking a waiver under section '120.542, Florida Statutes in connection with Applicant's 1999 HOME Rental program application for funding. The waiver involves Rule 67-48.002(10) Florida Administrative Code, which adopts by reference the 1999 Rental Application for State Apartment Incentive Loan Program, HOME Investment Partnership Program (Home Rental) and Housing Credits Program (the "Application"). The following provisions of the Application are implicated: Form 10, page 2 where the Applicant struck through "Tax exempt Bond Financing (Less cost of Land)" and page 2 of the Instructions for the Application which provides that a strike through may be a prohibited alteration requiring rejection of the Applicant's Application. The petition has been assigned case number 99-007.

Copies may be obtained from, and written comments submitted to Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329; Attn.: Stephen M. Donelan, Esquire. Comments must be received within 14 days from the date of publication of this notice.

**Section VI  
Notices of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF STATE**

The Board of Directors of the **Historic Pensacola Preservation Board**, announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 12, 1999, 12:00 noon

PLACE: 330 S. Jefferson Street, Pensacola, FL 32501

PURPOSE: General business meeting

A copy of the agenda may be obtained by writing: Historic Pensacola Preservation Board, 330 S. Jefferson Street, Pensacola, Florida 32501.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

The Board of Directors of Historic Pensacola, Inc., the direct support organization of the **Historic Pensacola Preservation Board**, announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 12, 1999, immediately following the meeting of the Historic Pensacola Preservation Board of Trustees, which will begin at 12:00 noon

PLACE: T. T. Wentworth Museum, 330 S. Jefferson Street, Pensacola, FL 32501

PURPOSE: General business meeting

A copy of the agenda may be obtained by writing: Historic Pensacola Preservation Board, 330 S. Jefferson Street, Pensacola, Florida 32501.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

The Private Investigation, **Recovery and Security Advisory Council**, announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 21, 1999, 9:00 a.m.

PLACE: Airport Radisson Hotel, 5555 Hazeltine National Drive, Orlando, FL, (407)856-0100

DATE AND TIME: Thursday, December 9, 1999, 9:00 a.m.

PLACE: Sheraton West Palm Beach Hotel, 630 Clearwater Park Road, West Palm Beach, FL, (561)833-1234

PURPOSE: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by writing: Department of State, Division of Licensing, Attention: April Howard, Post Office Box 6687, Tallahassee, Florida 32314-6687.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to attend the meeting should contact the Director, Division of Licensing not later than 48 hours prior to the meeting at the address given on the notice. Telephone (850)488-6982

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

NOTICE OF CANCELLATION – The Florida **State Fair Authority** announces that the following special meeting of the Mills Committee has been cancelled.

DATE AND TIME: June 30, 1999, 1:00 p.m.

PLACE: Bob Thomas Equestrian Center, Florida State Fairgrounds

A new date has not been determined.

NOTICE OF CHANGE – The Florida **State Fair Authority** announces that the meeting time of the full Authority has been changed from 11:00 a.m. The meeting will begin as follows:

DATE AND TIME: June 30, 1999, 1:00 p.m.

PLACE: Bob Thomas Equestrian Center, Florida State Fairgrounds, I-4 Orient Road, Tampa, FL

If special accommodations are needed to attend this meeting because of a disability, please contact: Ms. Ann Menchen, (813)621-7821 as soon as possible.

NOTICE OF CHANGE – The Florida **State Fair Authority** announces that the meeting time of the Finance and Marketing Committee has been changed from 11:00 a.m. Both Committees will begin their meetings as follows:

DATE AND TIME: June 30, 1999, 11:00 a.m.

PLACE: Bob Thomas Equestrian Center, Florida State Fairgrounds, I-4 Orient Road, Tampa, FL

If special accommodations are needed to attend this meeting because of a disability, please contact: Ms. Ann Menchen, (813)621-7821 as soon as possible.

**DEPARTMENT OF EDUCATION**

The Florida **Department of Education** announces a series of public meetings to which all interested parties are invited to attend.

DATE AND TIME: June 28, 1999, 10:00 a.m. (Eastern Time), recessing at the end of each session and reconvening, as necessary, the next business day at 10:00 a.m. (Eastern Time) or such other time and date as is posted at the meeting room prior to 5:00 p.m. of the day proceeding the day of the meeting, until business has been concluded

PLACE: Room 1701, Florida Education Center, 325 West Gaines Street, Tallahassee, Florida 32399

PURPOSE: The evaluation committee for RFP 99-17 shall meet regarding the evaluation of timely submitted proposals and to formulate its recommendations to the Commissioner of Education.

A copy of the agenda may be obtained by writing: Office of Student Financial Assistance, Department of Education, Attn.: Barbara Drombowski, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

Note: Due to the purpose of the meeting, the evaluation committee will not entertain questions or comments from persons in attendance.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend the meeting is asked to advise the agency by contacting Barbara Drombowski, (850)487-0049, at least 48 hours before

the session the person wishes to attend. A person who is hearing or speech impaired may also contact the agency, (850)487-0049.

The **Gulf Coast Community College District**, Board of Trustees, will hold its monthly meeting as follows.  
DATE AND TIME: July 8, 1999, 10:00 a.m., (CDT)  
PLACE: Gulf Coast Community College, Gardner Seminar Room, 5230 West Highway 98, Panama City, FL  
PURPOSE: Regular monthly meeting.  
Contact person for the meeting is: Dr. Robert L. McSpadden, President.

The State **Board of Community Colleges** announces the following public meetings of the Board to which all persons are invited:

- DATE AND TIME: July 9, 1999, 8:00 a.m. – Adjournment
- PLACE: Hillsborough Community College, Dale Mabry Campus, 4011 North Lois Avenue, Tampa, Florida 33630-3030
- PURPOSE: Regular business meeting of the Board.
- COMMITTEE: Ad Hoc Funding
- DATE AND TIME: July 7, 1999, 9:00 a.m. – 12:00 noon
- COMMITTEE: Budget Development Task Force
- DATE AND TIME: July 7, 1999, 1:00 p.m. – 5:00 p.m.
- COMMITTEE: Foundation for Florida’s Community Colleges
- DATE AND TIME: July 8, 1999, 10:00 a.m. – 11:30 a.m.
- COMMITTEE: Program, Economic Development, Equity and Policy
- DATE AND TIME: July 8, 1999, 12:30 p.m. – 2:45 p.m.
- COMMITTEE: Finance
- DATE AND TIME: July 8, 1999, 3:00 p.m. – 5:15 p.m.

The Board will conduct an Orientation Session for new Board Members of the State Board of Community Colleges:

- DATE AND TIME: July 9, 1999, 1:00 p.m. – 4:00 p.m.
- PLACE: Hillsborough Community College, Dale Mabry Campus, 4011 North Lois Avenue, Tampa, FL
- PURPOSE: To discuss matters which relate to the procedures and business of the State Board of Community Colleges.
- NOTE: If you need special services to attend the meeting, please let us know.

A copy of the agenda may be obtained by writing: Division of Community Colleges, 1314 Turlington Building, Tallahassee, Florida 32399-0400.

**DEPARTMENT OF COMMUNITY AFFAIRS**

Notice is hereby given by the **Florida Building Commission** announcing the following meeting to which all persons are invited: Joint meeting of the Roofing Subcommittee and the Building/Structural Technical Advisory Committee.  
DATES AND TIMES: July 6, 1999, 10:00 a.m. – 5:00 p.m.; July 7, 1999, 8:30 a.m. – 5:00 p.m.

PLACE: Holiday Inn Select, 5750 T. G. Lee Boulevard, Orlando, Florida, (407)851-6400

PURPOSE: To review and evaluate proposed modifications to the building structural sections of the proposed Florida Building Code (FBC) pertaining to Chapter 15, Roofs and Roof Structures, of the 1997 Standard Building Code (SBC), and review comments on the draft code.

Should you have any questions regarding this meeting, please contact the Building Code and Standards staff, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate at this meeting should advise the Department of Community Affairs at least 5 calendar days before the meeting by contacting: Mr. Mo Madani, (850)487-1824. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

Notice is hereby given by the **Florida Building Commission** announcing the following meeting to which all persons are invited: Joint meeting of the Building/Fire Technical Advisory Committee and the Fire Code Building Code Coordination Technical Advisory Committee to the State Fire Marshal.

- DATES AND TIMES: July 8, 1999, 9:00 a.m. – 5:00 p.m.; July 9, 1999, 8:00 a.m. – 5:00 p.m.
- PLACE: Holiday Inn Select, 5750 T. G. Lee Boulevard, Orlando, Florida, (407)851-6400

PURPOSE: To resolve conflicts which may exist between NFPA 101/101-B (Chapter 5: Means of Egress and Chapters 8-32) and the proposed Florida Building Code on the subject of means of egress, existing buildings and occupancy classification and review comments on the draft code.

Should you have any questions regarding this meeting, please contact the Building Code and Standards staff, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate at this meeting should advise the Department of Community Affairs at least 5 calendar days before the meeting by contacting: Mr. Mo Madani, (850)487-1824. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

**DEPARTMENT OF LAW ENFORCEMENT**

The **Division of Criminal Justice Standards and Training** announces a public meeting for a Probable Cause Determination to which all persons are invited to attend.

- DATE AND TIME: Wednesday, July 14, 1999, 1:00 p.m. – Open

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

PURPOSE: To determine if probable cause exists to proceed with possible disciplinary action.

A copy of the Probable Cause Case agenda can be obtained by contacting: Brenda S. Miller, (850)410-8648, The Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Bureau of Standards, Post Office Box 1489, Tallahassee, Florida 32302-1489.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 2 weeks prior to the meeting.

The **Criminal Justice Standards and Training**, Region X Council, announces a meeting to which all interested persons are invited.

DATE AND TIME: Tuesday July 6, 1999, 9:45 a.m.

PLACE: Smugglers Inn Restaurant, Fisherman's Village, 1200 W. Retta Esplanade, Punta Gorda, Florida 33950

PURPOSE: 1) Review the minutes from the last meeting; 2) Review budget expenditures and classes offered; 3) Review the Region's future needs; 4) FDLE review by Mr. Tim Day; 5) Additional submissions for Training Council approval; 6) Other items of interest.

**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 7, 1999, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C, Third Floor, Tallahassee, Florida

PURPOSE: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone (850)488-3417.

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: July 8, 1999, 9:30 a.m.

PLACE: 2601 Blairstone Road, Building C, Tallahassee, Florida

PURPOSE: Regularly Scheduled Commission Business Meeting

A copy of the agenda and subsequent addenda, if any, may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450, Attention: Judith A. Wolson, Commissioner-Secretary.

If you need an accommodation in order to participate in this process, please notify the Commission in advance.

**PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 990108-TP – Request for arbitration concerning complaint of The Other Phone Company, Inc. d/b/a Access One Communications against BellSouth Telecommunications, Inc. regarding breach of resale agreement.

DATE AND TIME: July 15, 1999, 9:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached, 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 961309-TI – Application for certificate to provide interexchange telecommunications service by Vendomatic, Inc. d/b/a HSS Vending Distributors, and initiation of show cause proceedings for violation of Rule 25-24.470, F.A.C., Certificate of Public Convenience and Necessity Required.

DATE AND TIME: July 15, 1999, 1:30 p.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

**REGIONAL PLANNING COUNCILS**

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 7, 1999, 9:30 a.m.

PLACE: Highlands County HRS Health Department, Conf. Rm., 7205 South George Boulevard, Sebring, Florida

PURPOSE: Regular Monthly Meeting of the Council

A copy of the agenda may be obtained by writing to: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday, July 8, 1999, 9:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: Agency on Bay Management Full Agency

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, July 12, 1999, 10:00 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., St. Petersburg, FL 33702

PURPOSE: Regular Council Meeting

SUBJECTS TO BE CONSIDERED: Routine Council Business; DRI Development Order Amendment Reports; Local Government Comprehensive Plan Reviews; Aging Policy Committee; Agency on Bay Management; Local Emergency Planning Committee; Chairman's Report.

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, July 19, 1999, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, St. Petersburg, Florida 33702

PURPOSE: Area Agency on Aging

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited:

DATE AND TIME: Monday, July 26, 1999, 9:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Boulevard, Suite 219, St. Petersburg, Florida

PURPOSE: IC & R Clearinghouse Review Committee

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The **Tampa Bay Regional Planning Council**, District VIII, Tampa Bay Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, July 28, 1999, 10:30 a.m. (Please call to confirm date, time and location)

PLACE: Tampa Bay Regional Planning Council, 9455 Koger Blvd., Ste. 219, St. Petersburg, FL

PURPOSE: Regular Bi-Monthly, District VIII, LEPC Meeting.

Please note that if a person decides to appeal any decision made by the Council with respect to any matter considered at the above cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

**LOXAHATCHEE RIVER ENVIRONMENTAL CONTROL DISTRICT**

The **Loxahatchee River Environmental Control District** announces a Public Hearing to which all persons are invited.

DATE AND TIME: Thursday, July 15, 1999, 6:55 p.m.

PLACE: District Administrative Building, 2500 Jupiter Park Drive, Jupiter, Florida 33458

PURPOSE: Public Hearing to receive public comments pertaining to the adjusting and reconfirming of Resolutions for the Zephyr Way assessment area.

A copy of the agenda may be obtained by writing: Loxahatchee River Environmental Control District, 2500 Jupiter Park Drive, Jupiter, Florida 33458-8964.

If a person decides to appeal any decision made by the Board with respect to any matter considered at such Meeting or Hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**DEPARTMENT OF LABOR AND EMPLOYMENT SECURITY**

The **State Apprenticeship Council** announces meetings of the Council Planning/Rules Committee, the Council Marketing Committee, the Council Expansion Committee and a regular Council meeting to which all interested parties are invited.

COMMITTEE: Rules/Planning Committee meeting

DATE AND TIME: July 21, 1999, 1:00 p.m.

COMMITTEE: Marketing Committee meeting

DATE AND TIME: July 21, 1999, 2:00 p.m.

COMMITTEE: Expansion Committee meeting

DATE AND TIME: July 21, 1999, 3:00 p.m.

COMMITTEE: State Apprenticeship Council meeting (full session)

DATE AND TIME: July 22, 1999, 8:30 a.m.

PLACE: Adam's Mark Hotel, 1500 and Lake Road, Orlando, Florida 32809, Telephone (407)859-1500

GENERAL SUBJECT MATTER TO BE DISCUSSED: Issues and concerns that affect Florida's registered apprenticeship program sponsors and the apprenticeship community. Council Committees report to the full Council. The Council, which represents both employees and management, considers issues and makes recommendations to the Division of Jobs and Benefits regarding apprenticeship matters.

Issues to be considered as agenda items must be submitted to a member of the State Apprenticeship Council or to Mr. Joseph Stephens, Administrator, Apprenticeship Section, by COB Friday, July 2, 1999. You must include your name, address, affiliation and phone number with each issue submitted.

A list of Council members can be obtained from the Division's Apprenticeship Section. Issues and requests for information should be faxed to Joseph Stephens, Apprenticeship Section, (850)488-0249, or mailed to Apprenticeship Section, 1320 Executive Center Drive, Atkins Building, Room 200, Tallahassee, Florida 32399-0667.

An agenda will be available on July 9, 1999.

**GAME AND FRESH WATER FISH COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** has scheduled its inaugural meeting. This notice announces the date, time and place of that meeting to which all interested persons are invited:

DATES AND TIME: July 7-9, 1999, 9:00 a.m. each day

PLACE: Sheraton Fort Lauderdale Airport Hotel, 1825 Griffin Road, Dania, Florida

LEGAL AUTHORITY: Article IV, Section 9, Florida Constitution.

PURPOSE: To exercise the regulatory and executive powers of the state with respect to wild animal life, freshwater aquatic life and marine life, and to receive and consider public input pertaining thereto. Proposed action by the Commission on rules, orders, or other public business will be specified by an agenda.

A copy of the proposed agenda may be obtained from: Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600

If any person decides to challenge any decision with respect to any matter considered at the above meeting, a record of the proceeding will be needed. For this purpose, you may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the challenge is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling Andrena Knicely, (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

**WATER MANAGEMENT DISTRICTS**

The **St. Johns River Water Management District** announces the following public meetings, hearings and workshop to which all persons are invited:

PERSONNEL COMMITTEE MEETING

DATE AND TIME: Tuesday, July 13, 1999, 9:00 a.m.

PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

PURPOSE: Discussion of Personnel Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

**BUDGET WORKSHOP, GOVERNING BOARD MEETING AND PUBLIC HEARING**

DATE AND TIME: Tuesday, July 13, 1999, 10:00 a.m.  
PLACE: District Headquarters, Highway 100, West, Palatka, FL 32177

PURPOSE: Discussion of Budget for Fiscal Year 1999-2000 and acceptance of millage rate and budget for advertising purposes; discussion and consideration of District business including regulatory and non-regulatory matters.

**FINANCE COMMITTEE MEETING**

DATE AND TIME: Wednesday, July 14, 1999, 8:00 a.m.  
PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: Discussion of Finance Committee agenda items followed by committee recommendations to be approved by the full Governing Board.

**GOVERNING BOARD MEETING**

DATE AND TIME: Wednesday, July 14, 1999, 9:00 a.m.  
PLACE: District Headquarters, Highway 100, West, Palatka, Florida 32177

PURPOSE: Discussion and consideration of District business including regulatory and non-regulatory matters.

A copy of the agenda for meetings on July 13 or 14, 1999 may be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, Attention: Ann Freeman, Governing Board Support Specialist. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these workshops, meetings and hearings is requested to advise the District at least 48 hours before the workshop, meeting or hearing by contacting: Ann Freeman, (904)329-4101. If you are hearing or speech impaired, please contact the District by calling (904)329-4450 (TDD).

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** announces the following public hearing to which all interested persons are invited:

DATES AND TIMES: July 27, 1999, 9:00 a.m., and may be continued until July 28, 1999, 9:00 a.m.

PLACE: Governing Board Room, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34609-6899

PURPOSE: The acquisition of certain lands eligible to be considered for funding from the Water Management Lands Trust Fund (Save Our Rivers)/Florida Preservation 2000 Trust Fund which lands are further described as follows:

Part of the Green Swamp project comprised of one parcel referred to as SWF Parcel No. 10-200-239, consisting of approximately 11.8± acres, lying in Section 22, Township 24 South, Range 24 East in Lake County, Florida.

Any person deciding to appeal any decision made by the District Governing Board concerning the above-referenced hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

A copy of the agenda or a more specific legal description of the lands proposed for acquisition may be obtained by contacting Fritz H. Musselmann, Land Resources Director, Southwest Florida Water Management District, at the above address.

The Southwest Florida Water Management District does not discriminate on the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act should contact: Cheryl Hill, (352)796-7211 or 1(800)423-1476 (Florida only), Extension 4452, Fax (352)754-6877, TTD only 1(800)231-6103, Fax Number (352)754-6877, Suncom 663-6877.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: July 1, 1999, 11:00 a.m.  
PLACE: District Headquarters, B-1 Building, Conference Room 2B, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Kick-Off meeting to provide Selection Committee with RFPs, proposals, score sheets and instructions for RFP C-10062, Water Resource Education Newspaper Insert.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact: Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should one or more members of the Evaluation Committee need to attend this meeting by means of communication media technology (CMT), the meeting will be teleconferenced at the date, time, location and conference room referenced above.

Should it be necessary to cancel the meeting, it will be held on July 2, 1999, 11:00 a.m., Conference Room 3B, with similar arrangements for teleconferencing, if required.

For more information, contact: Mary Deese, Senior Contract Administrator, (561)682-2180.

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The **South Florida Water Management District** announces regular and special workshops and meetings to which all interested parties are invited:

**DATES AND TIME:** July 2, 1999, July 6, 1999, July 7, 1999, July 8, 1999, July 9, 1999, 8:00 a.m. – 7:00 p.m.

**PLACE:** District Headquarters, Building B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

**PURPOSE:** Governing Board workshop to discuss and consider District business including regulatory and non-regulatory matters. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact: Tony Burns, District Clerk, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33416-4680, (561)682-6206.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

**DATE AND TIME:** July 6, 1999, 6:30 p.m. – 9:00 p.m.

**PLACE:** Kissimmee Civic Center, 201 East Dakin Avenue, Kissimmee, Florida

**PURPOSE:** Meeting of the Kissimmee Chain of Lakes Land Management Advisory Committee to review the management status of the KCOL Management Area and set future goals of the committee.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: Jay Udelhoven, 1(800)250-4250, Extension 3823.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

**DATE AND TIME:** July 7, 1999, 9:00 a.m.

**PLACE:** District Headquarters, B-1 Building, Richard Rodgers Conference Room, 2nd Floor, 3301 Gun Club Road, West Palm Beach, Florida

**PURPOSE:** Selection Committee meeting to discuss the tabulation of scores following the evaluation of applications submitted in response to the Water Resource Education Partnership Program FY2000.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should one or more members of the evaluation committee need to attend this meeting by means of communication media technology (CMT), the meeting will be teleconferenced at the time, location and conference room referenced above.

Should it be necessary to cancel the meeting, it will be held on July 13, 1999, 9:00 a.m., in the B-1 Building, Conference Room 2A, with similar arrangements for teleconferencing, if required.

For more information, contact: Linda Greer, Associate Contract Administrator, (561)682-6396.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

**DATES AND TIME:** July 8, 1999, July 28, 1999, August 4, 1999, August 18, 1999, September 1, 1999, September 15, 1999, September 23, 1999, 10:00 a.m. – 4:00 p.m.

**PLACE:** District Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

**PURPOSE:** An open forum of Advanced Treatment Technology Initiative to discuss current scientific knowledge on the development and application of advanced treatment technologies research projects.



A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: Dr. Susan Gray, (561)682-6919.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: July 9, 1999, 9:30 a.m. – 12:30 p.m.

PLACE: Lorida Community Center, 1909 Oak Avenue, Lorida, Florida

PURPOSE: The Kissimmee Basin Water Supply Plan Advisory Committee will meet to receive public input in development of the Kissimmee Basin Water Supply Plan. The Water Supply Plan will project future water demands and develop strategies to meet these demands for portions of Orange, Osceola, Polk, Highlands and Glades counties (that are within the South Florida Water Management District) through the year 2020.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

For more information, contact: Chris Sweazy, Planning Department, (407)858-6100.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: July 12, 1999, 9:00 a.m.

PLACE: District Headquarters B-50 Building, Conference Room 2, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Evaluation Committee meeting to discuss and tabulate scores of evaluations submitted in response to RFP C-10743, Installation of Saltwater Monitoring Wells in Palm Beach.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should it be necessary to cancel the meeting, an alternate meeting date is July 13, 1999, 1:00 p.m., District Headquarters B-50 Building, Conference Room 2.

For more information, contact: Mary Deese, Senior Contract Administrator, (561)682-2180.

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: July 14, 1999, 10:30 a.m.

PLACE: District Headquarters, B-1 Building, Conference Room 2A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Public meeting of the Selection Committee to discuss the tabulation of scores following the evaluation of proposals submitted in response to RFP C-10675, Development of Phosphorus Retention/Assimilation Algorithms for the Lake Okeechobee Watershed.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should one or more members of the evaluation committee need to attend this meeting by means of communication media technology (CMT), the meeting will be teleconferenced at the time, location and conference room referenced above.

Should it be necessary to cancel the meeting, it will be held on July 15, 1999, 10:30 a.m., in the same location, Conference Room 2A, with similar arrangements for teleconferencing, if required.

For more information, contact: Linda Engelbrecht, Procurement Analyst, (561)682-6378.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: July 16, 1999, 9:00 a.m.

PLACE: District Headquarters, B-50 Building, Conference Room 1, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Oral presentations for proposals submitted in response to RFP C-10743, Installation of Saltwater Monitoring Wells in Palm Beach.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should it be necessary to cancel the meeting, an alternate meeting date is July 19, 1999, 9:00 a.m., District Headquarters, B-50 Building, Conference Room 2.

For more information, contact: Mary Deese, Senior Contract Administrator, (561)682-2180.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: July 20, 1999, 10:00 a.m.

PLACE: District Headquarters, B-1 Building, Conference Room 3A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Meeting of the Selection Committee to discuss the tabulation of scores following the evaluation of proposals submitted in response to RFP C-10062, Water Resource Education Newspaper Insert.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary

for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should one or more members of the evaluation committee need to attend this meeting by means of communication media technology (CMT), the meeting will be teleconferenced at the time, location and conference room referenced above.

Should it be necessary to cancel the meeting, it will be held on July 21, 1999, 11:00 a.m., District Headquarters, B-1 Building, Conference Room 3B, with similar arrangements for teleconferencing, if required.

For more information, contact: Mary Deese, Senior Contract Administrator, (561)682-2180.

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**The South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: July 21, 1999, 8:30 a.m.

PLACE: District Headquarters, B-1 Building, Conference Room 3A, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Oral presentations by firms selected to provide presentations in conjunction with the evaluation of proposals, if required, submitted in response to RFP C-10675, Development of Phosphorus Retention/Assimilation Algorithms for the Lake Okeechobee Watershed.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should one or more members of the evaluation committee need to attend this meeting by means of communication media technology (CMT), the meeting will be teleconferenced at the time, location and conference room referenced above.

Should it be necessary to cancel the meeting, it will be held on July 23, 1999, 8:30 a.m., in the same location, Conference Room 2B, with similar arrangements for teleconferencing, if required. These meetings are subject to cancellation in the event the District's Evaluation Committee determines the final ranking based solely on the written proposal submissions.

For more information, contact Linda Engelbrecht, Procurement Analyst, (561)682-6378, to ascertain if the meeting will take place as scheduled.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited:

DATE AND TIME: July 29, 1999, 8:30 a.m.

PLACE: District Headquarters, B-1 Building, Conference Room 2B, 3301 Gun Club Road, West Palm Beach, Florida

PURPOSE: Oral presentations, if required, by firms selected to provide presentations in conjunction with the evaluation of proposals submitted in response to RFP C-10062, Water Resources Education Newspaper Insert.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

Should one or more members of the evaluation committee need to attend this meeting by means of communication media technology (CMT), the meeting will be teleconferenced at the time, location and conference room referenced above.

Should it be necessary to cancel the meeting, it will be held on July 30, 1999, 8:30 a.m. in the same location, Conference Room 2B, with similar arrangements for teleconferencing, if required.

These meetings are subject to cancellation in the event the District's Evaluation Committee determines the final ranking based solely on the written proposal submissions.

For more information, contact: Mary Deese, Senior Contract Administrator, (561)682-2180.

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

The Florida **Commission for the Transportation Disadvantaged** announces a Conference Planning and Awards Committee meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 13, 1999, 9:30 a.m. – completion

PLACE: 2740 Centerview Drive, Rhyne Building, Suite 1A, Tallahassee, Florida, (850)488-6036

PURPOSE: To discuss plans for the 1999 TD conference and select award winners.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Erin Schepers, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)488-6036 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

The meeting is subject to change upon chairperson's request.

**INTERLOCAL AGENCIES**

The **New River Solid Waste Association** announces a meeting to which all persons are invited.

DATE AND TIME: July 8, 1999, 6:00 p.m.

PLACE: New River Regional Landfill Office, Raiford, Florida

PURPOSE: To conduct the regular business of the New River Solid Waste Association. The 6:00 p.m. Board Meeting will be preceded by a general workshop at 5:00 p.m.

All persons deciding to appeal any decision of the New River Solid Waste Association with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

**DEPARTMENT OF ELDER AFFAIRS**

The **State Long-Term Care Ombudsman Council** announces the following revision to the conference call to which all persons are invited:

The original call for the Legislative Committee that was scheduled for July 13, 1999, has been rescheduled for

DATE AND TIME: June 30, 1999, 9:00 a.m. – 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Long-Term Care Ombudsman Program. You may contact the office of the Long-Term Care Ombudsman, (850)488-6190, for more information.

The **State Long-Term Care Ombudsman Council** announces a public meeting for all districts in Florida to which all persons are invited. You may contact the State Long-Term Care Ombudsman Office, (850)488-6190 for further information.

DATE AND TIME: July 22, 1999, 9:00 a.m.

PLACE: District One, Pensacola, FL

DATE AND TIME: July 21, 1999, 10:00 a.m.

PLACE: District Two, Blountstown, FL

DATE AND TIME: July 15, 1999, 1:00 p.m.

PLACE: District Three-A, Gainesville, FL

DATE AND TIME: July 8, 1999, 1:00 p.m.

PLACE: District Three-B, Ocala, FL

DATE AND TIME: July 20, 1999, 12:00 noon

PLACE: District Four, St. Augustine, FL

DATE AND TIME: July 15, 1999, 1:30 p.m.

PLACE: District Five, Largo, FL

DATE AND TIME: July 20, 1999, 10:00 a.m.  
 PLACE: District Six, Tampa, FL  
 DATE AND TIME: July 1, 1999, 12:30 p.m.  
 PLACE: District Seven, Orlando, FL  
 DATE AND TIME: July 6, 1999, 11:00 a.m.  
 PLACE: District Eight, Ft. Myers, FL  
 DATE AND TIME: July 19, 1999, 2:30 p.m.  
 PLACE: District Nine, West Palm Beach, FL  
 DATE AND TIME: July 13, 1999, 1:30 p.m.  
 PLACE: District Ten, Plantation, FL  
 DATE AND TIME: July 20, 1999, 1:15 p.m.  
 PLACE: District Eleven-South, S. Miami, FL  
 DATE AND TIME: July 8, 1999, 10:30 p.m.  
 PLACE: District Eleven-North, N. Miami, FL  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Issues related to the Long-Term Care Ombudsman Program.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIME: Wednesday, July 14, 1999, Thursday, July 15, 1999, Friday, July 16, 1999, 8:00 a.m.

PLACE: DoubleTree Hotel, Tampa Westshore Airport, Tampa, FL

PURPOSE: Committee, Disciplinary Actions and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact, Rodney Hurst, (904)727-3689, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Board of Pilot Commissioners** announces the following meeting, to which all persons are invited to attend.

DATE AND TIME: July 15, 1999, 1:00 p.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399, (850)488-0698

PURPOSE: Rules Committee immediately followed by Finance Committee immediately followed by Probable Cause Panel meeting, agenda available on request.

DATE AND TIME: July 16, 1999, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399, (850)488-0698

PURPOSE: General Board and Business meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a 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 a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)488-0698, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting to be held by public telephone conference call which all persons are invited:

DATE AND TIME: Friday, July 9, 1999, 3:00 p.m. (EST) or soon thereafter

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

CONFERENCE CALL NUMBER: 1(800)720-5850

PURPOSE: Probable Cause Panel meeting

A copy of the agenda may be obtained by writing: The Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting Dennis Barton, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory which all persons are invited:

DATE AND TIME: July 19-20, 1999, 9:00 a.m. (Educational Advisory Committee will not be meeting on Wednesday, July 21, 1999)

PLACE: Florida Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301

PURPOSE: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Board of Professional Engineers, 1208 Hays Street, Tallahassee, Florida 32301.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty eight (48) hours before the meeting by contacting Dennis Barton, (850)521-0500.

**Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers** announces a General Business Meeting by media technology, specifically a telephone conference call. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: July 21, 1999, 10:30 a.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399

PURPOSE: Board Business

A copy of the agenda may be obtained by writing: Jim Rimes, Executive Director, Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster by Thursday, July 1, 1999.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The **Department of Environmental Protection** announces a public meeting to which all person are invited:

DATE AND TIME: July 13, 1999, 3:00 p.m. (Central time)

PLACE: Room 502, 160 Governmental Center, Pensacola, Florida 32501

PURPOSE: The Northwest Citizens Advisory Panel meeting will include a presentation by Dr. Tom Atkeson describing the mercury problem in Florida.

A copy of the agenda may be obtained by writing: Department of Environmental Protection, 160 Governmental Center, Pensacola, Florida 32501 or by calling Dick Fancher, (850)595-8300.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist in the Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Board of Trustees of the **Internal Improvement Trust Fund** announces a technical advisory committee meeting to which all person are invited:

DATE AND TIME: Wednesday, July 14, 1999, 10:00 a.m. – 3:30 p.m.

PLACE: Department of Environmental Protection, Douglas Building, Conference Room A, 3900 Commonwealth Blvd., Tallahassee, Florida

PURPOSE: Organizational meeting of a Technical Advisory Committee to discuss potential sovereign submerged lands issues and prioritize rulemaking.

A copy of the agenda may be obtained by contacting: Alice Heathcock, Division of Environmental Resource Permitting, Mail Station 2500, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-9899.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist in the Bureau of Personnel, (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public workshop to which all persons are invited.

DATE AND TIME: Thursday, July 8, 1999, 7:00 p.m. (CDT)

PLACE: The Resort at San Destin, Linkside Center, Grand Ballroom A, 9300 Highway 98, West, Destin, Florida 32541

**PURPOSE:** To receive comments regarding management and land uses for Topsail Hill State Preserve including the newly acquired Topsail Hill RV Resort subsequent to the development of a management plan for the park.

Special accommodations for persons with disabling conditions should be requested in writing at least 48 hours in advance of this meeting.

Any request for special accommodations can be made by writing: Department of Environmental Protection, Division of Recreation and Parks, District 1 Administration, 4620 State Park Lane, Panama City, Florida 32408.

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#### DEPARTMENT OF JUVENILE JUSTICE

The **Department of Juvenile Justice** announces a meeting of the **Juvenile Justice Standards and Training Commission**, to which any interested parties are invited.

**DATE AND TIME:** July 8, 1999, 8:30 a.m. – 5:00 p.m.

**PLACE:** Radisson Hotel, 415 North Monroe Street, Tallahassee FL 32301, Telephone (850)224-6000

**PURPOSE:** Regular meeting to discuss issues related to staff training for Juvenile Justice Programs, as well as future plans for the Juvenile Justice Training System.

A copy of the agenda may be obtained by contacting: April McLeod, Department of Juvenile Justice, Office of Staff Development, 2737 Centerview Drive, Tallahassee, Florida 32399-3100, or call (850)488-8825.

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#### DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a meeting to be held at the North Florida Reception Center, Lake Butler, Florida, to which all persons are invited:

**DATE AND TIME:** July 9, 1999, 9:00 a.m. – 2:00 p.m.

**PLACE:** North Florida Reception Center, P. O. Box 628, Lake Butler, Florida 32054, Switchboard (904)496-6000, Suncom 883-6000

**PURPOSE:** Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Linda A. Keen, Executive Director, Correctional Medical Authority, 2020 Capital Circle, S. E., Bin B-04, Tallahassee, Florida 32399-1732 or calling (850)487-3580.

Interested parties please contact the CMA office, (850)487-3580, if you are planning to attend this meeting, to ensure access to the correctional facility.

Pursuant to Chapter 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The Florida **Board of Chiropractic Medicine** Probable Cause Panel will hold a duly noticed meeting to which all persons are invited to attend:

**DATE AND TIME:** Friday, July 16, 1999, 12:00 noon

**PLACE:** Department of Health, Secretary Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399

**PURPOSE:** Reconsideration of cases previously heard by the panel.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Chiropractic Medicine, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Chiropractic Medicine using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If you respond 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.

A copy of the agenda item may be obtained by writing: Ms. Sherra W. Causey, Professional Regulation Specialist II, Florida Board of Chiropractic Medicine, Department of Health, Division of Medical Quality Assurance, 2020 Capital Circle, S. E., Bin C07, Tallahassee, Florida 32399-3257.

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The Florida **Board of Clinical Laboratory Personnel**, will hold a duly noticed conference call meeting to which all persons are invited to attend.

**DATE AND TIME:** Wednesday, July 7, 1999, 11:00 a.m.

**PLACE:** Department of Health, 1940 North Monroe Street, Tallahassee, Florida 32399, Meet Me Number (850)488-5776

**PURPOSE:** General Board Business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Clinical Laboratory Personnel, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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 form which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra Causey, Professional Regulation Specialist II, Board of Clinical Laboratory Personnel, 2020 Capital Circle, S. E., Bin C07, Tallahassee, Florida 32399-3257.

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The **Department of Health, Board of Nursing** announces public meetings to which all interested persons are invited.

Continued Competency Task Force Meeting

DATE AND TIME: Saturday, June 26, 1999, 10:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607, (813)879-0721

PURPOSE: To discuss matters pertaining to continued competency.

Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact the Board of Nursing office, (904)858-6940, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System which can be reached, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Optometry** will hold a duly noticed Rules Workshop meeting to which all persons are invited to attend.

DATE AND TIME: Friday, July 23, 1999, 9:00 a.m.

PLACE: Brazilian Court Hotel, 301 Australian Avenue, Palm Beach, Florida, (561)655-7740

PURPOSE: To discuss proposed changes to Rule 64B13, Florida Administrative Code.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Optometry, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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 form which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra Causey, Professional Regulation Specialist II, Board of Optometry, 2020 Capital Circle, S. E., Bin C07, Tallahassee, Florida 32399-3257.

The Florida **Board of Optometry** will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Friday, July 23, 1999, commencing shortly after Rules Workshop

PLACE: Brazilian Court Hotel, 301 Australian Avenue, Palm Beach, Florida, (561)655-7740

PURPOSE: General Board Business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Optometry, (850)487-3052, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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 form which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Ms. Sherra Causey, Professional Regulation Specialist II, Board of Optometry, 2020 Capital Circle, S. E., Bin C07, Tallahassee, Florida 32399-3257.

The **Department of Health**, Bureau of Emergency Medical Services, invites the public to attend the Grant Writing Workshop

DATE AND TIME: July 7, 1999, 1:00 p.m. – 3:00 p.m.

PLACE: Carible Royale Resort, Suites and Villas, 14300 International Drive, Orlando, Florida

DATE AND TIME: September 13, 1999, 1:00 p.m. – 4:00 p.m.

PLACE: Bureau of Emergency Medical Services Office, 2002 Old St. Augustine Rd., Building D, Tallahassee, Florida

DATE AND TIME: October 6, 1999, 1:00 p.m. – 3:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida

PURPOSE: To conduct grant writing workshops for Emergency Medical Service Providers and other eligible organizations. The grant workshops are being conducted to provide training and information to potential grant applicants on what areas to address in the grant. In addition, the application form will be reviewed with the attendees.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Bureau of Emergency Medical Services, (850)487-1911, at least five (5) calendar days prior to the meeting.

If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE WORKSHOPS IS: Holly Pelt, Bureau of Emergency Medical Services, 2002 Old St. Augustine Road, Building D, Tallahassee, Florida 32301, (850)487-1911.

P.O. EU-0568

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Florida **Department of Children and Family Services**, Calendar of Board Meetings, to which all persons are invited.

MEETING: Executive Committee

DATES AND TIME: Tuesday, July 20, 1999; Tuesday, Sept. 21, 1999; Tuesday, November 16, 1999; Tuesday, January 18, 1999; Tuesday, March 21, 1999; Tuesday, May 16, 1999, 1:00 p.m. – 3:00 p.m. (Eastern)

PLACE: Tallahassee/Cedars

MEETING: Full Board  
 DATE AND TIME: Tuesday, August 17, 1999, 12:30 p.m. – 3:30 p.m. (Central)  
 PLACE: Panama City – 11th Street  
 MEETING: Full Board  
 DATE AND TIME: Tuesday, October 19, 1999, 12:30 p.m. – 3:30 p.m. (Central)  
 PLACE: Marianna – Sunland  
 MEETING: Full Board  
 DATE AND TIME: Tuesday, December 21, 1999, 1:00 p.m. – 4:00 p.m. (Eastern)  
 PLACE: Tallahassee  
 MEETING: Full Board  
 DATE AND TIME: Tuesday, February 15, 1999, 1:00 p.m. – 4:00 p.m. (Eastern)  
 PLACE: Gulf County/Port St. Joe  
 MEETING: Full Board  
 DATE AND TIME: Tuesday, April 18, 1999, 1:00 p.m. – 4:00 p.m. (Eastern)  
 PLACE: Tallahassee/Cedars  
 MEETING: Full Board  
 DATE AND TIME: Tuesday, June 20, 1999, 1:00 p.m. – 4:00 p.m. (Eastern)  
 PLACE: Madison County  
 Meeting Sites To Be Announced Later. Committee Meetings may be held prior to Board meetings, 10:00 a.m. – 12:00 p.m. For more information call: Ima Brown, (850)488-0569.

**PINELLAS WAGES COALITION**

The **Pinellas WAGES Coalition** announces the following meeting of its Hardship Review Commission. Members of the public are invited to attend.  
 DATE AND TIME: Thursday, July 8, 1999, 9:00 a.m. – 2:00 p.m.  
 PLACE: 1100 Cleveland Street, 5th Floor, Conference Room, Clearwater, Florida  
 DATE AND TIME: Tuesday, July 13, 1999, 9:00 a.m. – 2:00 p.m.  
 PLACE: 4140 49th Street, North, Conference Room, St. Petersburg, Florida  
 PURPOSE: WAGES Hardship Exemption Hearings  
 Interested parties may appear and be heard at the hearings. Hearing schedules can be obtained 7 days in advance of the meeting by contacting: 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.  
 Any person wishing to appeal\* any decision made by the Pinellas WAGES Coalition’s Hardship Review Commission with respect to any matter considered at such hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is

to be based. The inclusion of this statement does not create or imply a right to appeal any decision made at this hearing if the right to an appeal does not exist as a matter of law or policy.  
 In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice, or telephone (727)507-6197.  
 \*Appeal may be made through a Fair Hearing with the Department of Children and Family Services and/or through the Coalition’s policy.

The **Pinellas WAGES Coalition** announces the following meeting on:  
 DATE AND TIME: Monday, July 12, 1999, 10:00 a.m.  
 PLACE: 13770 58th Street, North, Suite 312, Clearwater, Florida 33760  
 PURPOSE: Regular meeting of the Hardship Review Commission Steering Committee of the Pinellas WAGES Coalition.  
 ISSUES TO BE DISCUSSED: Hardship Exemptions.  
 Members of the public are invited to attend and to be heard. Agendas can be obtained 7 days in advance of the meeting at: 13770 58th Street, North, Suite 304, Clearwater, FL 33760 or by calling (727)507-6197.

Any person wishing to appeal any decision made by the Pinellas WAGES Coalition’s Steering Committee with respect to any matter considered at such meeting will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.  
 The inclusion of this statement does not create or imply a right to appeal any decision made at this meeting if the right to an appeal does not exist as a matter of law or policy.  
 In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the agency sending the notice no later than three working days prior to the proceeding at the address given on the notice. Telephone (813)507-6197.

**FLORIDA SURPLUS LINES SERVICE OFFICE**

The **Florida Surplus Lines Service Office** announces a quarterly meeting of the Board of Governors; where all interested parties are invited:  
 DATE AND TIME: Wednesday, July 28, 1999, 1:00 p.m.  
 PLACE: Renaissance Vinoy Resort, 501 Fifth Ave., N. E., St. Petersburg, FL 33701  
 PURPOSE: General Business Matters  
 A copy of the agenda may be obtained by sending a faxed request to Kristen DeVitto, (850)513-9624.



In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact Kristen a week prior to the meeting, (800)562-4496, Ext. 16.

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Florida Building Commission received a request for a Declaratory Statement on June 2, 1999 from Donald L. Frisbie, 64 Adams Street, Venus, Florida 33960-2132. This request presents the following issue: Whether a contractor may manufacture and install a roofing system without providing for testing or certification.

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

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a joint petition for a Declaratory Statement from CHESAPEAKE UTILITIES CORPORATION AND CITRUSCO NORTH AMERICA, INC. The petition seeks the agency's opinion as to the applicability of Section 366.02(1), Florida Statutes, as it applies to petitioners. DOCKET NO. 990710-GU

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by GTC, Inc. on March 11, 1999. The Commission denied the petition for declaratory statement, deciding that the questions posed should be answered in the proceeding initiated by filing a petition under section 364.051(5), Florida Statutes.

DOCKET NO. 990316-TL

**DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, received a Petition to Initiate Rulemaking on June 8, 1999, from Susanne Manning. Petitioner is an inmate seeking an amendment of Florida Administrative Code Chapter 33-3.0025. Specifically, petitioner seeks a provision that would increase the possession limit on plastic spoons from one to five.

A copy of the Petition may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from David Rittenhouse. Petitioner requested that the Department enact a provision in Florida Administrative Code Chapter 33 that would implement the provisions of Section 945.35(3), Florida Statutes by providing a mandatory H.I.V. testing procedure for inmates who have engaged in behavior that is high-risk for the transmitting or contracting of a human immunodeficiency disorder. The Department denied the petition; however, it noted that it would investigate the feasibility of such a rule in the future.

A copy of the Order, Case No. DC 99-12, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Douglas Jackson. Petitioner requested that the Department delete that portion of Florida Administrative Code Rule 33-3.0051(2) which states that "[d]ocuments will be copied only if they are necessary to initiate a legal or administrative action or if they must be served or filed in a pending action." The Department denied the petition, noting that the current rule in no manner impedes an inmate's right to access to court.

A copy of the Order, Case No. DC 99-25, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Douglas Jackson. Petitioner requested that the Department enact a provision in Florida Administrative Code Chapter 33-22 that would require at least three staff persons to preside over inmate disciplinary hearings. The Department denied the petition, noting that the Due Process Clause does not require any specific number of staff members to preside over a disciplinary hearing.

A copy of the Order, Case No. DC 99-26, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from James Quigley. Petitioner

requested that the Department amend Florida Administrative Code Rule 33-3.002(9)(a) to require that all facilities issue and recall winter clothing on various dates dependent upon the location of the facility. The Department denied the petition, noting that the local warden is in the best position to determine when winter clothing should be issued and recalled.

A copy of the Order, Case No. DC 99-27, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Douglas Jackson. Petitioner requested that the Department amend Florida Administrative Code Rule 33-3.0051(4) to provide for free copying services for inmates. The Department denied the petition, noting that indigent inmates were currently provided copying services when necessary to ensure access to courts.

A copy of the Order, Case No. DC 99-29, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Douglas Jackson and Raymond Coleman. Petitioners requested an amendment of Florida Administrative Code Rule 33-3.0051 that would require that all institutions provide photographic copying services to inmates submitting legal documents to attorneys. The Department denied the petition, reasoning that the current rule provided sufficient access to courts.

A copy of the Order, Case No. DC 99-30, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections, has issued a response to a Petition to Initiate Rulemaking received from Douglas Jackson. Petitioner requested that the Department amend Florida Administrative Code Rule 33-3.0025 to allow all prisoners to possess non-Walkman type radios. The Department denied the petition, noting that Jackson was mistaken in his belief that the Department allowed certain groups of prisoners to possess such radios.

A copy of the Order, Case No. DC 99-31, may be obtained by contacting: Gary L. Grant, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an Declaratory Statement in In Re: Petition for Declaratory Statement Howard Chandler, Secretary, Floridian Mobile Home Park Homeowners Association, Inc.; Docket Number DS99070.

The Declaratory Statement declares that none of the alleged actions of the park owners are within the jurisdiction of the Division of Florida Land Sales, Condominiums and Mobile Homes.

A copy of the Declaratory Statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030.

**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:**

Consult Care, Inc. vs. Agency for Health Care Administration; Rule No.: 59G-4.010; Case No.: 99-2497RX

**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

BR-650 CO-ED MULTI-USE INDOOR ATHLETIC
FACILITY

NOTICE TO CONSTRUCTION MANAGERS

Florida Atlantic University, on behalf of the State of Florida,
Board of Regents, announces that Construction Management
services will be required for the project listed below:

Project No.: BR-650 CO-ED MULTI-USE INDOOR
ATHLETIC FACILITY

This project consists of approximately 34,000 square feet of an
academic center with study and work areas for student's
athletics, strength training/therapy facilities, locker room,
coaches offices, meeting rooms, lounge space and equipment
storage. The building will primarily function as a teaching,
coaching and training area with parallel goals to maximize
athletic, student, staff and coach recruiting and retention
potential.

The estimated construction cost is \$4,475,087.

The contract for construction management services will consist
of two phases. Phase one is pre-construction services, for
which the construction manager will be paid a fixed fee. Phase
one services include value engineering, constructability
analyses, development of a cost model, estimating, and the
development of a Guaranteed Maximum Price (GMP) at 100%
Construction Document phase. If the GMP is accepted, phase
two, the construction phase, will be implemented. In phase two
of the contract, the construction manager becomes the single
point of responsibility for performance of the construction of
the project and shall publicly bid trade contracts, ensuring the
inclusion of Minority Business Enterprises (MBEs). Failure to
negotiate an acceptable fixed fee for phase one of the contract,
or to arrive at an acceptable GMP within the time provided in
the agreement may result in the termination of the construction
manager's contract.

Selection of finalists for interviews will be made on the basis
of construction manager qualifications, including experience
and ability; past experience; bonding capacity; record-keeping/
administrative ability, critical path scheduling expertise; cost
estimating; cost control ability; quality control capability;
qualification of the firm's personnel, staff and consultants; and
ability to meet the minority business enterprise participation
requirements. Finalists will be provided with a copy of the
building program and the latest documentation prepared by the
project architect/engineer, a description of the final interview
requirements and a copy of the standard State University
System's construction management agreement. The Selection
Committee may reject all proposals and stop the selection

process at any time. The construction manager shall have no
ownership, entrepreneurial or financial affiliation with the
selected architect/engineer involved with this project.

Firms desiring to provide construction management services
for the project shall submit a letter of application and a
completed Board of Regents "Construction Manager
Qualifications Supplement." Proposals must not exceed 80
pages, including the Construction Manager Qualifications
Supplement and letter of application. Pages must be numbered
consecutively. Submittals, which do not comply with these
requirements or do not include the requested data, will not be
considered. No submittal material will be returned.

All applicants must be licensed to practice as general
contractors in the State of Florida at the time of application.
Corporations must be registered to operate in the State of
Florida by the Department of State, Division of Corporations,
at the time of application. As required by Section 287.133,
Florida Statutes, a construction management firm 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 construction management firm must
warrant that it will neither utilize the services of, nor contract
with, any supplier, subcontractor, or consultant in excess of
\$10,000.00 in connection with this project for a period of 36
months from the date of their being placed on the convicted
vendor list.

The Board of Regents Construction Manager Qualifications
Supplement forms and the Project Fact Sheet may be obtained
by contacting: Facilities Planning Department, Florida Atlantic
University, (561)297-3141.

5 (five) bound copies of the required proposal data shall be
submitted to: Linda Cassese, Florida Atlantic University, 777
Glades Road, Facilities Planning Department, Building T-10,
Boca Raton, FL 33431.

Submittals must be received by 3:00 p.m. local time, July 26,
1999. Facsimile (FAX) submittals are not acceptable and will
not be considered.

Call for Bids

Bridge/Gazebo over Candy Cane Lake

Made by the University of North Florida, on behalf of the State
of Florida, Board of Regents.

PROJECT NAME, NUMBER AND LOCATION: Bridge/
Gazebo Over Candy Cane Lake, University of North Florida.
(No BR Number)

QUALIFICATION: All Bidders must be qualified at the time
of bid opening in accordance with the Instructions to Bidders,
Article B-2. Sealed bids will be received on:

DATE AND TIME: Tuesday, July 27, 1999, until 2:00 p.m.,
local time

PLACE: University of North Florida, Building Five, Conference Room, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224 at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer at Junck & Walker Architects/Planners, Inc., 8111 Old Kings Road, South, Suite 2A, Jacksonville, Florida 32217, Telephone (904)731-4033.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Minority Business Advocacy and Assistance Office, Department of Labor and Employment Security. Consideration will be given to the percentage of participation, as described in the Instructions to Bidders, in the award of the contract.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is encouraged to attend the pre-solicitation/pre-bid meeting. Minority Business Enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: Tuesday, July 13, 1999, 2:00 p.m., local time.

PLACE: University of North Florida, Building Two, Student Affairs, Conference Room, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224.

DEPOSIT: \$20.00 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a) submit a bona fide bid, or
  - b) provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work,
- and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$20.00 per set for the printing and handling cost. Partial sets may be purchased at \$1.00 per sheet of the drawings and \$10.00 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity

crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

**INVITATION TO BID**

The School Board of Broward County, Florida

Competitive sealed bids will be received by the Purchasing Department until the date and time shown for the following:

BID NUMBER: 20-113H

BID TITLE: FOOD CUTTERS, SCALES AND SLICERS FOR SCHOOL CAFETERIAS

DUE DATE AND TIME: July 22, 1999 on or before 2:00 p.m.

LOCATION OF BID OPENING: Purchasing Department, 7720 W. Oakland Park Boulevard, Suite 323, Sunrise, Florida 33351-6704

CONTRACT TERM: October 1, 1999 Through September 30, 2000

ESTIMATED DOLLAR VALUE OF THE BID: \$150,000.00

CONTACT PERSON: Veronica K. Evans, CPPB, Buyer

TELEPHONE NUMBER: (954)765-613;

FAX NUMBER: (954)767-8417

E-MAIL: evansr@browrdschools.com

WEBSITE: <http://www.browardschools.com>

DEPARTMENT: Purchasing

**DEPARTMENT OF TRANSPORTATION**

**NOTICE OF REQUEST FOR PROPOSAL**

DISTRICT: SIX

RFP NUMBER: RFP-DOT-99/2000-6027DS

FINANCIAL PROJECT NUMBER: 252044-1-31-01/252032-1-52-01

MBE/DBE RESERVATION OR PREFERENCE: Twenty one percent (21%) of the total expenditure for this project is reserved for participation among "Certified Minority Business Enterprises". If you require additional information concerning certification, you may contact the Minority Business Advocacy and Assistance Office in Tallahassee, (850)487-0915. The department will add five (5) points to the scores of Certified Minority Business Enterprises (MBEs), proposing as the Prime Consultant on this project. The Department will add up to five (5) points to the scores of Non-certified Minority Business Enterprises (MBE) utilizing Certified Minority Business Enterprises (MBE) as subcontractors for services or commodities. Contractors must be certified with the Minority Business Advocacy and Assistance Office. If you require additional information concerning certification you may contact the Tallahassee Minority Office, (850)487-0915.

**DEADLINE FOR SUBMITTAL OF PRE-QUALIFICATION REQUIREMENTS:** July 15, 1999, 2:00 p.m.

**BID DUE DATE AND TIME:** July 29, 1999, 2:00 p.m.

**SCOPE OF SERVICES:** Sealed written Proposals are requested from Licensed General Building Contractors, Professional Architectural Engineers or Professional Consultant Services for the purpose of a design-build project consisting of the installation of a permanent canopy for the District Office Building located: The District Office Complex, 1000 Northwest 111 Avenue, Miami, Florida. The Consultant shall provide all labor, materials, supplies, travel, consultant inspection services, shop drawing reviews to design, and furnish plans and specifications necessary to construct the permanent canopy.

**MANDATORY PRE-PROPOSAL MEETING:** July 15, 1999, in the District Six Auditorium, 1000 Northwest 111 Avenue, Miami, Florida 33172, 10:00 a.m. No one will be admitted after 10:15 a.m. Bid documents will only be provided to attendees.

**MANDATORY SITE INSPECTION:** The Mandatory Site Inspection shall be held on July 15, 1999, after the Mandatory Pre-Proposal Meeting. Each Proposer shall be required to sign an acknowledgment form, (which is a part of the Proposal documents), that shall be countersigned by the Department's representative. The signed acknowledgment form shall be furnished with the Proposer's Technical Proposal. Failure to adhere to this directive, may result in the Proposer's Proposal being declared non-responsive. Failure to attend the mandatory site inspection may be cause for disqualification

**MINIMUM QUALIFICATIONS:** Proposers must submit their qualifications prior to the deadline of July 15, 1999, 2:00 p.m. Letters of pre-qualification will only be issued to qualified Proposers. Each Proposer whose field is Governed by Chapters 399, 455, 489, and 633 of The Florida Statutes. For Licensure or Certification one must submit Pre-qualification Data of their eligibility to submit Proposals prior to the Proposal Opening Date. After the Proposal Opening, the low Proposer must qualify in accordance with Rule 60D-5.004, Florida Administrative Code. A copy of the rule requirements is included in the Proposal Package. Each Proposer must be pre-qualified by the District Six Procurement Office prior to the issuance of proposal forms. To pre-qualify each Proposer must submit a copy of the appropriate Contractor's License(s) as required by the state for the type(s) of work to be proposed and a copy of the State Corporate Charter issued by the Department of State, Division of Corporations, If its' firm is a corporation letters of pre-qualification must be submitted with the Technical Proposal package. Prospective proposers must be able to meet or exceed the qualifications and Proposer requirements in accordance with Proposal documents. The successful bidder shall submit proof of current general liability, professional liability and workman's compensation insurances for the duration of the contract. Prospective consultants must

attain a score of seventy (70) points or higher on the Technical Proposal to be considered responsive. Should a Proposer receive fewer than seventy (70) points on their technical proposal score, the price proposal will not be opened.

**PROPOSAL BOND:** If the proposal exceeds one hundred thousand dollars (\$100,000.00) the proposer must provide with the proposal a good faith deposit in the amount of 5% of the proposal by way of a proposal bond form provided by the owner from a surety insurer authorized to do business in this state as surety, a certified check made payable to Florida Department of Transportation, a cashier's check, treasurer's check, or bank draft of any national or state bank. A proposer bond, check or draft in an amount less than five percent (5%) of the actual proposal will invalidate the proposal.

**PERFORMANCE BOND:** If the construction contract award amount is one hundred thousand dollars (\$100,000.00) or less, a performance bond and a labor and material payment bond are not required.

**REQUESTING PROPOSAL DOCUMENTS:** Requests for Plans, Specifications and/or Proposal Documents should be directed to: Nancy Kay Lyons, Contracts Administrator, 1000 Northwest 111 Avenue, Room 6107-A, Miami, Florida 33172. Projects may also be requested via internet e-mail. Please send your request to: nancy.lyons@dot.state.fl.us

**POSTING INFORMATION:** Unless otherwise notified in writing the Notice of Intent to Award will be posted at the District Six Contracts Office, 1000 Northwest 111 Avenue, on August 26, 1999, 4:00 p.m. If the department is unable to post as defined above, the department will notify all proposers by mail, FAX and/or telephone. The Department will provide written notification of any future posting in a timely manner.

**PROTEST RIGHTS:** With respect to a Protest of the Specifications Contained in an Invitation to Bid or in a Request for Proposals, the Notice of Protest shall be filed in writing within seventy two (72) hours after the receipt of Notice of the Project Plans and Specifications or Intended Project Plans and Specifications in an Invitation to Bid or Request for Proposals. A Formal Written Protest Stating with Particularity the Facts and Law upon Which the Protest Is Based and in Substantially the Same Form as a Petition in Accordance with Section 120.57(3), Florida Statutes, and Rule 60D-4.012, F.A.C., Shall Be Filed Within Ten (10) Days after Filing of the Notice of Protest. The Ten (10) Day Period Includes Saturdays, Sundays, and Legal Holidays; Provided, However, if the last day is a Saturday, Sunday, or legal holiday the period shall run until the end of the next day which is neither a Saturday, Sunday, or Legal Holiday. Any person who files an action protesting an award shall post with the department, at the time of filing the Formal Written Protest, a Bond Payable to the Department in the amount equal to one percent (1%) of the Department's estimate of the contract amount for the purchase requested or five thousand dollars (\$5,000.00), whichever is less, which bond shall be conditioned upon the payment of all costs which

may be adjudged against him in the Administrative Hearing in which the action is brought and in any subsequent appellate court proceedings. In lieu of a bond, the Department may accept a Cashier's Check or Money Order in the Amount of the Bond. The Protest must be filed with the Department of Transportation, Clerk of Agency Proceedings, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458.

The Department reserves the right to reject any or all proposals received.

#### NOTICE OF REQUEST FOR PROPOSAL

DISTRICT: Six

RFP NUMBER: RFP-DOT-99/2000-6028DS

FINANCIAL PROJECT NUMBER: 252032-1-32-01/  
252032-1-52-01

MBE/DBE RESERVATION OR PREFERENCE: Twenty one percent (21%) of the total expenditure for this project is reserved for participation among Certified Minority Business Enterprises. If you require additional information concerning certification, you may contact the Minority Business Advocacy and Assistance Office in Tallahassee, (850)487-0915. The department will add five (5) points to the scores of Certified Minority Business Enterprises (MBEs), proposing as the Prime Consultant on this project. The Department will add up to five (5) points to the scores of Non-certified Minority Business Enterprises (MBE) utilizing Certified Minority Business Enterprises (MBE) as subcontractors for services or commodities. Contractors must be certified with the Minority Business Advocacy and Assistance Office. If you require additional information concerning certification you may contact the Tallahassee Minority Office, (850)487-0915.

DEADLINE FOR SUBMITTAL OF PRE-QUALIFICATION REQUIREMENTS: July 15, 1999, 2:00 p.m.

BID DUE DATE AND TIME: August 26, 1999, 2:00 p.m.

SCOPE OF SERVICES: Sealed written Proposals are requested from Licensed Professional Electrical Engineers, or Professional Consultant Services for the purpose of a Design-build Project Consisting of the Installation of a Security System including Cameras for the District Office Complex located at: 1000 Northwest 111 Avenue, Miami, Florida. The Consultant shall provide all labor, materials, supplies, travel, consultant inspection services, shop drawing reviews to design, and furnish plans and specifications necessary to install the security system.

MANDATORY PRE-PROPOSAL MEETING: July 15, 1999 in the District Six Auditorium, 1000 Northwest 111 Avenue, Miami, Florida 33172, 2:00 p.m. No one will be admitted after 2:15 p.m. Bid documents will only be provided to attendees.

MANDATORY SITE INSPECTION: The Mandatory Site Inspection shall be held on July 15, 1999 after the Mandatory Pre-Proposal Meeting. Each Proposer shall be required to sign an acknowledgment form, (which is a part of the Proposal documents), that shall be countersigned by the Department's

representative. The signed acknowledgment form shall be furnished with the Proposer's Technical Proposal. Failure to adhere to this directive, may result in the Proposer's Proposal being declared non-responsive. Failure to attend the mandatory site inspection may be cause for disqualification.

ORAL PRESENTATIONS: Oral presentations shall be conducted during the weeks of August 9, 1999 through August 20, 1999. Proposers who are invited to give oral presentations shall be notified by mail or fax with their scheduled date and time.

MINIMUM QUALIFICATIONS: Proposers must submit their qualifications prior to the deadline of July 15, 1999, 2:00 p.m. Letters of Pre-qualification will only be issued to qualified Proposers. Each Proposer whose field is Governed by Chapters 399, 455, 489 And 633 of the Florida Statutes. For Licensure or Certification one must submit Pre-qualification Data of their eligibility to submit Proposals prior to the Proposal Opening Date. After the Proposal Opening, the low Proposer must qualify in accordance with Rule 60D-5.004, Florida Administrative Code. A copy of the rule requirements is included in the Proposal Package. Each Proposer must be pre-qualified by the District Six Procurement Office prior to the issuance of proposal forms. To pre-qualify each Proposer must submit a copy of the appropriate Contractor's License(s) as required by the state for the type(s) of work to be proposed and a copy of the State Corporate Charter issued by The Department of State, Division of Corporations, If its' firm is a corporation letters of pre-qualification must be submitted with the Technical Proposal package. Prospective proposers must be able to meet or exceed the qualifications and Proposer requirements in accordance with Proposal documents. The successful bidder shall submit proof of current general liability, professional liability and workman's compensation insurances for the duration of the contract. Prospective consultants must attain a score of seventy (70) points or higher on the Technical Proposal to be considered responsive. Should a Proposer receive fewer than seventy (70) points on their technical proposal score, the price proposal will not be opened.

PROPOSAL BOND: If the proposal exceeds one hundred thousand dollars (\$100,000.00) the proposer must provide with the proposal a good faith deposit in the amount of 5% of the proposal by way of a proposal bond form provided by the owner from a surety insurer authorized to do business in this state as surety, a certified check made payable to Florida Department of Transportation, a cashier's check, treasurer's check or bank draft of any national or state bank. A proposer bond, check or draft in an amount less than five percent (5%) of the actual proposal will invalidate the proposal.

PERFORMANCE BOND: If the construction contract award amount is one hundred thousand dollars (\$100,000.00) or less, a performance bond and a labor and material payment bond are not required.

REQUESTING PROPOSAL DOCUMENTS: Requests for Plans, Specifications and/or Proposal Documents should be directed to: Nancy Kay Lyons, Contracts Administrator, 1000 Northwest 111 Avenue, Room 6107-A, Miami, Florida 33172. Projects may also be requested via internet e-mail. Please send your request to: nancy.lyons@dot.state.fl.us

POSTING INFORMATION: Unless otherwise notified in writing the Notice of Intent to Award will be posted at the District Six Contracts Office, 1000 Northwest 111 Avenue, on September 30, 1999, 4:00 p.m. If the department is unable to post as defined above, the department will notify all proposers by mail, fax and/or telephone. The Department will provide written notification of any future posting in a timely manner.

PROTEST RIGHTS: With Respect to a Protest of the Specifications Contained in an Invitation to Bid or in a Request for Proposals, the Notice of Protest shall be filed in writing within seventy two (72) hours after the Receipt of Notice of the Project Plans and Specifications or Intended Project Plans and Specifications in an Invitation to Bid or Request for Proposals. A Formal Written Protest Stating with Particularity the Facts and Law upon which the protest is based and in substantially the same form as a petition in accordance with Section 120.57(3), Florida Statutes, and Rule 60D-4.012, F.A.C., Shall Be Filed Within Ten (10) Days after Filing of the Notice of Protest. The Ten (10) Day Period Includes Saturdays, Sundays and Legal Holidays; Provided, However, If the Last Day is a Saturday, Sunday or Legal Holiday the Period Shall Run until the End of the next Day Which Is Neither a Saturday, Sunday or Legal Holiday. Any Person Who Files an Action Protesting an Award Shall Post with the Department, at the Time of Filing the Formal Written Protest, a Bond Payable to the Department in the amount equal to one percent (1%) of the Department's Estimate of the Contract Amount for the purchase requested or five thousand dollars (\$5,000.00), whichever is less, which bond shall be conditioned upon the payment of all costs which may be adjudged against him in the Administrative Hearing in Which the Action Is Brought and in Any Subsequent Appellate Court Proceedings. In Lieu of a Bond, the Department May Accept a Cashier's Check or Money Order in the Amount of the Bond. The Protest must Be Filed with: The Department of Transportation, Clerk of Agency Proceedings, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458.

The Department reserves the right to reject any or all proposals received.

**REGIONAL TRANSPORTATION AUTHORITIES**

CENTRAL FLORIDA REGIONAL  
TRANSPORTATION AUTHORITY  
D/B/A LYNX

REQUEST FOR PROPOSAL (RFP)  
"BROKER OF RECORD"

OWNER CONTROLLED INSURANCE PROGRAM (OCIP)  
FOR THE  
LIGHT RAIL TRANSIT PROJECT"  
RFP NO. 99-017

LYNX is seeking proposals from qualified firms or individuals interested in providing Broker of Record Services for instituting an Owner Controlled Insurance Program (OCIP) in support of its forthcoming Light Rail Transit project which will enhance the LYNX mission of providing a comprehensive transportation system serving the counties of Orange, Osceola and Seminole in the State of Florida as described in Section 2.0, Scope of Services of the subject RFP.

Sealed proposals for the "Broker of Record Services - Owner Controlled Insurance Program for the Light Rail Transit Project" RFP will be received by: LYNX, 445 W. Amelia, Suite 800, Orlando, Florida 32801, until 2:00 p.m., July 20, 1999. Proposals received after the time and date specified above shall be considered late proposals, thus non-responsive; and, therefore, shall not be opened and/or considered.

A copy of the RFP which contains all the information necessary for submitting a proposal may be obtained free of charge from Ron Hadbavny, Senior Contracts Administrator at the offices of LYNX located: 445 W. Amelia Street, Suite 800, Orlando, Florida 32801, before the above stated time and date or by calling (407)841-2279, Ext. 3033.

All proposals shall be subject to all applicable State and Federal Laws, subject to approval of a financial assistance contract between LYNX and the U.S. Department of Transportation and/or the Florida Department of Transportation and in compliance with all applicable Equal Employment Opportunity Laws and Regulations.

LYNX solicits and encourages Disadvantaged Business Enterprise participation. DBE's will be afforded full consideration of their responses and will not be subject to discrimination. LYNX's DBE Program goal is 15% of total contract expenditures.

LYNX reserves the right to postpone, to accept, or reject any and all proposals, in whole or in part. All proposers must certify that they are not on the Comptroller General's list of ineligible contractors. All proposals must remain in effect for one hundred eighty (180) days from the date of proposal opening.

INVITATION FOR BID (IFB) #99-019  
 26 ARTICULATED LOW-FLOOR  
 LIGHT RAIL VEHICLES

for the

CENTRAL FLORIDA LIGHT RAIL TRANSIT PROJECT

LYNX is seeking bids from qualified firms interested in the design, manufacture, delivery, testing and commissioning of twenty-six (26), Articulated Low Floor Light Rail Vehicles and spare parts, in support of its forthcoming Light Rail Transit Project which will enhance the LYNX mission of providing a comprehensive transportation system serving the counties of Orange, Osceola and Seminole in the State of Florida as described in LYNX IFB #99-019. As part of this solicitation, LYNX reserves the right to purchase as few as twenty-four (24) vehicles depending on budgetary constraints.

Sealed Bids for the twenty-six (26) Articulated Low-Floor Light Rail Vehicles IFB will be received by LYNX, 445 W. Amelia Street, Suite 800, Orlando, Florida 32801, until 2:00 p.m., local time, August 18, 1999. Bids received after the time and date specified above shall be considered late Bids, thus non-responsive; and therefore, shall not be opened and/or considered. The Bids shall be directed to: Mr. Ronald Hadbavny, Senior Contracts Administrator, Light Rail/Construction, securely sealed and marked in bold letters "SEALED BID for LYNX IFB #99-019, LIGHT RAIL TRANSIT PROJECT VEHICLES". Within the "Sealed Bid," the price bid shall be enclosed in a separate sealed enveloped and clearly marked "Price Bid for LYNX IFB #99-019." The "Sealed Bid" will be opened publicly at 3:00 p.m., local time, on August 18, 1999, and the enclosed "Technical Information Package" will be privately reviewed for compliance with the stated Requirements of the IFB documents. The price bid envelopes will not be opened at this time. For those firms whose Technical Information Package is found to be compliant with the IFB Requirements, the price bids will be opened publicly at 3:00 p.m., local time, on October 14, 1999 at a location to be determined. Award will be made to the low responsive and responsible Bidder.

The solicitation documents/specifications, which contain all the information necessary for submitting a bid, may be obtained from: Mr. Ronald Hadbavny, Senior Contracts Administrator, Light Rail/Construction, at the administrative offices of LYNX, 445 W. Amelia Street, Suite 800, Orlando, Florida 32801, (407)841-2279, Extension 3033, e-mail address rhadbavny@golynx.com. The non-refundable cost for each copy of the solicitation documents/specifications is \$100.00 U.S., payable by cashier's check, certified check or money order made payable to the Central Florida Regional Transportation Authority. The specifications can also be viewed on a website established for this procurement. The website requires a password, which may be obtained by

contacting Mr. Gavin Fraser, (617)428-0508. Mr. Fraser is an associate of Booz Allen & Hamilton and a member of the LYNX Consultant design team.

A pre-bid meeting will be held for all interested parties in the Orange County School's Board Room, located in their Educational Leadership Center (ELC), 445 W. Amelia Street, Ground Floor, Orlando, Florida 32801, at 2:00 p.m. local time on June 30, 1999. Attendance is not mandatory, but is highly recommended. To accommodate visitors to the ELC, there is a visitor parking lot on the north side of the Orlando Arena, between Amelia Street and Garland Avenue, just west of Revere Avenue. The entrance to this parking lot is from Garland Avenue.

Bids for this IFB shall be subject to all applicable State and Federal laws. The award of a contract for this IFB shall be contingent upon a Full Funding Grant Agreement between LYNX and the U.S. Department of Transportation in support of the LYNX Light Rail Transit Project. LYNX reserves the right to accept or reject any and all Bids on such basis as LYNX deems to be in its best interest, without financial liability to the Authority for any or all Bid preparation costs. LYNX hereby notifies Bidders that it affirmatively ensures that Disadvantaged Business Enterprises, as defined by the U.S. Government, are afforded full opportunity to submit Bids in response to this invitation and will not knowingly discriminate against any Bidder on the grounds of gender, race, color or national origin in the consideration of Award.

The successful Bidder will be required to comply with all Equal Opportunity laws and regulations.

**WATER MANAGEMENT DISTRICTS**

REQUEST FOR PROPOSALS ("RFP")  
 ENVIRONMENTAL RISK ASSESSMENT AUDITING  
 FOR REAL ESTATE TRANSACTIONS  
 RFP #99-005

The Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, will receive sealed proposals for Environmental Risk Assessment Auditing for Real Estate Transactions until 2:00 p.m. EDT on July 23, 1999. All proposals must conform to the instructions in the RFP. Interested parties may obtain a copy of the complete RFP package at the above address or by calling (850)539-5999.

The opening of the proposals is public. Provisions will be made to accommodate the handicapped provided the District is given at least 72 hours advance notice.

All proposals must comply with applicable Florida Statutes.



REQUEST FOR PROPOSALS ("RFP")  
FORESTRY INVENTORY CONSULTING SERVICES  
RFP #99-006

The Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333, will receive sealed proposals for Forestry Inventory Consulting Services until 3:00 p.m. EDT on July 23, 1999.

All proposals must conform to the instructions in the RFP. Interested parties may obtain a copy of the complete RFP package at the above address or by calling (850)539-5999.

The opening of the proposals is public. Provisions will be made to accommodate the handicapped provided the District is given at least 72 hours advance notice.

All proposals must comply with applicable Florida Statutes.

REQUEST FOR BIDS NO. 98/99-30 WR  
ALLIGATOR LAKE IMPROVEMENTS

The Suwannee River Water Management District (SRWMD) invites interested contractors to submit sealed bids to conduct improvements associated with the restoration of Alligator Lake, near Lake City in Columbia County, Florida. The work primarily involves installing sheetpile dams with flashboard riser structures at existing or new breaches to be created in existing dikes, construction of timber bridges over these breaches, and earthwork associated with these construction activities.

Responses to this request are due at the SRWMD office by 4:00 p.m., July 28, 1999. Requests for the RFB document (RFB # 98/99-30 WR) should be directed to: Mrs. Suzanne Richardson, Administrative Assistant, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (904)362-1001.

A mandatory pre-bid conference to discuss this project is scheduled for July 8, 1999, 9:00 a.m., at the District offices at the above address. Attendance at this conference is mandatory to submit a bid for this project. If you have questions regarding the project, please direct them to Rob Mattson at SRWMD: (904)362-1001 or toll free (Florida only) 1(800)226-1066; FAX (904)362-1056.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**ADVERTISEMENT FOR BIDS**

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL AND/OR MECHANICAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES, FACILITIES MANAGEMENT, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO: MSFM-94055020

SAMAS CODE: 72-60-2-696001-7340000-00-08340096 AND 72-60-2-495013-72400000-00-083547-98

PROJECT NAME AND LOCATION: HURSTON COMPLEX, CENTRAL ENERGY PLANT, ORLANDO, FLORIDA

FOR: DEPARTMENT OF MANAGEMENT SERVICES, DIVISION OF BUILDING CONSTRUCTION.

PREQUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Owner for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233 for information on prequalification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004. A copy of the rule requirements is included in the instruction To Bidders under Article B-2 "Bidder Qualification Requirements and Procedures".

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$200,000.00 or less, a Performance Bond and a Labor And Material Payment Bond are not required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: July 27, 1999, Until 2:00 p.m. local time.

PLACE: Offices of A/E: Helman, Hurley, Charvat Peacock/ Architects, Inc., 222 West Maitland Boulevard, Maitland, Florida 32751-4399

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Helman Hurley Charvat Peacock/ Architects, Inc.

TELEPHONE: (407)644-2656

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at 5:00 p.m. local time on July 29, 1999 at the location where the bids were opened. In the event that the Bid Tabulation and Notice of Award

Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF INVITATION TO BID  
BID NO. BDRS 32-98/99**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** St. Marks State Trail Parking Facility  
**SCOPE OF WORK:** Construct parking facility to serve the St. Marks State Trail consisting of 134 regular spaces and 12 oversize spaces with picnic shelter and restroom.  
**PARK ADDRESS:** St. Marks State Trail, 1022 DeSoto Park Drive, Tallahassee, (Leon) Florida  
**PROJECT MANAGER:** Frank Mattmuller, P. E., Bureau of Design and Recreation Services, Telephone Number: (850)488-4811

**PREQUALIFICATION:** If the bid amount is greater than \$250,000.00 the contractor must be prequalified as required by Florida Statutes 337.14(1) and Rule Chapter 14-22 on the date of award, or shall be declared "nonresponsive" and will be rejected.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below:

Plans and specifications will be available on Friday, June 25, 1999, St. Marks State Trail, 1022 DeSoto Park Drive, Tallahassee, Florida 32301, Attention: Wes Smith, Park Manager, Telephone Number: (850)922-6007

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services at (850)488-3539 at least five (5) workdays prior to opening.

**BID SUBMITTAL**

**DUE DATE:** No later than 3:30 p.m., Tuesday, July, 20, 1999 to the below address: Florida Department of Environmental Protection, Bureau of Design and Recreation Services, 3540 Thomasville Road, Tallahassee, Florida 32308

Minority contractors are encouraged to participate in the bidding process.

The Department reserves the right to reject any or all bids. Larry Cliett, Contracts Manager, Bureau of Design and Recreation Services

**NOTICE OF INVITATION TO BID  
BID NO. BDRS 34-98/99**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Tram Bridge Decking  
**SCOPE OF WORK:** Provide labor, materials and equipment to remove and replace approximately 1,670 lf. of bridge decking. Additional work may include the removal and replacement of cable barriers, coated wire mesh fencing and adjacent boardwalk decking.  
**PARK LOCATION:** John D. MacArthur Beach State Park, On Singer Island, North Palm Beach (Palm Beach Co.), Florida  
**PROJECT MANAGER:** Kimsey Helms, Bureau of Design and Recreation Services, Telephone Number: (850) 488-6433

**MINORITY BUSINESS REQUIREMENT:** This project is reserved for competitive sealed bidding only among qualified bidders who agree to use Department of Labor certified minority business enterprises (MBE) as subcontractors or subvendors. A minimum of twenty one (21) percent of the total bid must be expended with certified minority business enterprise subcontractors and subvendors. Verification of the certified minority business enterprise utilization shall be determined by the agency before such bid awards may be made. In order to bid on a project so reserved, the qualified bidder shall identify those certified minority business enterprises which will be used as subcontractors or subvendors by sworn statement. At the time of performance of project completion, the contractor shall report by sworn statement the payment and completion of work for all certified minority business enterprises used in the contract.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number listed below: Plans and specifications will be available on Friday, June 25,1999 at: John D. MacArthur Beach State Park, 10900 State Road 703, Palm Beach, Florida 33408, Attention: Joe Smyth, Park Manager, Telephone Number: (561)624-6950

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact the Bureau of Design and Recreation Services at (850)488-3539 at least five (5) workdays prior to opening.

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, July 20, 1999 to the below address: Florida Department of Environmental Protection, Bureau of Design and Recreation Services, 3540 Thomasville Road, Tallahassee, Florida 32308.

The Department reserves the right to reject any or all bids. Larry Cliett, Contracts Manager, Bureau of Design and Recreation Services

**DEPARTMENT OF HEALTH**

**INVITATION TO BID**

Sealed bids will be accepted by the Pinellas County Health Department (PCHD), located at 300 31st St., North, Suite 602, St. Petersburg, FL 33713, until 1:00 p.m. on July 9, 1999. Bid No. 9900-01-RW to furnish ONE (1) DIESEL GENERATOR may be secured from the Purchasing Department within the PCHD at the above address, Telephone No. (727)893-2209. Bid packages include specifications, terms and general conditions. Any "Certified Minority Business Enterprise" (pursuant to section 288.703(2), F.S.) is encouraged to participate. Right is reserved for the PCHD to reject any or all bids.

SPECIAL NOTE: If you require accommodations because of a disability in order to participate in the bid process, please contact Rick Wallace, (727)893-2209, Ext. 137, by July 2, 1999

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**INVITATION TO BID**

Proposals are requested from qualified roofing contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 98201040

PROJECT: REROOFING OF BUILDING #68, PIERCE WOOD MEMORIAL HOSPITAL, ARCADIA, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those firms which are prequalified with the Department of Management Services, Division of Building Construction. After bid opening, the low bidder must qualify in accordance with Rule 60D-5.004. A copy of the rule requirements is included in the Instructions to Bidders under Article B-2 "Bidder Qualification Requirements and Procedures."

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: A Performance Bond and Labor and Material Payment Bond are required.

PRE-BID MEETING: A mandatory pre-bid meeting will be held at the site on June 30, 1999, 11:00 a.m., to review the documents with the architect. Only those prospective bidders in attendance at this meeting will be allowed to bid.

BID DATE AND TIME: Sealed Bids will be received on July 14, 1999, until 1:00 p.m., local time, at the site at which time they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications and bidding conditions and contractual conditions, which may be examined and obtained from the Architect/Engineer:

Gora/McGahey Associates in Architecture, 43 Barkley Circle, Suite 202, Ft. Myers, Florida 33907, Telephone (941)275-0225

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted at 1:00 p.m., local time, on July 15, 1999, at the site. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by Certified United States mail, Return Receipt requested.

Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in s. 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "notice and Protest Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

**GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY**

**REQUEST FOR STATEMENTS OF QUALIFICATIONS FOR**

**PROFESSIONAL CONSULTING SERVICES**

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting Statements of Qualifications (SOQ) and experience for engineering services for a proposed Airfield Lighting project at the Gainesville Regional Airport.

The selected firm will serve as the Airport's consultant for the duration of the project.

The scope of the project includes the investigation and evaluation of options, surveying, design, and testing. Some administration/resident inspection, environmental evaluations and other advisory services may be requested by GACRAA.

Requirements and instructions for submission of SOQ submittals may be obtained from: Gainesville Regional Airport, Airport Administration, Accounting Office, 3880 N. E. 39 Avenue, Suite A, Gainesville, FL 32609, (352)378-8797. Statements of Qualifications are due 2:00 p.m., local time, 15 July 1999. Any Statements of Qualifications submitted after the time specified will not be considered and will be returned unopened.

Evaluation and selection of a consultant will be in accordance with the requirements of the Consultants' Competitive Negotiations Act of the State of Florida, and the provisions contained in the SOQ.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

**NOTICE TO CONSTRUCTION MANAGEMENT FIRMS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Hillsborough County Aviation Authority Policy Number 430, Letters of Interest from Construction Management firms desiring to render Construction Management Services for the following project at Tampa International Airport, Tampa, Florida.

**ADDITIONS AND RENOVATIONS TO AIRSIDE "F" TERMINAL AND RELATED WORK**

The Construction Management Services to be furnished shall include, but not be limited to, all Pre-construction Phase Services and Construction Phase Services by a qualified Contractor related to architectural, civil, structural, plumbing, fire protection, mechanical, electrical and electronic systems, testing, construction administration and management services, and inspection during construction. A more detailed Scope of Services will be included in the formal Requests for Qualifications.

Qualified Firms desiring consideration for this Project must give written notification in the form of a Letter of Interest to: William J. Connors, Jr., Senior Director of Planning and Development, Hillsborough County Aviation Authority, P. O. Box 22287, Tampa, Florida 33622-2287.

Interested parties may inquire as to project description, details, and required data submissions, to William J. Connors, Jr., Senior Director of Planning and Development, telephone number (813)870-8704. **ONLY A LETTER EXPRESSING INTEREST IN RECEIVING THE FORMAL REQUEST FOR QUALIFICATIONS IS REQUIRED AT THIS TIME.** Subsequent to receiving Letters of Interest, a Request for Qualifications will be sent to all respondents and adequate response set forth in that package.

A MANDATORY Pre-Qualification Conference will be held Tuesday, July 27, 1999, 10:00 a.m. Local Time, at the: Board Room of Hillsborough County Aviation Authority, located in the Landside Terminal Building, Third Floor, Blue Side at Tampa International Airport.

Replies to this Notice must be received at or before 5:00 p.m., Local Time, Monday, July 12, 1999.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

By: \_\_\_\_\_,  
Louis E. Miller, Executive Director

**REQUEST FOR PROPOSALS #99-90  
North-South Corridor  
Existing County Road (CR) 210 Corridor  
Northwest Sector Study**

The St. Johns County Board of Commissioners solicits responses from qualified and experienced consulting firms to provide professional services for arterial road corridor project development, environmental studies, and a sector study. One to three consultants will be selected for these assignments.

Any qualified consultants desiring to provide the required professional services should submit six (6) copies of a letter of interest with project specific information indicating the following: Consultant's Name, address and project office of record; Contact person and phone number; Proposed key personnel and organizational role; Project approach; Client references. Consultant selection criteria will be used on the following parameters:

- A. Familiarity with St. Johns County; Previous Professional Services in the Project area;
- B. Past performance with St. Johns County Government;
- C. Experiences with similar projects;
- D. Current Workload/Proposed Project schedule;
- E. Quality of Submittal;
- F. Client References.

**SCOPE OF WORK AND SERVICES REQUIRED:**

The scope of work for these assignments will include the following:

- 1. Data Collection
- 2. Evaluation of Assimilated Data
- 3. Traffic Projections
- 4. HCM Analysis
- 5. Plan Development
- 6. Report and Map Preparation
- 7. Participation in the Public Involvement Process

The full scope of these services is now fully detailed in the Request for Proposals (RFP). Copies of the RFP may be obtained by contacting the St. Johns County Purchasing Department at: Voice Mail (904)823-2540, Fax (904)823-2546, E-mail: purch@co.st-johns.fl.us

**CONTRACT ADMINISTRATION CONSULTANT:**

For this assignment, the County has selected Reynolds, Smith & Hills, Inc. (RS&H) to perform as their contract administrator. All correspondence during the course of this assignment shall be directed to: John M. McDowell, PE, Reynolds, Smith & Hills, Inc., 4651 Salisbury Road, Jacksonville, FL 32256, (904)279-2305, (904)279-2491 Fax, john.mcdowell@rsandh.com

**PRE-PROPOSAL CONFERENCE:**

A pre-proposal conference will be conducted to discuss this project. While not mandatory, Consultants interested in submitting a proposal are encouraged to attend.

The pre-proposal conference will be conducted as follows:

DATE AND TIME: Wednesday, July 7, 1999, 10:00 a.m.  
PLACE: St. Johns Agricultural Center Auditorium, 3125 Agricultural Center Drive, St. Augustine, Florida 32092

EVALUATION OF PROPOSALS:

In accordance with Section 287.055, Florida Statutes, final ranking of the firms will be presented to the Board of County Commissioners (BCC) for approval and authorization to negotiate with approved – selected firms. Several firms may be interviewed for this assignment. After an initial ranking, the short-listed firms will be contacted to schedule times where they will make presentations to the BCC.

PHONE NOS./CONTACTS:

Questions related to the work scope should be directed to John M. McDowell, P.E., at phone (904)279-2305.

DUE DATE/LOCATION:

The letters of interest and supplemental information will be received until 4:00 p.m., Wednesday, July 21,1999. Mail or deliver all proposals to St. Johns County Purchasing Department, 2740 Industry Center Road, St. Augustine, FL 32095.

BOARD OF COUNTY COMMISSIONERS, ST. JOHNS COUNTY, FLORIDA, c/o CHERYL STRICKLAND, CLERK OF COURT

BY: \_\_\_\_\_, Deputy Clerk

Section XII  
Miscellaneous

DEPARTMENT OF STATE

PUBLIC NOTICE

The Division of Historical Resources of the Florida Department of State and the Florida Redevelopment Association announce the availability of the Request for Proposal (RFP) package for Consultant Services in support of the Florida Main Street Program. Proposals are sought for services in the following disciplines:

- \*District and organizational assessment
- \*Assessment of organization’s revenue, expenses, and operation
- \*Fundraising assistance
- \*Not-for-profit management
- \*Local Florida Main Street Organizational development
- \*Market analysis assistance
- \*Retail merchandising assistance
- \*Business practices assistance
- \*Business recruitment and real estate marketing
- \*Business development assistance
- \*Promotion and advertising assistance
- \*Signage assistance
- \*Special event management
- \*Historic preservation assistance
- \*Urban design assistance
- \*Transportation planning assistance
- \*Comprehensive Planning assistance
- \*Real estate development assistance

RFP packages are available from: Carol Marchner, Florida Redevelopment Association, P. O. Box 1757, Tallahassee, FL 32303-1757, call (850)222-9684 for information.

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following applications. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Chapter 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 16, 1999):

CORRECTION

Application for INTERNATIONAL BANK AGENCY OFFICE by ABN AMRO Bank N.V., The Netherlands, published in the June 18, 1999, Florida Administrative Weekly, should have read:

APPLICATION FOR INTERNATIONAL BANK ADMINISTRATIVE OFFICE.

APPLICATION FOR A NEW FINANCIAL INSTITUTION  
Applicant and Proposed Location: Flagship Bank of Central Florida, 1101 Southeast First Street, Winter Haven, Florida 33880

Correspondent: Ernest S. Pinner, 54 Pine Forest Drive, Haines City, Florida 33844

Received: June 15, 1999

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Campus USA Credit Union, 2511 N. W. 41 Street, Gainesville, Florida 32605

Expansion Includes: Employees of Green Leaf Homeowners Association, Inc., Gainesville, Florida; employees of General Tax Administration, Department of Revenue, Gainesville, Florida; Child Support Enforcement, Department of Revenue, Gainesville, Florida; employees of CuraGen Corporation, Alachua, Florida.

Received: June 9, 1999

Correspondent and Telephone Number: Joel Foreman, 1(800)367-6440

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of

Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-599-009

DATE RECEIVED: June 14, 1999

DEVELOPMENT NAME: Pine Ridge Estates

DEVELOPER/AGENT: Gulf to Lakes Assoc., Ltd.

DEVELOPMENT TYPE: 28-24.023, F.A.C.

COUNTY LOCATION: Citrus

LOCAL GOVERNMENT: Citrus County

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, General Motors Corporation, intends to allow the establishment of Palm Bay Chevrolet, Inc., as a dealership for the sale of Chevrolet vehicles, at North Palm Bay Road 1/3 mile west of the intersection of Dairy Road and Palm Bay Road, Palm Bay (Brevard County), Florida, on or after May 17, 2000.

The name and address of the dealer operator(s) and principal investor(s) of Palm Bay Chevrolet, Inc. are: dealer operator: Glenn S. Sandler, 208 Waterbury Lane, Indian Harbor Beach, Florida 32937; principal investor(s): Glenn S. Sandler, 208 Waterbury Lane, Indian Harbor Beach, Florida 32937. James T. Rathmann, 6855 S. Tropical Trail, Merritt Island, Florida 32952.

The notice indicates an 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jo Manno, Dealer Contractual Manager, General Motors Corporation, 100 Renaissance Center, Detroit, MI 48265-1000.

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.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Corporation, intends to allow the establishment of Brown's Chrysler Dodge Plymouth, Inc. d/b/a Crystal Chrysler Plymouth Dodge, as a dealership for the sale of Jeep vehicles, at 1601 West Main Street, Inverness, (Citrus County), Florida 34450, on or after July 8, 1999.

The name and address of the dealer operator(s) and principal investor(s) of Brown's Chrysler Dodge Plymouth, Inc. d/b/a Crystal Chrysler Plymouth Dodge are: dealer operator: Steven D. Lamb, 1601 West Main Street, Inverness, Florida 34450; principal investor(s): Crystal Automotive Group, Inc., Steven D. Lamb, 1035 S. Suncoast Boulevard, Homosassa, Florida 34448. Crystal Automotive Group, Inc., Kennedy Smith, 1035 S. Suncoast Boulevard, Homosassa, Florida 34448.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: J.K. Wheeler, Zone Manager, DaimlerChrysler Motors Corporation, 8000 S. Orange Blossom Trail, Orlando, Florida 32809-7699.

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 LABOR AND EMPLOYMENT  
SECURITY**

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL  
CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 98-3962

In Re: The Receivership of THE FLORIDA WORKERS'  
COMPENSATION FUND, a Florida self-insurance fund.  
NOTICE TO ALL POLICYHOLDERS, CREDITORS AND  
CLAIMANTS HAVING BUSINESS WITH FLORIDA  
WORKERS' COMPENSATION FUND.

You are hereby notified that by order of the Circuit Court of the  
Second Judicial Circuit, in and for Leon County, Florida,  
entered the 13th day of May, 1999, the Department of  
Insurance of the State of Florida was appointed as Receiver of  
FLORIDA WORKERS' COMPENSATION FUND, and was  
ordered to liquidate the assets located in Florida of said  
company.

Policyholders, claimants, creditors and other persons in this  
State having claims against the assets of FLORIDA  
WORKERS' COMPENSATION FUND, shall present such  
claims to the Receiver on or before 11:59 p.m., November 15,  
1999, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and  
inquiries concerning this Receivership should be addressed to:

The Division of Rehabilitation and Liquidation of the Florida  
Department of Insurance, Receiver for FLORIDA  
WORKERS' COMPENSATION FUND, Post Office Box 110,  
Tallahassee, Florida 32302-0110.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection will accept Fiscal  
Year 2000-2001 grant applications for the Florida Recreation  
Development Assistance Program (FRDAP) as follows:

APPLICATION SUBMISSION PERIOD:

September 1, 1999 – September 30, 1999

Applications must be postmarked before or on the last date of  
the program application submission period.

ELIGIBLE APPLICANTS: All county governments and  
incorporated municipalities of the State of Florida and other  
legally constituted local governmental entities with the legal  
responsibilities for the provision of outdoor recreation sites and  
facilities for the use and benefit of the public.

MAXIMUM GRANT REQUEST:

An applicant's requested grant funds may be revised by the  
Department due to the availability of program funds. Available  
program funds for Fiscal Year 2000-2001 are contingent upon  
an appropriation by the Florida Legislature.

**APPLICATION INFORMATION:**

FRDAP application packets may be obtained from the Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Recreation Services, Mail Station 585, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; Phone: (850)488-7896; Suncom: 278-7896; Fax: (850) 488-3665; Suncom: 278-3665.

Applications should be made in accordance with the FRDAP Administrative Rule, Chapter 62D-5.

**PROGRAM DESCRIPTION:**

FRDAP is a competitive grant program which provides financial assistance to local governmental entities for development or acquisition of land for public outdoor recreational purposes.

Due to new Florida Forever legislation enacted this year, revisions to the FRDAP program will be included in this grant submission cycle. The new legislation will allow a maximum grant award of \$200,000; it will allow recipients to have three (3) active grant projects at any one time; it will allow a maximum of two (2) grant applications during each submission cycle.

**VISIT FLORIDA**

**MINORITY CONVENTION GRANTS  
PROGRAM APPLICATIONS**

VISIT FLORIDA, 661 E. Jefferson Street, Tallahassee, Florida 32301, is accepting applications for the 1999-2000 Minority Convention Grants Program. Application packages may be obtained by writing VISIT FLORIDA at the address listed above, Attention: Minority Convention Grants Program, by Faxing a request to "Minority Convention Grants Program", (850)224-2938 or by calling Rosemary Anderman,

(850)488-5607, Ext. 304, or by e-mailing a request to rosemary@flausa.com. VISIT FLORIDA reserves the right to reject any or all applications.

Application Due Date and Time: Friday, August 6, 1999, 5:00 p.m.

All applications received after 5:00 p.m., Friday, August 6, 1999, will be returned to the applicant.

Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

**ADVERTISING MATCHING GRANTS  
PROGRAM APPLICATIONS**

VISIT FLORIDA, 661 East Jefferson Street, Suite 300, Tallahassee, Florida 32301, is accepting applications for the 1999-2000 Advertising Matching Grants Program. Application packages may be obtained by writing VISIT FLORIDA at the address listed above, Attention: Advertising Matching Grants Program, by Faxing a request to "Advertising Matching Grants Program", (850)224-9589 or by calling Rosemary Anderman, (850)488-5607, Ext. 304, or by e-mailing a request to rosemary@flausa.com. VISIT FLORIDA reserves the right to reject any or all applications.

Application Due Date and Time: Friday, August 13, 1999, 4:00 p.m.

All applications received after 4:00 p.m., Friday, August 13, 1999, will be returned to the applicant.

Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).



**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN June 8, 1999  
and June 14, 1999

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF REVENUE**

12-25.009	6/11/99	7/1/99	25/13	
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**Sales and Use Tax**

12A-1.0091	6/11/99	7/1/99	25/13	
12A-1.044	6/11/99	7/1/99	25/13	
12A-1.061	6/11/99	7/1/99	25/13	
12A-1.064	6/11/99	7/1/99	25/13	
12A-1.096	6/11/99	7/1/99	25/13	
12A-1.097	6/11/99	7/1/99	25/13	
12A-1.098	6/11/99	7/1/99	25/13	

**Miscellaneous Tax**

12B-8.003	6/11/99	7/1/99	25/13	
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**Division of Ad Valorem Tax**

12D-13.057	6/11/99	7/1/99	25/13	
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**CITRUS**

20-111.0021	6/11/99	7/1/99	25/5	25/14
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

61G1-12.005	6/10/99	6/30/99	25/10	
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-503.200	6/11/99	7/1/99	25/14	
62-503.300	6/11/99	7/1/99	25/14	
62-503.350	6/11/99	7/1/99	25/14	
62-503.400	6/11/99	7/1/99	25/14	
62-503.420	6/11/99	7/1/99	25/14	
62-503.430	6/11/99	7/1/99	25/14	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-503.500	6/11/99	7/1/99	25/14	
62-503.600	6/11/99	7/1/99	25/14	
62-503.650	6/11/99	7/1/99	25/14	
62-503.655	6/11/99	7/1/99	25/14	
62-503.680	6/11/99	7/1/99	25/14	
62-503.700	6/11/99	7/1/99	25/14	
62-672.100	6/8/99	6/28/99	25/12	25/19
62-672.200	6/8/99	6/28/99	25/12	25/19
62-672.300	6/8/99	6/28/99	25/12	25/19
62-672.400	6/8/99	6/28/99	25/12	
62-672.500	6/8/99	6/28/99	25/12	25/19
62-672.550	6/8/99	6/28/99	25/12	
62-672.570	6/8/99	6/28/99	25/12	
62-672.600	6/8/99	6/28/99	25/12	25/19
62-672.620	6/8/99	6/28/99	25/12	25/19
62-672.650	6/8/99	6/28/99	25/12	25/19
62-672.670	6/8/99	6/28/99	25/12	25/19
62-672.700	6/8/99	6/28/99	25/12	
62-672.720	6/8/99	6/28/99	25/12	25/19
62-672.750	6/8/99	6/28/99	25/12	25/19
62-672.760	6/8/99	6/28/99	25/12	25/19
62-672.770	6/8/99	6/28/99	25/12	25/19
62-672.780	6/8/99	6/28/99	25/12	25/19
62-672.800	6/8/99	6/28/99	25/12	
62-672.850	6/8/99	6/28/99	25/12	
62-672.870	6/8/99	6/28/99	25/12	25/19

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

64B3-7.001	6/11/99	7/1/99	25/4	25/14
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**Board of Medicine**

64B8-4.026	6/11/99	7/1/99	25/17	
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**Board of Nursing**

64B9-8.006	6/11/99	7/1/99	25/18	
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