

## Section XII Miscellaneous

### DEPARTMENT OF EDUCATION

NOTIFICATION OF INTENT TO OPERATE THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN in accordance with title 7 Code of Federal Regulations, Part 225, it is the intent of the Florida Department of Education, Food and Nutrition Management Section, to continue to administer the Summer Food Service Program for fiscal year 2010. The primary purpose of the program is to provide food service to children from needy areas during periods when area schools are closed for vacation. Eligible children are those 18 years of age and under, and persons over 18 years of age who are determined by the State educational agency or a local public education agency or a local public educational agency of the State to be mentally or physically handicapped and who participate in the public or nonprofit private school program established for the mentally or physically handicapped. The program will be made available throughout Florida by State approved sponsors. Sponsors for the program may be a public or non-profit private school, nonprofit private school, non profit private organization, residential or non-residential camp, government organization, or a National Youth Sports Program. For More information please contact Food and Nutrition Management, Summer Food Services Program for Children at 1(800)504-6609.

“In accordance with Federal law, and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. To file a complaint of discrimination write: USDA Director, Office of Civil Rights, 1400 Independence Avenue, S. W., Washington, D.C. 20250-9410 or call 1(800)795-3272 (Voice) or (202)720-6382 (TDD). USDA is an equal opportunity provider and employer.”

#### PUBLIC NOTICE FOR FOOD SERVICE VENDORS TO REGISTER WITH THE FLORIDA DEPARTMENT OF EDUCATION TO SELL AND DELIVER UNITIZED MEALS AND SNACKS TO THE SUMMER FOOD SERVICE PROGRAM IN F.Y. 2010

In accordance with Title 7 Code of Federal Regulations, Part 225, it is the intent of the Florida Department of Education (FLDOE), Food and Nutrition Management Section, to continue administering the Summer Food Service Program (SFSP) for the federal fiscal year ending September 30, 2010.

The primary purpose of the Program is to provide breakfast, lunch and snack meals to economically needy children during periods when public schools are generally closed for summer recess. Food service vendors who wish to participate in the SFSP may write this agency for a vendor registration package to the address given below. Successful vendor registration will require copies of the following: A current Florida business license as a restaurant, food service caterer or a Food Service Management Company; the two most recent health inspection reports; a completed SFSP vendor registration form; Evidence of general and product liability insurance; and insurance coverage for delivery vehicles. The prospective vendor's registration forms and other documentation must be returned to this Agency by March 15, 2010. U.S. Postal Service date marks or private courier dates will be used to determine the timeliness of submissions.

For additional information, please contact: Food and Nutrition Management Section of FLDOE at 1(800)504-6609. The primary contact person for vendor registration is David Whetstone and the SFSP Program Manager is Michelle Morris. Please direct written inquires to: The Florida Department of Education, Food and Nutrition Management Section, 325 West Gaines Street, Room 1044, Tallahassee, Fl. 32399-0400.

### DEPARTMENT OF COMMUNITY AFFAIRS

#### SEEKING PROVIDER AGENCY OR AGENCIES FOR THE COMMUNITY SERVICES BLOCK GRANT (CSBG) PROGRAM IN BAY AND/OR GULF COUNTY

The Florida Department of Community Affairs (DCA) is seeking a non-profit entity or entities to administer the Community Services Block Grant (CSBG) in Bay and/or Gulf County. A provider may choose to serve one or both counties.

In order to be designated to serve as the eligible entity for one or more of these counties, an entity must agree to add additional members to its board to ensure adequate representation in compliance with 42 U.S.C. 9909 and 9910 and Rule 9B-22.011, Florida Administrative Code. Special consideration shall be given to an organization with demonstrated effectiveness in providing a broad range of services designed to eliminate poverty and foster self-sufficiency. Priority shall be given to existing CSBG eligible entities in good standing with the Department that are providing related services in the specified county or in areas contiguous to or within reasonable proximity to the specified county.

Organizations interested in becoming the CSBG provider for Bay and/or Gulf County must:

- Mail or hand deliver to the Department of Community Affairs and the County Administrator (Gulf County only) a letter of interest. The letter must be received by DCA and the County prior to 5:00 p.m. (Eastern Standard Time), January 15, 2010. The letter must clearly state that the entity is interested in becoming the CSBG service provider in the specified county or counties, and the entity's willingness to amend its organization's bylaws, structure, membership, and Articles of Incorporation to comply with 42 U.S.C. 9909 and 9910, and Rule 9B-22.011, Florida Administrative Code. The letter must be signed by both the chief executive officer and the chairperson of the governing board of the private nonprofit CSBG eligible entity or private nonprofit organization.
- Complete and provide to DCA and the County Administrator (Gulf County only) a proposal package no later than 5:00 p.m. (Eastern Standard Time), February 12, 2010. The proposal information is posted on the DCA website at [www.dca.state.fl.us/notices.cfm](http://www.dca.state.fl.us/notices.cfm) or may be obtained by calling or emailing the DCA contact person listed below.
- Must attend and present their proposal at a public hearing to be held on February 16, 2010, in the specific county. Time and locations will be published at a later date.

The letter of interest and proposal must be sent or delivered to:

Ms. Hilda Frazier, Planning Manager  
 Community Assistance Section  
 Florida Department of Community Affairs  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100  
 Telephone: (850)488-7541  
 Fax: (850)488-2488  
 Email: [Hilda.Frazier@dca.state.fl.us](mailto:Hilda.Frazier@dca.state.fl.us)

And for Gulf County to:

Mr. Don Butler, County Administrator  
 Robert M. Moore Administration Building  
 1000 Cecil G. Costin Sr. Boulevard  
 Port St. Joe, Florida 32456

**DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Orange County Convention Center, a private airport, in Orange County, at Latitude 28° 25' 52" and Longitude 81° 27' 24", to be owned and operated by Orange County Convention Center, Facility Operations P. O. Box 691509, Orlando, FL 32869.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4514, [aviation.fdot@dot.state.fl.us](mailto:aviation.fdot@dot.state.fl.us). Website: <http://www.dot.state.fl.us/aviation>.

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

**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, notice is given that Valley Scooters, LLC, intends to allow the establishment of Cars & Plus International, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co., Ltd. (SHEN) at 4003 Pembroke Road, Hollywood (Broward County), Florida, 33021, on or after January 11, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Cars & Plus International are dealer operator(s): Patricio Zuniga, 4003 Pembroke Road, Hollywood, Florida 33021; principal investor(s): Patricio Zuniga, 4003 Pembroke Road, Hollywood, Florida 33021 and Barry Adler, 159 Southwest 101 Way, Coral Springs, Florida 33071.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Dikov, Valley Scooters, LLC, 1687 Blythe Island Drive, Brunswick, Georgia 31523.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Valley Scooters, LLC, intends to allow the establishment of Cars & Plus International, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd. (ZHNG) at 4003 Pembroke Road, Hollywood (Broward County), Florida 33021, on or after January 11, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Cars & Plus International are dealer operator(s): Patricio Zuniga, 4003 Pembroke Road, Hollywood, Florida 33021; principal investor(s): Patricio Zuniga, 4003 Pembroke Road, Hollywood, Florida 33021 and Barry Adler, 159 S. W. 101st Way, Coral Springs, Florida 33071.

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.

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A copy of such petition or complaint must also be sent by U.S. Mail to: John Dikov, Valley Scooters, LLC, 1687 Blythe Island Drive, Brunswick, Georgia 31523.

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.

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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 Classic Motorworks, Ltd. Inc., intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Royal Enfield Motorcycles (ENFI) at 2386 Allen Road, Tallahassee (Leon County), Florida 32312, on or after January 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc. are dealer operator(s): Daniel Maddox, 12005 Cedar Bluff Trail, Tallahassee, Florida 32312, principal investor(s): Daniel Maddox, 12005 Cedar Bluff Trail, Tallahassee, Florida 32312.

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, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kevin Mahoney, Classic Motorworks, Ltd. Inc., 1405 Cannon Circle Suite 12, Faribault, Minnesota 55021.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of John T. Faulkner d/b/a Faulkner Motorsports, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co., Ltd. (DAIX) at 4237 US Highway 19, New Port Richey (Pasco County), Florida 34652, on or after December 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of John T. Faulkner are dealer operator(s): John T. Faulkner, 4237 US Highway 19, New Port Richey, Florida 34652; principal investor(s): John T. Faulkner, 4237 US Highway 19, New Port Richey, Florida 34652.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, Unit E, Ontario, California 91761.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Isuzu Commercial Truck of America, Inc., intends to allow the establishment of Rush Truck Centers of Florida, Inc. as a dealership for the sale of trucks manufactured by Isuzu Commercial Truck of America, Inc. (ISU) at 9481 Boggy Creek Road, Orlando (Orange County), Florida, 32824, on or after February 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Rush Truck Centers of Florida, Inc. are dealer operator(s): William Marvin Rush, 1015 Rudelof Road, Seguin, Texas 78155; principal investor(s): William Marvin Rush, 1015 Rudelof Road, Seguin, Texas 78155.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gary Fong, Isuzu Commercial Truck of America, Inc., 1400 S. Douglass Road Suite 100, Anaheim, California 92806.

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.

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### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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### **WATER MANAGEMENT DISTRICTS**

#### **NOTICE OF INTENDED AGENCY ACTION**

The South Florida Water Management District gives notice of its intent to issue the following Permit with conditions:

Permit 36-03962-P (Application 080506-17) Hidden Harbor Preserve Inc. (Hidden Harbor Preserve) 989 Tamiami Trail, Port Charlotte, FL 33953, for an Environmental Resource permit modification authorizing construction and operation of a surface water management system serving a 54.67 acre residential and docking facility development, with discharge to Ten Mile Canal via the existing surface water management system. The project is located in Lee County, Section 7, Township 46 South, Range 25 East.

The Staff Report setting forth the staff recommendation regarding the permit, including proposed limiting conditions to provide reasonable assurances that the project meets SFWMD statutes and rules, can be obtained by contacting the Regulatory Records Management Section, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, Environmental Resource Regulation Department, by telephone at (561)682-6911, by e-mail at [permits@sfwmd.gov](mailto:permits@sfwmd.gov), or by accessing the Staff Report directly from the District's website ([www.sfwmd.gov](http://www.sfwmd.gov)) using the Application/Permit Search on the ePermitting page.

As required by Sections 120.569(1), and 120.60(3), Florida Statutes, following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all

legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

**Right to Request Administrative Hearing** – A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or 2) within 14 days of service of an Administrative Order pursuant to Subsection 373.119(1), Florida Statutes "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

**Filing Instructions** – The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. Filings by e-mail will not be accepted. Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the: District Clerk, SFWMD Headquarters, West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m., shall be filed as of 8:00 a.m., on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P. O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the

SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.

- Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561)682-6010. Pursuant to subsections 28-106.104(7), (8) and (9), Florida Administrative Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

Initiation of an Administrative Hearing – Pursuant to Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code, unless otherwise provided by law.

Mediation – The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

Right to Seek Judicial Review – Pursuant to Sections 120.60(3) and 120.68, Florida Statutes, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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**FLORIDA STATE CLEARINGHOUSE**

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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**DEPARTMENT OF HEALTH**

On December 17, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Restriction Order with regard to the license of Norman Moskowitz, M.D. license number #ME 16281. This Emergency Restriction Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public. For additional information, contact the Department of Health, Agency Clerk's Office.

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