

services for grandparents raising grandchildren and health promotion and medication management services in Pasco and Pinellas Counties. Specifications for proposals may be obtained at the bidder's conference on:

August 11, 2006
 Area Agency on Aging of Pasco-Pinellas, Inc.
 Conference Room
 1:30 p.m. – 3:00 p.m.
 9887 4th Street, North
 St. Petersburg, FL 33702

or from Rachel Bryan at the Area Agency on Aging office beginning August 1st. Letters of Intent to submit a proposal are due on August 16, 2006. Sealed proposals are due by 3:00 p.m., on September 1, 2006 with openings immediately following. The Area Agency on Aging reserves the right to reject any and all proposals not complying with specifications and requested information.

CITY OF ARCADIA

INVITATION TO BID

NOTICE IS HEREBY GIVEN on this 7th day of July 2006, that the City of Arcadia, Florida, hereinafter called the OWNER, will receive sealed proposals (bids) up to the hour of 2:00 p.m., on the 8th day of August, 2006, for furnishing transportation, materials, equipment labor services, and supplies necessary to construct the project titled:

**CITY OF ARCADIA
 SANITARY SEWER LINE REPLACEMENT**

The project includes the mainline replacement of approximately 3,800 LF of 8-inch PVC gravity sewer pipe, mainline replacement of approximately 800 LF of 15-inch PVC gravity sewer pipe, and 11 manholes.

Bids will only be received at the office of the City Administrator, Arcadia City Hall Annex at 23 North Polk Avenue, Arcadia, Florida 34266, (863)494-4114. Bids will be opened on the 8th day of August, 2006 after 2:00 p.m.

Said bids shall conform to and be responsive to the CONTRACT DOCUMENTS for the PROJECT and must be accompanied by the security referred to therein.

Copies of the CONTRACT DOCUMENTS are on file and may be examined at the office of the ENGINEER, Boyle Engineering Corporation, 5971 Cattleridge Blvd., Suite 200, Sarasota, FL 34232 and at the Arcadia City Hall Annex.

Copies may be purchased at the office of the ENGINEER by payment of \$75.00 per set (non-refundable). Extra plan sheets may be purchased for \$2.00 per sheet. Extra pages from the project manual may be purchased for \$0.10 per sheet. No extra plan sheets or pages will be sold unless at least one complete set of the CONTRACT DOCUMENTS is purchased.

All questions about the meaning/intent of the CONTRACT DOCUMENTS must be submitted in writing before 10:00 a.m., July 28th, 2006, to: Todd Bosso, PE, Boyle Engineering

Corporation, 5971 Cattleridge Blvd., Suite 200, Sarasota, Florida 34232. Questions will be answered in accordance with Article 5 of the "Instructions to Bidders".

Each bid or proposal shall be made out or submitted in duplicate on a form furnished as part of the CONTRACT DOCUMENTS, and must be accompanied by a cashier's check, or certified check, or a bidder's bond in the amount specified in the BID FORM, made payable to the Order of, or for the benefit of, the OWNER, as the case may be. Said check or bond shall be given as guarantee that the bidder will enter into a CONTRACT with the OWNER if awarded the WORK, and will be declared forfeited if the successful bidder refuses to enter into said contract.

The OWNER reserves the right to reject any and all bids and to waive any and all irregularity in any bid.

**Section XII
 Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA06-OR-146

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In Re: MONROE COUNTY LAND DEVELOPMENT
 REGULATIONS ADOPTED BY MONROE
 COUNTY
 ORDINANCE NO. 007-2006

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On April 26, 2006, the Department received for review Monroe County Ordinance No. 007-2006 ("Ord. 007-2006").
3. The final order for this Ordinance must be signed by June 23, 2006.
4. The Ordinance amends Section 9.5-22 of the Monroe County Code regarding the Monroe County Planning Commission ("Commission") to establish that after January 1, 2006, vacancies on the Commission shall be filled by nomination by the County Commissioner of the District who made the appointment for the current vacant position; requiring approval by a vote of three members of

the County Commission; providing new effective dates for appointments; allowing candidates with experience from the business community and other local industry; providing for nomination by the Mayor under certain conditions; allowing removal of a Planning Commissioner only by a vote of at least three members of the County Commission; establishing that Planning Commissioners serve at the pleasure of the Board of County commissioners; eliminating term limits; and providing for excused absences from Planning Commission meetings.

5. Ordinance 007-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
7. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
8. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 007-2006 are land development regulations.
9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
10. Ord. 007-2006 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
11. Ord. 007-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 007-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

TRACY D. SUBER
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

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

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 21st day of June, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Charles McCoy
Mayor of Monroe County
500 Whitehead Street, Suite 102
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Ty Symroski
Director
Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Order No. DCA06-OR-154

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 06-11

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a small scale comprehensive plan amendment adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On June 13, 2006, the Department received for review Islamorada, Village of Islands Ordinance No. 06-11 ("Ord. No. 06-11"). The purpose of the Ordinance is to change the land use designation of a 3.47 acre parcel from Residential Low at 2 units per acre to Residential High at 6 units per acre.
3. Ord. 06-11 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- 4. The Department is required to approve or reject elements of local comprehensive plans that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. A small scale amendment is part of a local comprehensive plan.
7. All elements of local comprehensive plans enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2005). See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA

1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

8. Ord. 06-11 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (b) To promote shoreline and marine resources, including mangroves, coral reef formations, sea grass beds, wetlands, fish, and wildlife and their habitat.
 - (c) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
 - (d) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
 - (e) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments including:
 1. The Florida Keys Aqueduct and water supply facilities;
 2. Sewage collection and disposal facilities;
 3. Solid waste collection and disposal facilities;
 4. Key West Naval Air Station and other military facilities;
 5. Other utilities transportation facilities;
 6. Federal parks, wildlife refuges, and marine sanctuaries;
 7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
 8. City electric service and the Florida Keys electric co-op.
 9. Other utilities, as appropriate.
 - (f) To make available affordable housing for all sectors of the population of the Florida Keys.
9. Ord. 06-11 is not inconsistent with the remaining Principles. Ord. 06-11 is consistent with the Principles for Guiding Development as a whole.
10. Ord. 06-11 is consistent with Chapter 9J-5, F.A.C., Chapter 163, Fla. Stat., (2005), and Chapter 380, Fla. Stat., (2005).
11. Ord. 06-11 is consistent with Islamorada, Village of Islands' local comprehensive plan.

WHEREFORE, IT IS ORDERED that Ord. 06-11 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

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CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

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

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

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

Valerie J. Hubbard
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of June, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Chris Sante, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Beverly Raddatz, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Nina Boniske, Esq.
Nancy Stroud, Esq.
Weiss Serota Helfman Pastoriza
Guedes Cole & Boniske, P.A.
3107 Stirling Drive, Suite 300
Fort Lauderdale, FL 33312-8500

DCA Final Order No.: DCA06-OR-150

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: MONROE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY MONROE
COUNTY
ORDINANCE NO. 016-2006

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On May 22, 2006, the Department received for review Monroe County Ordinance No. 016-2006 (“Ord. 016-2006”).
3. The final order for this Ordinance must be signed by July 20, 2006.
4. The purpose of the Ordinance is to amend the definition for the maximum sales price of affordable housing units to increase affordable housing opportunities and encourage the creation of diversified types of affordable housing necessary for the moderate and median-income residents and the critical workforce.
5. Ordinance 016-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
7. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.

8. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 016-2006 are land development regulations.
9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
10. Ord. 016-2006 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
11. Ord. 016-2006 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 016-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

 TRACY D. SUBER
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of June, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Charles McCoy
Mayor of Monroe County
500 Whitehead Street, Suite 102
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Aref Joulani
Acting Director
Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Final Order No.: DCA06-OR-155

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: MONROE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY MONROE
COUNTY
ORDINANCE NO. 012-2006

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
- 2. On May 26, 2006, the Department received for review Monroe County Ordinance No. 012-2006 ("Ord. 012-2006").
- 3. The final order for this Ordinance must be signed by June 23, 2006.
- 4. The Ordinance delays the acceptance of any applications for allocation of building permits while the land development regulations to implement the Tier System are being advertised.
- 5. Ordinance 012-2006 is consistent with the 2010 Monroe County Comprehensive Plan.

CONCLUSIONS OF LAW

- 6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
- 7. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
- 8. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 012-2006 are land development regulations.
- 9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
- 10. Ord. 012-2006 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

11. Ord. 012-2006 is consistent with the Principles for Guiding Development as a whole.
12. Ord. 012-2006 is consistent with the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ord. 012-2006 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

TRACY D. SUBER
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF

ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

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

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of June, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Charles McCoy
Mayor of Monroe County
500 Whitehead Street, Suite 102
Key West, Florida 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Ty Symroski
Director, Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Final Order No.: DCA06-OR-151

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: CITY OF MARATHON LAND DEVELOPMENT
REGULATIONS ADOPTED BY
ORDINANCE NO. 2006-06

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), rejecting a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On April 25, 2006, the Department received for review City of Marathon Ordinance No. 2006-06 ("Ord. 2006-06").
3. The Final Order for this Ordinance must be signed by June 23, 2006.
4. The purpose of Ord. 2006-06 is to amend Section 9.5-4, the definition section of the City of Marathon's Land Development Regulations, by adding the term "Conditional Redevelopment Unit." The term describes the reduction in density that is required as a result of the increase in cars that are brought to a resort when hotels or motels are redeveloped into suites and made larger by adding bedrooms. The proposed Ordinance would allow the Conditional Redevelopment Units to be used onsite as affordable housing.

5. Ord. 2006-06 is inconsistent with the City's 2010 Comprehensive Plan, Objective 1-2.2, that requires the City to maintain a 24 hour hurricane evacuation time.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
7. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
8. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 2006-06 are land development regulations.
9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
10. Ord. 2006-06 promotes and furthers the following Principle:
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.
11. Ord. 2006-06 is inconsistent with the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (k) To provide adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida Resource.
12. Ord. 2006-06 is neutral in effect on the remaining Principles.
13. Ord. 2006-06 is inconsistent with the City's Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ord. 2006-06 is found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby REJECTED.

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

DONE AND ORDERED in Tallahassee, Florida.

 Tracy D. Suber
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

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

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

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of June, 2006.

 Paula Ford, Agency Clerk

By U.S. Mail:
 Honorable John Bartus, Mayor
 City of Marathon
 10054-55 Overseas Highway
 Marathon, Florida 33050

Cindy Ecklund, City Clerk
City of Marathon
10045-55 Overseas Highway
Marathon, Florida 33050

Mike Puto
Acting City Manager
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

John Herin, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
Suite 2200 Museum Tower
150 West Flagler Street
Miami, Florida 33130

DCA Final Order No.: DCA06-OR-147

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: CITY OF MARATHON LAND DEVELOPMENT
REGULATIONS
ADOPTED BY ORDINANCE NO. 2006-05

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), partially approving and partially rejecting a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On April 26, 2006, the Department received for review City of Marathon Ordinance No. 2006-05 ("Ord. 2006-05").
3. The Final Order for this Ordinance must be signed by June 23, 2006.
4. The purpose of Ord. 2006-05 is to amend the Residential Rate of Growth regulations set forth at Sections 9.5-124, 9.5-125, and 9.5-127. The Ordinance amends the residential building permit allocation to facilitate and encourage affordable/workforce housing and middle-income housing in the City of Marathon by allowing one-half of a ROGO allocation for a smaller unit. The Ordinance provides that any unused market rate unit allocations will annually be converted to affordable

housing unit allocations if not utilized during the ROGO (Rate of Growth Ordinance) year. Each year, twenty percent (6 units) of the thirty units issued by the City are held for affordable housing. The Ordinance deletes a section that previously assigned the affordable housing set aside to the Monroe County Land Authority. A land trust has been established and the City has the option to provide the units to individuals or to select from any non-profit that wishes to assist in providing housing. The Ordinance extends the time length of the deed restriction for an affordable housing unit from twenty years to fifty years. The Ordinance allows for fractional ROGO allocations (50 percent) for units that are less than 750 square feet in size. Units that are greater than 750 square feet will require a full allocation and the construction size will be limited to 1500 square feet of conditioned space.

5. The Ordinance implements Policy 2-1.1.7 of the Marathon plan. Section 9.5-125(c)(3) is inconsistent with the City's Comprehensive Plan, Policy 1-3.2.7, Table 1-1, Future Land Use Densities and Intensities. The table describes development in terms of dwelling units per acre. The comprehensive plan does not address half allocations and no basis has been provided for half of an allocation. No data or analysis has been provided that addresses how the use of half an allocation will influence hurricane evacuation.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
7. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
8. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 2006-05 are land development regulations.
9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
10. Ord. 2006-05 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.
11. Ord. 2006-05, Section 9.5-125(c)(3), is inconsistent with Principles:
- (k) To provide adequate alternatives for the protection of public safety and welfare in the event of a natural disaster or manmade disaster and for a post disaster reconstruction plan.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida Resource.
12. Section 9.5-125(c)(3) of Ord. 2006-05 is inconsistent with the City’s Comprehensive Plan, Policy 1-3.2.7, Table 1-1, Future Land Use Densities and Intensities.
13. With the exception of Section 9.5-125(c)(3), Ord. 2006-05 is not inconsistent with the remaining Principles and is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that, with the exception of Section 9.5-125(c)(3), Ord. 2006-05 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED. Section 9.5-125(c)(3) is found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby REJECTED.

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

DONE AND ORDERED in Tallahassee, Florida.

 Tracy D. Suber
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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

PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

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

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THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of June, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable John Bartus, Mayor
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

Cindy Ecklund, City Clerk
City of Marathon
10045-55 Overseas Highway
Marathon, Florida 33050

Mike Puto
Acting City Manager
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

John Herin, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
Suite 2200 Museum Tower
150 West Flagler Street
Miami, Florida 33130

DCA Order No. DCA06-OR-152

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF
ISLANDS
ORDINANCE NO. 06-08

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On May 5, 2006, the Department received for review Islamorada, Village of Islands Ordinance No. 06-08 ("Ord. No. 06-08") adopted by the Village on April 27, 2006. The purpose of the Ordinance is to amend Division 2 Zoning Districts of Article V, Chapter 30 of the Village Code to allow for schools as permitted in the Highway Commercial zoning district, and to amend Article II Rules of Construction and Definitions, Chapter 30 of the Village Code to provide for a definition for schools.
3. The Ordinance defines Schools to mean a public, private, charter or parochial school offering instruction at the elementary, junior and/or senior high school levels in the branches of learning and study required to be taught in the public schools of the state.
4. Ord. 06-08 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
6. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 06-08 are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2005). See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
9. Ord. 06-08 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
10. Ord. 06-08 is not inconsistent with the remaining Principles. Ord. 06-08 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 06-08 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S

ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING

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

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

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

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

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

TRACY D. SUBER
STATE PLANNING ADMINISTRATOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 22nd day of June, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Chris Sante, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Beverly Raddatz, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Nina Boniske, Esq.
Nancy Stroud, Esq.
Weiss Serota Helfman Pastoriza
Guedes Cole & Boniske, P.A.
3107 Stirling Drive, Suite 300
Fort Lauderdale, FL 33312-8500

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, Champion Bus, Inc., intends to allow the establishment of Bus Group Florida, Inc., as a dealership for the sale of Champion buses, at 1150 Jetport Drive, Orlando (Orange County), Florida 32809, on or after June 30, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Bus Group Florida, Inc., are dealer operator(s): Eugene Hotard, 983 Lakeshore Boulevard, Slidell, Louisiana 70461; principal investor(s): Eugene Hotard, 983 Lakeshore Boulevard, Slidell, Louisiana 70461.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: John Resnik, V.P. and General Manager, Champion Bus, Inc., 331 Graham Road, P. O. Box 158, Imlay City, Michigan 48444.

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Big Dog Motorcycles, LLC, intends to allow the establishment of Motorsports of Fort Myers, Inc., d/b/a Harley-Davidson of Fort Myers, as a dealership for the sale of Big Dog motorcycles, at 2160 Colonial Boulevard, Fort Myers (Lee County), Florida 33907, on or after June 26, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports of Fort Myers, Inc., d/b/a Harley-Davidson of Fort Myers, are dealer operator(s): J. Scott Fisher, 2160 Colonial Boulevard, Fort Myers, Florida 33907; principal investor(s): J. Scott Fisher, 2160 Colonial Boulevard, Fort Myers, Florida 33907.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Nick Messer, President, Big Dog Motorcycles, LLC, 1520 East Douglas Avenue, Wichita, Kansas 67214.

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Big Dog Motorcycles, LLC, intends to allow the establishment of Motorsports of Naples, Inc., d/b/a Harley-Davidson of Naples, as a dealership for the sale of Big Dog motorcycles, at 3645 Gateway Lane, Naples (Collier County), Florida 34109, on or after June 26, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports of Naples, Inc., d/b/a Harley-Davidson of Naples are dealer operator(s): J. Scott Fisher, 3645 Gateway Lane, Naples, Florida 34109, and Mary

Fisher, 3645 Gateway Lane, Naples, Florida 34109; principal investor(s): J. Scott Fisher, 3645 Gateway Lane, Naples, Florida 34109, and Mary Fisher, 3645 Gateway Lane, Naples, Florida 34109.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Nick Messer, President, Big Dog Motorcycles, LLC, 1520 East Douglas Avenue, Wichita, Kansas 67214.

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 American Lifan Industry, Inc., intends to allow the establishment of Clifton Warning d/b/a Scooter King Motor Sports, as a dealership for the sale of Chongqing Lifan Industry Group (CHOL) motorcycles, at 602 South State Street, Bunnell (Flagler County), Florida 32110, on or after May 30, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Clifton Warning d/b/a Scooter King Motor Sports, are dealer operator(s): Clifton Warning, 602 South State Street, Bunnell, Florida 32110; principal investor(s): Clifton Warning, 602 South State Street, Bunnell, Florida 32110.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, 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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Peter Xie, General Manager, American Lifan Industry, Inc., 10990 Petal Street, Suite 500, Dallas, Texas 75238.

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 Piaggio Group Americas, Inc. ("Piaggio"), intends to allow the establishment of Florida Motorsports of Tallahassee, Inc., d/b/a Florida Motorsports, as a dealership for the sale of Piaggio and Vespa motorcycles, at 2463 Greer Road, Tallahassee (Leon County), Florida 32308, on or after June 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Florida Motorsports of Tallahassee, Inc., d/b/a Florida Motorsports, are dealer operator: Kent Johnson, 2463 Greer Road, Tallahassee, Florida 32308; principal investor(s): Kent Johnson, 2463 Greer Road, Tallahassee, Florida 32308.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, 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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Paralegal/Assistant Administrator, Piaggio Group Americas, Inc., 140 East 45th Street, 17C, New York, New York 10017.

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Power Sports Factory, Inc., intends to allow the establishment of Discount Scooters as a dealership for the sale of Yamati and QianJiang motorcycles, at 5908 North Armenia Avenue, Tampa (Hillsborough County), Florida 33604, on or after June 15, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooters are dealer operator(s): Brooke Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604; principal investor(s): Brooke Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Steve Rubakh, President, Power Sports Factory, Inc., 6950 Central Highway, Pennsauken, New Jersey 08109.

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, A & A Scooter, Inc., intends to allow the establishment of FlaCycle, Inc., as a dealership for the sale of Chongqing Lifan Industry

Group (CHOL) motorcycles at 6022 South Tamiami Trail, Sarasota (Sarasota County), Florida 34231, on or after June 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of FlaCycle, Inc., are dealer operator(s): Bruce Freidlander, 6022 South Tamiami Trail, Sarasota, Florida 34321; principal investor(s): Bruce Freidlander, 6022 South Tamiami Trail, Sarasota, Florida 34321.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Moises Martinez, Sales Manager, A & A Scooters, 11639 Emerald Street, Suite 100, Dallas, Texas 75229.

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 Hyosung Motors America, Inc., intends to allow the establishment of Axis Powersports as a dealership for the sale of Hyosung motorcycles at 3131 East Gulf to Lake Highway, Inverness (Citrus County), Florida 34453, on or after May 26, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Axis Powersports are dealer operators: Mark G. Muscott, 4235 East Benthall Court, Hernando, Florida 34442 and Billie-Jo Muscott, 4235 East Benthall Court, Hernando, Florida 34442; principal investor(s): William H. Ogle, III, 4301 East Tennessee Lane, Hernando, Florida 34442.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, 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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Edward Park, President, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Hyosung Motors America, Inc., intends to allow the establishment of MoJo PowerSports, Inc., d/b/a GekGo Scooters, as a dealership for the servicing of Hyosung motorcycles at 101 First Avenue Southwest, Largo (Pinellas County), Florida 33770, on or after May 26, 2006.

The name and address of the dealer operator(s) and principal investor(s) of MoJo PowerSports, Inc., d/b/a GekGo Scooters, are dealer operator(s): Peter M. Spoto, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Peter M. Spoto, 707 West Bay Drive, Largo, Florida 33770.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Edward Park, President, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

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 Hyosung Motors America, Inc., intends to allow the establishment of Two Oceans Moped Rental as a dealership for the sale of Hyosung motorcycles at 1910 North Roosevelt Boulevard, Key West (Monroe County), Florida 33040, on or after May 26, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Two Oceans Moped Rental are dealer operator: Dennis P. Saviano, 11498 Heather Wood Court, Shelby Township, Michigan 48315; principal investor(s): Dennis P. Saviano, 11498 Heather Wood Court, Shelby Township, Michigan 48315.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, 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: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Edward Park, President, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Hyosung Motors America, Inc., intends to allow the establishment of MoJo PowerSports, Inc., d/b/a GekGo Scooters & MoJo Scooters, as a dealership for the sale of Hyosung motorcycles at 707 West Bay Drive, Largo (Pinellas County), Florida 33770, on or after May 26, 2006.

The name and address of the dealer operator(s) and principal investor(s) of MoJo PowerSports, Inc., d/b/a GekGo Scooters & MoJo Scooters, are dealer operator(s): Peter M. Spoto, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Peter M. Spoto, 707 West Bay Drive, Largo, Florida 33770.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Edward Park, President, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Subaru of America, Inc./South Central Region, intends to allow the establishment of Lender Services, Inc., d/b/a Eddie Mercer Subaru, as a dealership for the sale of Subaru vehicles at 7050 Pensacola Boulevard, Pensacola (Escambia County), Florida 32505, on or after August 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Lender Services, Inc., d/b/a Eddie Mercer Subaru, are dealer operator(s): Eddie Mercer, 7050

Pensacola Boulevard, Pensacola, Florida 32505; principal investor(s): Eddie Mercer, 7050 Pensacola Boulevard, Pensacola, Florida 32505.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: John Thamert, Regional Business Management Manager, Subaru of America, Inc./South Central Region, 220 The Bluffs, Austell, Georgia 30168.

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.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

STATE BOARD OF ADMINISTRATION

Legal Notice

The State Board of Administration of Florida (SBA), on behalf of the Florida Hurricane Catastrophe Fund (FHCF), hereby gives notice that moneys owed to Southern Family Insurance Company (NAIC #10661), Atlantic Preferred Insurance Company (NAIC #10902), and/or Florida Preferred Property Insurance Company (NAIC #11577) by the FHCF, if any, may be payable to Reinsurers and/or Financial Institutions. Claim filing information is available on the FHCF website: www.sbafla.com/fhcf under "What's New." Claims must be filed with and received by the FHCF no later than 5:00 p.m. (ET), on July 28, 2006. For additional information, contact Tracy L. Allen, Sr. Attorney, FHCF, (850)413-1341.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted a draft of the 2006 Health Services Manual for review and comment at: <http://www.djj.state.fl.us/manuals/manualreview.html>

Please note that earlier notices published in the Florida Administrative Weekly on June 2 and 9, 2006, indicated that the above referenced manual would be available on the Department's website on those dates. Due to unexpected delays, the manual will not be available for review and comment until July 7 (date of this publication).

The 2006 Health Services Manual is a document that addresses the comprehensive physical health care of youth who are in the custody of the Department of Juvenile Justice. The manual addresses the continuum of medical services for our youth, inclusive of the CINS/FINS shelters, facility based community corrections programs, secure detention centers and residential commitment programs. Due to the unique nature of health care, the manual has been written to address the various medical needs of these youth in accordance with national standards, as well as the requirements of the Florida Department of Juvenile Justice. The goal is that youth in the care and custody of the Department will receive a continuum of services that reflect the complex needs of this population. A second goal is that health care providers, direct care staff and management at all levels will understand that the health care provided to these youth must be in accordance with current clinical guidelines and at a level commensurate with the services they would receive in the community. Please bear in mind that this document continues to be a work in progress with additional editing occurring while it is posted for review and comments.

The revised manual is being posted for a single 20 working day review and comment period. The closure date for submission of comments on the manual is August 3, 2006. Comments should be sent to the person identified on the above Website utilizing the Matrix of Comments.

DEPARTMENT OF HEALTH

NOTICE OF THE AVAILABILITY OF THE 2006-2007 TRAUMA CENTER LETTER OF INTENT PACKAGE
 NAME OF AGENCY: Department of Health (DH)
 PACKAGE TITLE: Florida Trauma Center Letter of Intent Package

PURPOSE AND EFFECT: DH is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a trauma center.

ELIGIBILITY: Florida licensed acute care hospitals are eligible to apply.

AUTHORITY: Section 395.4025(2)(a), Florida Statutes.

TO OBTAIN A PACKAGE: You may request a Letter of Intent package by telephone, fax, or mail, or in person.

Telephone: (850)245-4444, ext. 2756 or Suncom 205-4440.

Fax: (850)488-2512.

Mail request to, or pick up in person at: Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4052 Bald Cypress Way, Bin C-18 Tallahassee, FL 32399-1738.

DEADLINE: Letters of Intent must be postmarked between September 1, 2006, and midnight, October 1, 2006.

CONTACTS: Bernadette Behmke or Susan McDevitt, (850)245-4440 or Suncom 205-4440.

On June 26, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Keely O'Steen Stewart, R.N., license number RN 3148202. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 26, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the licenses of Jill Allison Bennett, R.N. license numbers RN 9230046 and PN 5152726. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 21, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Robert J. Russell, D.C., license number CH 6142. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6),

Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 21, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Heather Anne O'Brian, R.N. license number RN 3416372. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 23, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Madonna J. Hughes Otto, L.P.N. license number PN 0924151. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 21, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Vanesa La'Shea Robinson, R.Ph., license number PS 20171. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 23, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Michelle M. Salkey, R.Ph., license number PS 23286. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On June 23, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Russell A. Patti, Jr., R.Ph., license number PS 30759. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL
CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 2006-CA-001083

In Re: The Receivership of ATLANTIC PREFERRED
INSURANCE COMPANY, a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND
CLAIMANTS HAVING BUSINESS WITH ATLANTIC
PREFERRED INSURANCE COMPANY.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 31st day of May, 2006, the Department of Financial Services of the State of Florida was appointed as Receiver of ATLANTIC PREFERRED INSURANCE COMPANY 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 ATLANTIC PREFERRED INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59 p.m., June 1, 2007, 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 Financial Services, Receiver for ATLANTIC PREFERRED INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL
CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 2006-CA-001198

In Re: The Receivership of FLORIDA PREFERRED
PROPERTY INSURANCE COMPANY, a Florida corporation.
NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND
CLAIMANTS HAVING BUSINESS WITH FLORIDA
PREFERRED PROPERTY INSURANCE COMPANY.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 31st day of May, 2006, the Department of Financial Services of the State of Florida was appointed as Receiver of

FLORIDA PREFERRED PROPERTY INSURANCE
COMPANY 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 PREFERRED PROPERTY INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59 p.m., June 1, 2007, 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 Financial Services, Receiver for FLORIDA PREFERRED PROPERTY INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL
CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 2006-CA-001060

In Re: The Receivership of SOUTHERN FAMILY
INSURANCE COMPANY, a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND
CLAIMANTS HAVING BUSINESS WITH SOUTHERN
FAMILY INSURANCE COMPANY.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 31st day of May, 2006, the Department of Financial Services of the State of Florida was appointed as Receiver of SOUTHERN FAMILY INSURANCE COMPANY 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 SOUTHERN FAMILY INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59 p.m., June 1, 2007, 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 Financial Services, Receiver for SOUTHERN FAMILY INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

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

Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 28, 2006):

APPLICATION TO MERGE

Constituent Institutions: Power 1 Credit Union, Pembroke Pines, Florida, and Pan Am Horizons Federal Credit Union, Miami, Florida

Resulting Institution: Power 1 Credit Union

Received: June 23, 2006

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofr/banking/cufm.asp>.

Comments may be submitted to the: Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 2, 2006):

Name and Address of Applicant: Bay Credit Union, Post Office Box 2239, Panama City, Florida 32402

Expansion Includes: Geographic

Received: June 23, 2006
