

PLACE: USDA Florida City Service Center, 1450 N. Krome Avenue, #104, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda Items for presentation to the Board of Supervisors, Nursery BMP, MIL Lab Reports, SDSWCD District Projects and Reports.

A copy of the agenda may be obtained by contacting: Norma Wilson, (305)242-1288.

For more information, you may contact: Mr. Morgan Levy (305)242-1288.

**MADISON SOIL AND WATER CONSERVATION DISTRICT**

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2011, 8:15 a.m.

PLACE: USDA Service Center

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: (850)973-6595.

**CHOCTAWHATCHEE RIVER SOIL AND WATER CONSERVATION DISTRICT**

The **Choctawhatchee River Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: March 14, 2011; June 13, 2011; September 12, 2011; December 12, 2011, 6:30 p.m.

PLACE: USDA Service Center, 239 John Baldwin Rd., Suite B, DeFuniak Springs, FL in the Conference Room.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda for quarterly meeting.

A copy of the agenda may be obtained by contacting: Melody Hughes.

For more information, you may contact: Melody Hughes.

**COUNCIL OF COMMUNITY COLLEGE PRESIDENTS**

The **Florida College System Council of Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: March 2, 2011, 6:00 p.m.

PLACE: Andrews 228, 228 South Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida’s public state and community colleges.

A copy of the agenda may be obtained by contacting: Tina Ingramm, (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Avenue, Tallahassee, FL 32301.

The **Florida College System Council of Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: March 3, 2011, 8:00 a.m.

PLACE: Double Tree Hotel, 101 South Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida’s public state and community colleges.

A copy of the agenda may be obtained by contacting: Tina Ingramm, (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Avenue, Tallahassee, FL 32301.

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

**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.”

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Tipple’s Brews of Gainesville, LLC., Docket Number DS 2011-014. The petition seeks the agency’s opinion as to the applicability of Section 562.34(1), Florida Statutes. as it applies to the petitioner.

The Petitioner requests a declaratory statement inquiring as to whether or not a retailer that holds a 2COP alcoholic beverage license is prohibited from selling growlers under Section 562.34(1), Florida Statutes. Petitioner states that growlers are sealable containers which are filled at the beer tap of retail establishments. Furthermore, Petitioner states that growlers are used by small retail specialty beer stores as a cost-effective way to carry select, craft-beers that may not otherwise be available. Specifically, because Section 562.34(1), Florida Statutes, governs “Enforcement” of alcoholic beverage laws and for purposes of “maintaining control over delivery and distribution of alcohol through tax laws;” the Petitioner inquires as to why the Division has interpreted the above-referenced statute to prohibit a course of conduct when there is no legislative statement that bans the sale of growlers.

According to Petitioner, all licensing and tax requirements are met in the case of growlers because the taxes for the beer is paid for and reported to the Division at the manufacturer level, by the wholesaler, and records are kept after retail delivery to the store.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Michael Ross, Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Manuel Blanco, Unit Owner, In Re: Village of Kings Creek Condominium Association, Inc., Docket No. 2011002866 on January 18, 2011. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because the division may not issue an opinion where the facts complained of have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Board of Accountancy has issued an order disposing of the petition for declaratory statement filed by Keith L Jones, CPA on September 24, 2010. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 36, No. 41, of the October 15, 2010, Florida Administrative Weekly. Petitioner sought the Board's interpretation of subsection 61H1-21.005(2), F.A.C., entitled "Contingent Fees." Petitioner asks whether the completion of an application of the Florida Enterprise Zones jobs credit sales tax on a contingency fee basis in compliance with the rule. The Board of Accountancy considered the Petition at its meeting held on December 3, 2010, in Tallahassee, Florida. The Board's Order, filed on February 7, 2011, answered the question of the Petition for Declaratory Statement in the

affirmative, finding that because the completed application is reviewed in detail by the taxing authority prior to approval, the determination of eligibility for the credit is made by the taxing authority and not by the Florida certified public accountant who completed the form. Thus, under these circumstances, Petitioner is able to complete an application for the Florida Enterprise Zones jobs credit sales tax on a contingency fee basis.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT the Department of Environmental Protection has received the petition for declaratory statement from Anthony Porcelli. The petition seeks the agency's opinion as to the applicability of Section 163.04, Fla. Stat. as it applies to the petitioner.

Petitioner states he is a member of the Coquina Point HOA ("Coquina"), located in Volusia County, Florida. The Petitioner further states that Coquina has ordered him to stop applying a roof coating called "Roof Mastic" to his roof, which he states qualifies for "Energy Star status" from the U.S. Department of Energy. The Petition further states that "Coquina wants Porcelli to furnish incontrovertible evidence that said coating comes within the definition of "Energy Devices" in Florida Statute 163.04."

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lisa L. Brown, Legal Assistant, Office of General Counsel, [lisa.l.brown@dep.state.fl.us](mailto:lisa.l.brown@dep.state.fl.us), (850)245-2276.

Please refer all comments to: Lisa L. Brown (contact info above).

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Department of Health has received the petition for declaratory statement from Brian Boehman, PhD. The petition seeks the agency's opinion as to the applicability of Section 490.003(5)(a), Florida Statutes, as it applies to the petitioner.

The Petitioner is asking for a declaratory statement from the department in order to confirm whether or not his scope of practice authorizes the administration of personality assessments for Vocational Rehabilitation clients. The

Petitioner seeks to ensure that his performance of personality assessments on Vocational Rehabilitation clients falls within the definition of "Assessment."

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3250.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

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

**NONE**

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

**NONE**

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

**NONE**

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

**DEPARTMENT OF EDUCATION**

**Notice of Bid**

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB11MB-128, Smathers Library East Transformer & Service Entrance Re-feed, estimated budget: \$250,000, to be opened March 23, 2011 at 2:00 p.m. in 101 Elmore Hall, Radio Road,

Gainesville, FL. Scope of work: The work includes all labor, equipment, and materials required to remove 6 existing 5 kV building transformers and replace with a new padmount transformer. Provide new underground primary wiring. Provide new building Service, to include SE Panel, Revenue Metering, Surge Protection and a low voltage transformer and panel to reserve existing loads. Inclusive of all secondary wiring, accessories and connections. Please see attached Drawings and Specifications for additional clarification. SPECIAL CONSIDERATIONS: We must keep the Building Occupants powered up until the last moment, and then transfer to the new system over a long weekend or over a school holiday. Preferred to be done while weather is cool. Library has rare books which must be kept free of humidity. Mandatory pre-bid meeting will be held March 3, 2011 at 10:00 a.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL. Questions should be directed to Mercedes Bongiovanni, mbongio@ufl.edu or (352)392-1331. For more information visit [www.purchasing.ufl.edu](http://www.purchasing.ufl.edu). AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, [purchasing@ufl.edu](mailto:purchasing@ufl.edu) or (352)392-1331 within three (3) days of the event.

**UNIVERSITY OF WEST FLORIDA  
CALL FOR QUALIFICATIONS  
CAMPUS MASTER PLAN UPDATE, 2011-2021  
10PQS-11JJ**

The University of West Florida Board of Trustees is soliciting sealed Professional Qualifications submittals for services to update its current Campus Master Plan. This master planning project consists of editing and/or updating elements of the University's 2006-16 Campus Master Plan in the following areas: identify the planned academic mission and programs, enrollment projections, urban design, land use, densities and intensities of land use, academic and administrative facilities, support facilities, student housing, recreation and open space, standards for facility development, preservation of historic and archaeological resources, conservation, transportation, architectural design guidelines, landscape design, capital improvements with locations, infrastructure (utilities, vehicular roads and pedestrian circulation, and parking), facilities maintenance, and inter-governmental impact coordination.

The UWF Professional Qualifications Solicitation (UWF-PQS) outlines the minimum requirements the firm will submit for this proposed master-planning design service. The solicitation, project fact sheet and related information may be downloaded from <http://uwf.edu/procurement>.