

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NO.:           RULE TITLE:  
5J-9.008           Enforcement Actions and Administrative Penalties

PURPOSE AND EFFECT: The purpose of this rulemaking is to modify the penalty structure for the Florida Sellers of Travel Act. These amendments will ensure consistency in the application of administrative fines for statutory violations.

SUBJECT AREA TO BE ADDRESSED: Revision to mitigating factors and the minimum fine for a major violation of the rule.

RULEMAKING AUTHORITY: 559.9355(3), 570.07(23) FS.

LAW IMPLEMENTED: 559.9355, 570.971(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy Topol, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email: Amy.Topol@FreshFromFlorida.com or by phone: (850)410-3662

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NO.:           RULE TITLE:  
5J-13.004           Enforcement Actions and Administrative Penalties

PURPOSE AND EFFECT: The purpose of this rulemaking is to modify the penalty structure for the Florida Pawnbroking Act. These amendments will ensure consistency in the application of administrative fines for statutory violations.

SUBJECT AREA TO BE ADDRESSED: Revision to mitigating factors and the minimum fine for a major violation of the rule.

RULEMAKING AUTHORITY: 539.001(21), 570.07(23) FS.

LAW IMPLEMENTED: 539.001, 570.971(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy Topol, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email: Amy.Topol@FreshFromFlorida.com or by phone: (850)410-3662

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NO.:           RULE TITLE:  
65A-1.204           Rights and Responsibilities

PURPOSE AND EFFECT: The proposed administrative rule amends the language in the Rights and Responsibilities Form CF-ES 2064 by revising the non-discrimination and fair hearing statements and making technical changes.

SUBJECT AREA TO BE ADDRESSED: This rule addresses rights and responsibilities within the context of food assistance program eligibility determinations.

RULEMAKING AUTHORITY: 414.45 FS, 409.919 FS.

LAW IMPLEMENTED: 414.31, 409.903, 409.904, 414.095, 414.295, 414.31 FS.

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

DATE AND TIME: February 2, 2016, 10:00 a.m. – 11:00 a.m.

PLACE: 1317 Winewood Blvd., Building 3, Room 455, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Victor Walker. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Victor Walker, Economic Self-Sufficiency Program, (850)717-4141, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, victor.walker@myflfamilies.com

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

## Section II Proposed Rules

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.:       RULE TITLE:

64B15-9.0055   Definitions

**PURPOSE AND EFFECT:** The proposed rule repeal is intended to delete an unnecessary rule.

**SUMMARY:** The rule is unnecessary and is being repealed.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule repeal will not have any impact on licensees and their businesses or the businesses that employ them. The rule repeal will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

**RULEMAKING AUTHORITY:** 456.036(16), 459.005 FS.  
**LAW IMPLEMENTED:** 456.036(9), 459.0075 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-9.0055 Definitions.

Rulemaking Authority 456.036(16), 459.005 FS. Law Implemented 456.036(9), 459.0075 FS. History--New 12-7-05, Repealed

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Board of Osteopathic Medicine

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Board of Osteopathic Medicine

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 18, 2015

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:       RULE TITLE:

64B16-28.450   Centralized Prescription Filling, Delivering and Returning

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to provide instructions regarding prescriptions transmitted electronically from an originating pharmacy to a central fill pharmacy.

**SUMMARY:** Instructions will be provided regarding prescriptions transmitted electronically from an originating pharmacy to a central fill pharmacy.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 465.005, 465.0155, 465.0265 FS.

LAW IMPLEMENTED: 465.003(16), 465.019, 465.022, 465.0265 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.450 Centralized Prescription Filling, Delivering and Returning.

(1) through (3) No change.

(4) The central fill and originating pharmacy shall each be identified on the prescription container label. The originating pharmacy shall be identified with pharmacy name and address. The central fill pharmacy may be identified by a code available at the originating pharmacy. Prescription and labeling requirements for pharmacies participating in central prescription filling, delivering and returning:

(a) Prescriptions may be transmitted electronically from an originating pharmacy to a central fill pharmacy including via facsimile. The originating pharmacy transmitting the prescription information must:

1. Electronically record in the pharmacy record keeping system or document on the face of the original prescription that the prescription has been filled at a central fill pharmacy. If a controlled substance, write the word "central fill" on the face of the original prescription and record the name, address, and DEA registration number of the originating pharmacy to which the prescription has been transmitted and the name of the originating pharmacy's pharmacist transmitting the prescription, and the date of transmittal;

2. through 5. No change.

(b) No change.

(5) through (7) No change.

Rulemaking Authority 465.005, 465.0155, 465.0265 FS. Law Implemented 465.003(16), 465.019, 465.022, 465.0265 FS. History—New 9-23-03, Amended 7-27-04, 4-28-08, 2-5-14, 8-27-15, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 8, 2015

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: RULE TITLE:

64B16-28.702 Modified Class II Institutional Pharmacies

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the provision for the utilization of an inventory system for injectables and other medicinal drugs required by the Pharmacy Services Committee.

SUMMARY: The provision for the utilization of an inventory system for injectables and other medicinal drugs required by the Pharmacy Services Committee will be clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.019(2)(c), 465.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

Section III  
Notice of Changes, Corrections and Withdrawals

THE FULL TEXT OF THE PROPOSED RULE IS:

NONE

- 64B16-28.702 Modified Class II Institutional Pharmacies.  
 (1) through (5) No change.  
 (6) Drugs as defined in Section 465.003(7), F.S., stocked in Modified Class II Institutional Pharmacies, Type “A” and Type “B” as provided herein, shall be those drugs generally utilized in the treatment modalities encompassed within the health care scope of the particular institutional care entity. The protocol and the policy and procedure manual for Type “A” and Type “B” Modified Class II Institutional Pharmacies shall contain definitive information as to drugs and strengths thereof to be stocked.  
 (a) No change.  
 (b) The policy and procedure manual of facilities which are issued Type B Modified Class II Institutional Permits shall provide the following:  
 1. through 3. No change.  
 4. Provisions for the utilization of a perpetual inventory system for all controlled substances, ~~injectables and other medicinal drugs as required by the Pharmacy Services Committee.~~  
5. Provisions for the utilization of an inventory system for injectables and other medicinal drugs as required by the Pharmacy Services Committee.  
~~6.5. No change.~~  
~~7.6. No change.~~  
 (c) No change.  
 (7) through (8) No change.

Rulemaking Authority 465.005, 465.022 FS. Law Implemented 465.019(2)(c), 465.022 FS. History—New 4-22-82, Amended 11-5-85, Formerly 21S-1.37, Amended 4-16-86, Formerly 21S-1.037, Amended 7-31-91, Formerly 21S-28.702, 61F10-28.702, Amended 9-4-96, Formerly 59X-28.702, Amended 10-15-01, 7-14-14.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 8, 2015

Section IV  
Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-7  
 RULE TITLE: Instant Game Number 1308, CROSSWORD DOUBLER

SUMMARY: This emergency rule describes Instant Game Number 1308, "CROSSWORD DOUBLER," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-7 Instant Game Number 1308, CROSSWORD DOUBLER.

(1) Name of Game. Instant Game Number 1308 “CROSSWORD DOUBLER.”


(2) Price. CROSSWORD DOUBLER lottery tickets sell for \$5.00 per ticket.

(3) “CROSSWORD DOUBLER” lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning CROSSWORD DOUBLER lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(4) The “YOUR LETTERS” play symbols are as follows:

A B C D E F G H I J  
 K L M N O P Q R S T  
 U V W X Y Z

(5) The CROSSWORD PUZZLE symbols for GAME 1 are as follows:

A B C D E F G H I J  
 K L M N O P Q R S T  
 U V W X Y Z 

(6) The CROSSWORD PUZZLE symbols for GAME 2 are as follows:

A B C D E F G H I J  
 K L M N O P Q R S T  
 U V W X Y Z ☺

(7) The legend is as follows:

YOUR LETTERS

(8) The prizes are: \$5, \$10, \$20, \$40, \$100, \$500, \$1,000, \$10,000 and \$250,000.

(9) Determination of Prizewinners.

(a) There are two games on a ticket. Each game is played independently. Words in one game cannot be used in the other game. The holder of a ticket whose letters (play symbols) in the "YOUR LETTERS" play area match the letters (play symbols) in the CROSSWORD PUZZLE of GAME 1 to form at least three (3) different complete words shall entitle the claimant to the corresponding prize in the "GAME 1 PRIZE LEGEND" for the total number of words matched. The holder of a ticket whose letters (play symbols) in the "YOUR LETTERS" play area match the letters (play symbols) in the CROSSWORD PUZZLE of GAME 2 to form at least three (3) different complete words shall entitle the claimant to the corresponding prize in the "GAME 2 PRIZE LEGEND" for the total number of words matched. The holder of a ticket having a completed word with a "☺" symbol shall entitle the claimant to double the corresponding prize shown in the prize legend for the total number of words matched for that game.

(b) A "word" must contain at least three (3) letters. A "word" cannot be formed by linking letters diagonally or by reading the letters from the bottom to top or right to left. Letters combined to form a "word" must appear in an unbroken horizontal or vertical string of letters in the CROSSWORD PUZZLE that is not interrupted by a blank space and contains every single letter square between two blank spaces or the edge and a blank space. Every letter in the unbroken string must be revealed in "YOUR LETTERS" and be included to form a "word." The possible complete words are shown in the CROSSWORD PUZZLE. Each possible complete word consists of three or more letters and occupies an entire word space. All of the letters in a possible complete word must be matched in order to complete the word.

(10) The estimated odds of winning, value and number of prizes in Instant Game Number 1308 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 220 POOLS OF 120,000 TICKETS PER POOL
GAME 1: 3 WORDS	\$5	20.00	1,320,000
GAME 2: 3 WORDS	\$5	20.00	1,320,000
GAME 1: 3 WORDS + GAME 2: 3 WORDS	\$10	30.00	880,000
GAME 1: 3 WORDS (MONEYBAG)	\$10	60.00	440,000
GAME 2: 3 WORDS (MONEYBAG)	\$10	60.00	440,000
GAME 1: 4 WORDS	\$10	60.00	440,000
GAME 2: 4 WORDS	\$10	60.00	440,000
GAME 1: 3 WORDS + GAME 2: 4 WORDS	\$15	300.00	88,000
GAME 1: 3 WORDS (MONEYBAG) + GAME 2: 3 WORDS	\$15	150.00	176,000
GAME 1: 3 WORDS + GAME 2: 3 WORDS (MONEYBAG)	\$15	300.00	88,000
GAME 1: 4 WORDS + GAME 2: 3 WORDS	\$15	300.00	88,000
GAME 1: 4 WORDS + GAME 2: 4 WORDS	\$20	300.00	88,000
GAME 1: 4 WORDS (MONEYBAG)	\$20	300.00	88,000
GAME 1: 4 WORDS + GAME 2: 3 WORDS (MONEYBAG)	\$20	300.00	88,000
GAME 2: 4 WORDS (MONEYBAG)	\$20	300.00	88,000
GAME 1: 5 WORDS	\$20	300.00	88,000
GAME 1: 5 WORDS + GAME 2: 4 WORDS	\$30	1,200.00	22,000
GAME 1: 4 WORDS (MONEYBAG) + GAME 2: 4 WORDS	\$30	1,200.00	22,000
GAME 1: 5 WORDS + GAME 2: 3 WORDS (MONEYBAG)	\$30	1,200.00	22,000
GAME 1: 4 WORDS (MONEYBAG) + GAME 2: 3 WORDS (MONEYBAG)	\$30	1,200.00	22,000
GAME 1: 6 WORDS	\$40	1,500.00	17,600
GAME 1: 5 WORDS (MONEYBAG)	\$40	1,500.00	17,600
GAME 1: 5 WORDS + GAME 2: 4 WORDS (MONEYBAG)	\$40	1,500.00	17,600
GAME 1: 6 WORDS + GAME 2: 4 WORDS	\$50	2,400.00	11,000
GAME 1: 5 WORDS (MONEYBAG) + GAME 2: 3 WORDS (MONEYBAG)	\$50	2,400.00	11,000
GAME 1: 6 WORDS + GAME 2: 3 WORDS (MONEYBAG)	\$50	2,400.00	11,000
GAME 1: 5 WORDS (MONEYBAG) + GAME 2: 4 WORDS	\$50	2,857.14	9,240
GAME 1: 6 WORDS + GAME 2: 4 WORDS (MONEYBAG)	\$60	1,200.00	22,000
GAME 1: 5 WORDS (MONEYBAG) + GAME 2: 4 WORDS (MONEYBAG)	\$60	1,200.00	22,000
GAME 1: 7 WORDS	\$100	600.00	44,000
GAME 1: 6 WORDS (MONEYBAG) + GAME 2: 4 WORDS (MONEYBAG)	\$100	600.00	44,000
GAME 1: 7 WORDS + GAME 2: 4 WORDS (MONEYBAG)	\$120	1,200.00	22,000
GAME 1: 7 WORDS (MONEYBAG)	\$200	2,400.00	11,000
GAME 1: 8 WORDS	\$500	12,000.00	2,200
GAME 2: 5 WORDS	\$500	12,000.00	2,200
GAME 1: 9 WORDS	\$1,000	30,000.00	880
GAME 1: 8 WORDS (MONEYBAG)	\$1,000	30,000.00	880
GAME 2: 5 WORDS (MONEYBAG)	\$1,000	30,000.00	880
GAME 1: 8 WORDS + GAME 2: 5 WORDS	\$1,000	30,000.00	880
GAME 2: 6 WORDS	\$10,000	120,000.00	220
GAME 1: 10 WORDS	\$250,000	942,857.14	28

(11) The estimated overall odds of winning some prize in Instant Game Number 1308 are 1 in 4.05. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1308, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for CROSSWORD DOUBLER lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History-New 1-15-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 1-15-16.

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

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:  
11B-35.0011 Basic Abilities Test Requirements for Applicant Admission into a Law Enforcement and Correctional Basic Recruit Training Program  
NOTICE IS HEREBY GIVEN that on January 13, 2016, the Criminal Justice Standards and Training Commission received a petition for a permanent waiver of subsection 11B-35.0011(1) and paragraph 11B-35.0011(1)(h), F.A.C., by Mark Tawney, Principal and Vice President of Industrial/Organizational Solutions, Inc. (IOS) on behalf of examinees taking the IOS Criminal Justice Basic Abilities Test (CJBAT) for law enforcement between June 1, 2010 and February 1, 2016. Petitioner wishes to permanently waive that portion of the rule that states: (1) Basic Abilities Test. To comply with Section 943.17(1)(g), F.S., applicants who apply for entry into a Commission-approved Basic Recruit Training Program after January 1, 2002, shall obtain a passing score on a Commission-approved Basic Abilities Test (BAT) for the law enforcement or correctional disciplines, prior to entering a program. The BAT shall be administered in the state of Florida. (h) A passing score on a Commission-approved Basic

Abilities Test is valid four years from the date of the test. Petitioner states a review by the U.S. Department of Justice, Office of Civil Rights (OCR) found the relative pass rates for Black and Hispanic examinees fell within the criteria for adverse impact in all available law enforcement BATs. Petitioner states that it could make its adverse impact rate comparable to that of other tests by decreasing its cut score from 79% to 70%. Petitioner states that without the waiver, Criminal Justice Standards and Training staff would not be able to offer retroactive reparative remedies suggested by the OCR. Petitioner states that the purpose of Section 943.1791(g), F.S. will be achieved if the waiver is granted. A copy of the Petition for Variance or Waiver may be obtained by contacting: Linton B. Eason, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by telephone: (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:  
11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation  
NOTICE IS HEREBY GIVEN that on January 14, 2016, the Criminal Justice Standards and Training Commission received a petition for a temporary waiver of paragraph 11B-35.002(2)(a), F.A.C. Jeffrey T. Beasley, Inspector General, Florida Department of Corrections on behalf of Eric Sewell. Petitioner wishes to permanently waive that portion of the rule that states: Within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination (SOCE) pursuant to Rule 11B-30.0062, F.A.C., and gain employment and certification as an officer. Petitioner states Eric Sewell applied for employment with the DOC in September 2015 and was given an offer of conditional employment. Petitioner states that Mr. Sewell's four-year window to gain employment ran out on January 9, 2015. Petitioner states that Mr. Sewell is a highly qualified candidate and would be an asset to the DOC. Petitioner states that Mr. Sewell will suffer a significant financial impact if the waiver is not granted. Petitioner states that the purpose of Section 943.17, F.S. will be achieved if the waiver is granted. A copy of the Petition for Variance or Waiver may be obtained by contacting: Linton B. Eason, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NO.: RULE TITLE:

15C-21.001 Application for Certificate of Title

The Department of Highway Safety and Motor Vehicles hereby gives notice:

This matter came before the Department of Highway Safety and Motor Vehicles (Department) by Petitioner, Crystale Reason, seeking a variance from or waiver of Rule 15C-21.001, F.A.C., filed on October 20, 2015, and published in the Florida Administrative Register on October 26, 2015, Vol. 41, No. 208. The Department has carefully considered the Petition and finds that the Petition fails to demonstrate that, if a variance or waiver is provided, the requirements of the Florida Statutes have or will be achieved by other means by the Petitioner and that the application of the rule creates a substantial hardship or violates principles of fairness. Therefore, the Petition must be denied.

A copy of the Order or additional information may be obtained by contacting: the Division of Administrative Hearings.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on January 13, 2016, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lake Gibson Village. Petitioner seeks an emergency permanent variance of the requirements of ASME A17.1b, Section 2.15.9, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2016-006).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-610.475 Edible Crops

NOTICE IS HEREBY GIVEN that on December 23, 2015, the Department of Environmental Protection received a petition for variance or waiver from City of Pompano Beach. The petitioner requested a variance or waiver from subsection 62-610.475 (4), F.A.C., which prohibits the direct application of reuse water on edible crops that are not to be cooked, peeled or thermally processed before consumption. The Petitioner, City of Pompano Beach offices are located at 100 West Atlantic Blvd., Pompano Beach, FL. The request applies to the City's reuse system. The petition has been assigned OGC Case No. 15-1690 and File No. FLA013581. Any interested person or agency may submit written comments on the petition within 14 days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mike Bechtold, Department of Environmental Protection, MS 7210-1, 3301 Gun Club Road, West Palm Beach, Florida 33406, 1(561)681-6600, Mike.Bechtold@dep.state.fl.us during normal business hours, 8:00 a.m. – 5:00pm., Monday through Friday, except legal holidays.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-610.462 Reliability and Operator Staffing

The Department of Environmental Protection hereby gives notice that it has issued an order on January 15, 2016, granting Citrus County Utilities, Point O' Woods Wastewater Treatment Facility (WWTF) Petition for a Variance. The Petition was received on October 20, 2015. Notice of receipt of this Petition was published in the Florida Administrative Register on October 30, 2015. The petition requested a variance from subsection 62-610.462(3), F.A.C., to reduce the minimum operator staffing requirements from 6 hours per day for 7 days per week to 3 hours per days for 5 days per week and 1 hour visits on each weekend day. No public comment was received. The Order, file number FLA011893-006-DWF, granted the Petition to subsection 62-610.462(3), F.A.C., based on a showing that Petitioner demonstrated that a strict application of the rule would result in substantial hardship to Petitioner because Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Jacquelyn Champion, Department of Environmental Protection, 13051 N. Telecom Parkway, Florida 33637, telephone (813)470-5918, Jacquelyn.Champion@dep.state.fl.us during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

## Section VI Notice of Meetings, Workshops and Public Hearings

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

The Florida Forest Service announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, February 2, 2016, 5:00 p.m.

PLACE: Florida Forest Service, Jacksonville District Office, 7247 Big Oaks Road, Bryceville, Florida 32009

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments on management of the Ralph E. Simmons State Forest. Comments may be presented orally or in writing at the hearing.

Copies of the agenda and a working draft of the plan and the management prospectus are available before the date of the public hearing online at [http://www.freshfromflorida.com/public\\_notices/](http://www.freshfromflorida.com/public_notices/); by contacting the RSSF in writing at 3742 Clint Drive, Hilliard, Florida 32046 or contacting Richard Saltzman, Forester at (904)845-4933.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Richard Saltzman. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: RSSF at 3742 Clint Drive, Hilliard, Florida 32046 or contact Richard Saltzman, Forester at (904)845-4933.

### PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: February 2, 2016, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The Florida Public Service Commission Conference's Notice, Agenda, related documents, and contact information may be obtained from [www.floridapsc.com](http://www.floridapsc.com). Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

Changes to this notice will be published at the earliest practicable time on the Commission's website.

### PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: February 23, 2016, 9:30 a.m.

PLACE: Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Room 105, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

Internal Affairs Agendas and Florida Public Service Commission's contact information may be obtained from [www.floridapsc.com](http://www.floridapsc.com). Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

Changes to this notice will be published at the earliest practicable time on the Commission's website.

### REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Bay Area Resource Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2016 1:30 p.m. and 3:00 p.m.

PLACE: West Florida Regional Planning Council 4081 E. Olive Road Ste. A Pensacola, FL 32514



**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This meeting was previously noticed for January 20, 2016. That meeting date has been changed to January 28th, 2016 at the same times. General BARC issues will be addressed.

A copy of the agenda may be obtained by contacting: Traci Goodhart, (850)332-7976 or 1(800)226-8914, ext. 222 or [traci.goodhart@wfrpc.org](mailto:traci.goodhart@wfrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Traci Goodhart, (850)332-7976 or (800)226-8914, ext. 222 or [traci.goodhart@wfrpc.org](mailto:traci.goodhart@wfrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Traci Goodhart, (850)332-7976 or 1(800)226-8914 ext. 222 or [traci.goodhart@wfrpc.org](mailto:traci.goodhart@wfrpc.org).

---

**REGIONAL PLANNING COUNCILS**

**Central Florida Regional Planning Council**

The Heartland Regional Transportation Planning Organization announces a public meeting to which all persons are invited.

DATE AND TIME: February 3, 2016, 10:00 a.m.

PLACE: Highlands County Commission Board Room, 600 South Commerce Avenue, Sebring, FL 33875

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular meeting of the Heartland Regional Transportation Planning Organization (HRTPO).

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130, ext. 134 or at [msoderstrom@cfrpc.org](mailto:msoderstrom@cfrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130, ext. 134, [msoderstrom@cfrpc.org](mailto:msoderstrom@cfrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

---

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 26, 2016, 10:00 a.m., ET

PLACE: Call 1(888)670-3525 and when prompted, enter passcode: 9988442611, followed by the # key

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting will be held to discuss the daily functions and activities of the Commission.

A copy of the agenda may be obtained by contacting: Casey Snipes at (850)907-6785 or [casey.snipes@fchr.myflorida.com](mailto:casey.snipes@fchr.myflorida.com).

ACCESS POINT: The Florida Commission on Human Relations office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point.

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

For more information, you may contact: Casey Snipes at (850)907-6785 or [casey.snipes@fchr.myflorida.com](mailto:casey.snipes@fchr.myflorida.com).

---

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

The Florida Building Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 26, 2016, 10:00 a.m.

PLACE: Meetings to be conducted using communications media technology: webinar and/or teleconference for audio only

To access the webinar go to <https://global.gotomeeting.com/join/272658565>. You may call in to participate by audio only or in conjunction with the webinar. To access the conference call, dial: 1(866)899-4679. An Audio PIN will be provided after joining the meeting. When prompted for the meeting ID and access code, use: 272-658-565.

Public point of access: Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Suite 90A, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislation before the 2016 Florida Legislature affecting the Florida Building Commission.

A copy of the agenda may be obtained by contacting: Jim Richmond, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, calling (850)487-1823 or by accessing the Commission website: <https://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jim Richmond, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, call (850)717-1823 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families Circuit 20 announces public meetings to which all persons are invited.

DATES AND TIMES: January 25, 2016, 12:00 Noon; March 21, 2016, 12:00 Noon; May 16, 2016, 12:00 Noon; July 18, 2016, 12:00 Noon; September 19, 2016, 12:00 Noon; November 21, 2016, 12:00 Noon

PLACE: Collier County Government Complex, 3301 Tamiami Trail East, Building L, 5th Floor, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Collier County Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Jones, (239)895-0257.

DEPARTMENT OF CHILDREN AND FAMILIES

Office on Homelessness

The Office on Homelessness announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 20, 2016, 10:00 a.m.

PLACE: Telephone conference: 1(888)670-3525 toll-free, enter participant code: 701-539-8451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Veteran’s Committee call: this conference call will address the committee's continued development of policy recommendations and work tasks to address the Council’s Annual Report on recommendations to end veteran’s homelessness in Florida.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, [erik.braun@myflfamilies.com](mailto:erik.braun@myflfamilies.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, [erik.braun@myflfamilies.com](mailto:erik.braun@myflfamilies.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Erik Braun, Director, Office on Homelessness, (850)922-9850, [erik.braun@myflfamilies.com](mailto:erik.braun@myflfamilies.com).

CITY OF ORMOND BEACH

The City of Ormond Beach announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2016, 7:00 p.m.

PLACE: City of Ormond Beach Commission Chambers, 22 S. Beach Street, Ormond Beach, FL 32174

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed ordinance amends the City’s Code of Ordinance regulating industry practices with respect to installation of personal wireless service facilities in the public rights-of-way.

A copy of the agenda may be obtained by contacting: the City Clerk’s Office at (386)676-3340.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: the City Clerk’s Office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT**

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 21, 2016, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., #102

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to the Board of Supervisors, Ag Lab Report, MIL Report, and District Projects.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: SDSWCD, (305)242-1288. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**ENTERPRISE FLORIDA, INC.**

The Enterprise Florida Inc., Board of Directors announces public meetings to which all persons are invited.

DATES AND TIMES: Thursday, January 28, 2016, 10:00 a.m.; Friday, January 29, 2016, 7:00 a.m.

PLACES: August B. Turnbull III, Florida State University Conference Center, 555 West Pensacola Street, Tallahassee, Florida 32306 and Residence Inn Tallahassee – Universities at the Capitol, 600 W Gaines Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enterprise Florida Board & Stakeholder Meetings:

The following meetings will discuss on-going issues, deliberate new issues and consider other matters.

January 28, 2016

– Florida International Trade Partnership Meeting

10:00 am – 11:30 am – Turnbull – FSU Conference Center, Room 114

(Call-In#: 1(800)501-8979, Access Code: 8083668#)

– Board Finance & Compensation Committee Meeting

11:00 p.m. – 1:00 p.m. – Residence Inn Tallahassee, The Seminole Room

(Call In #: 1(800)501-8979; Access Code: 9565631#)

– Board Legislative Policy Committee Meeting

12:30 p.m. – 1:30 p.m. – Turnbull – FSU Conference Center, Room 214

(Call In #: 1(800)501-8979; Access Code: 2986630#)

– Board Executive Committee Meeting

1:30 p.m. – 2:30 p.m. – Turnbull – FSU Conference Center, Room 114

(Call In #: 1(800)501-8979; Access Code: 8344260#)

– Stakeholder Council Meeting

2:00 p.m. – 4:00 p.m. – Turnbull – FSU Conference Center, Room 103

(Call-In#: 1(877)402-9753, Access Code: 6423569#)

January 29, 2016

– Board Education & Workforce Talent Task Force Meeting

7:00 a.m. – 8:00 a.m. – Residence Inn Tallahassee, The Seminole Room

(Call-In# 1(800)501-8979; Access Code: 9565602#)

– Enterprise Florida Board of Directors Meeting

8:15 a.m. – 11:30 a.m. – Turnbull – FSU Conference Center, Room 108

(Call In #: 1(877)402-9753; Access Code: 6423569#)

– Enterprise Florida Marketing Presentation

11:30 a.m. – 1:00 p.m. – Turnbull – FSU Conference Center, Room 108

(Call In #: 1(877)402-9753; Access Code: 6423569#)

A copy of the agenda may be obtained by contacting: Al Latimer, (407)956-5602, [alatimer@enterpriseflorida.com](mailto:alatimer@enterpriseflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Al Latimer, (407)956-5602, [alatimer@enterpriseflorida.com](mailto:alatimer@enterpriseflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FLORIDA SPORTS FOUNDATION**

The Florida Sports Foundation Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 19, 2016, 12:30 p.m.

PLACE: Embassy Suites-Fort Myers-Estero, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Promotion and Development of Sports in the State of Florida. The Florida Sports Foundation operates under Florida's Public Records Law and all public comments are structured under those guidelines.

A copy of the agenda may be obtained by contacting: Kelsey Smith, Project Manager, at [ksmith@flsports.com](mailto:ksmith@flsports.com).

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

Section VII  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements

NONE

Section VIII  
Notice of Petitions and Dispositions  
Regarding the Validity of Rules

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

NONE

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

NONE

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

DEPARTMENT OF EDUCATION  
Florida Atlantic University  
CM ADVERTISEMENT  
Construction Management – Continuing Services  
Florida Atlantic University  
NOTICE TO PROFESSIONAL CONSULTANTS

The Florida Atlantic University Board of Trustees announces that Professional Services in the discipline of Construction Management will be required for minor projects.

Project (s): Construction Minor Projects

Project (s) Location: All Florida Atlantic University Campuses and Sites

The construction manager will be a single point of responsibility for performance of multiple construction contracts up to \$2,000,000.00 individually, functioning as an independent contractor, publicly bidding trade contracts. Six construction management contracts will be awarded, for an initial period of one year with an option to renew for two additional one year extensions.

Typical projects assigned under this contract may include new construction, renovation, remodeling, reroofing and other building maintenance, equipment installation, asbestos abatement, and fire code corrections. Areas requiring renovation or remodeling may include research and teaching laboratories, classrooms, library and media centers, offices and related functions, reception and waiting areas, lobbies and corridors, atriums, courtyards and plazas, modular and pre-engineered buildings, athletic facilities, and associated roadways, sitework, sidewalks, and landscaping. Projects could be located on any of Florida Atlantic University’s Campuses, special purpose centers/sites, and instructional sites. The maximum per-project construction cost is \$2,000,000. Given the magnitude of projects with construction costs less than \$500,000, businesses specializing in delivering small size projects are encouraged to apply.

Selection of finalists for interview will be made on the basis of Construction Manager qualifications including experience and ability; record keeping; project administration; scheduling; cost estimating; cost control; quality control; and qualification of the firm’s personnel. Finalists will be provided with a copy of a list of the final interview evaluation criteria, and a copy of the standard Florida Atlantic University construction manager agreement for minor projects. The final ranking for each category shall be determined based on the oral presentation and references.

The selection committee may reject all proposals and stop the selection process at any time.

INSTRUCTIONS:

The university’s Sole Point of Contact for this project is Ms. Azita Dashtaki Dotiwala, Campus Planner: phone (561)297-0425, fax: (561)297-2260, email: dashtaki@fau.edu. From the date of issuance of this Notice until a final selection of a Construction Manager is made or a notice of cancellation is posted, the Construction Manager must not make available or discuss its proposal, or any part thereof, with any member of the Selection Committee, unless permitted by the Sole Point of Contact, in writing, for purposes of clarification only, as set

forth herein. Any individual associated with a Construction Manager who contacts members of the Selection Committee, regarding any aspect of this project, whether such contact be in person, telephone, or through electronic or written correspondence, may be determined to have violated the terms and conditions of this solicitation. If that determination is made, any proposal received from such an individual OR their company may be rejected as non-responsive and not subject to evaluation. If there are any changes or additions to the Sole Point of Contact information at any time in the process, participating Construction Managers will be notified via an addendum to the Notice.

Questions regarding the Notice and/or process should be submitted via fax or email to the Sole Point of Contact. No oral communications shall be considered as a change to the Notice. FAU may respond to questions deemed by the University to be material in nature via a written addendum to the Notice. Interpretation of the wording of this document shall be the responsibility of FAU and that interpretation shall be final.

All postings referred to in this Notice will be posted electronically on the FAU Facilities Management website: <http://www.fau.edu/facilities/avp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the Construction Manager participating in this solicitation to check the website for postings of addenda, short lists, and award decisions. No further notice will be given.

The Selection Committee may reject all proposals and stop the selection process at anytime. The Construction Manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide Construction Management services for the project shall submit a letter of application and a completed "Florida Atlantic University Construction Manager Qualification Supplement" (FAUCMPQS Revised January 2004). Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm must warrant that it will neither utilize the services of, nor contract

with, any supplier, subcontractor, or consultant in excess of \$35,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Six (6) bound copies and an electronic file (CD or flash drive with Adobe Acrobat PDF format) of the required proposal data shall be submitted and addressed to: the Office of Design & Construction Services, Florida Atlantic University, 777 Glades Road, Campus Operations Building #69-Room 111, Boca Raton, Florida 33431 by 4:00 p.m. on Tuesday, February 23, 2016. Proposals received after the specified time will not be considered. Facsimile (FAX) submittals are not acceptable and will not be considered.

**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District

**REQUEST FOR PROPOSALS 28454 – DISPERSED WATER STORAGE/NUTRIENT REDUCTION PILOT PROJECT FOR THE INDIAN RIVER LAGOON AREA**

The District issued Request for Proposals 28454 for dispersed water storage/nutrient reduction pilot project for the Indian River Lagoon Area. The District's Evaluation/Project Committee for this solicitation will meet with the two top-ranked firms (individually) to conduct contract negotiations. The meetings will be held on January 25, 2016, beginning at 10:00 a.m., and on January 26, 2016, beginning at 10:00 a.m., both at District headquarters, 4049 Reid St, Palatka, FL 32177.

**FISH AND WILDLIFE CONSERVATION COMMISSION  
FWC 15/16-100 Lake Suwannee FMA Fishing Pier Replacement**

**ADVERTISEMENT FOR BIDS**

**BIDS ARE REQUESTED FROM QUALIFIED, CERTIFIED/REGISTERED CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTGION OF:**

**BID NO: FWC 15/16-100**

**BID NAME: LKE SUWANNEE FMA FISHING PIER REPLACEMENT**

**PROJECT LOCATION: SUWANNEE COUNTY, FL**

**FOR: To replace all pilings, structural, decking and railing boards of an existing 1,232 SF fishing pier with a 1,700 SF fishing pier.**

**SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED AND READ ALOUD ON:**

**DATE & TIME: FEBRUARY 11, 2016, 3:00 p.m., ET**

**PLACE: Fl. Fish and Wildlife Conservation Commission**

**Purchasing Office, Suite 100**

**2590 Executive Center Circle**

**Tallahassee, Florida 32301**

**Phone: (850) 488-6551**

BID DOCUMENTS: Can be downloaded from the Vendor Bid System at the link below:

http://www.myflorida.com/apps/vbs/vbs\_www.main\_menu  
Search by bid number FWC 15/16-100

PURCHASING MANAGER: (Direct questions to the following)

Ashley Balkcom  
FWC, Purchasing Office  
Phone: (850) 617-9601  
Email: Ashley.Balkcom@myfwc.com

CITY OF MIAMI BEACH PROCUREMENT  
DEPARTMENT  
ADDENDUM NO. 1  
PROPOSAL REQUIREMENTS DOCUMENT (PRD) 2016-071-KB

Notice of Receipt of Unsolicited Proposal and Request for Alternative Proposals for Light Rail/Modern Streetcar Project in Miami Beach  
January 15, 2016

The PRD is amended in the following particulars only (deletions are shown by strikethrough and additions are underlined).

I. REVISIONS.

SECTION 0200 INSTRUCTIONS TO RESPONDENTS & GENERAL CONDITIONS, subsection 5. MANDATORY PRE-PROPOSAL CONFERENCE (INDUSTRY FORUM) has been revised as follows:

A Mandatory Pre-Proposal Conference will be held as follows:

DATE, TIME AND LOCATION TO BE DETERMINED AND RELEASED VIA ADDENDUM

Date and Time: Friday, February 19, 2016 at 10:00 a.m.

Location: City of Miami Beach, Commission Chambers  
1700 Convention Center Drive, Miami Beach, FL 33139

Attendance is mandatory and each interested party shall have at least one representative at the Mandatory Pre-Proposal Conference. The City will not consider Proposals from parties not represented at the Pre-Proposal Conference by at least one Lead Team Participant.

PLEASE BE ADVISED THAT ATTENDANCE AT THE PRE-PROPOSAL CONFERENCE IS MANDATORY.

Any questions regarding this Addendum should be submitted in writing to the Procurement Department to the attention of the individual named below, with a copy to the City Clerk's Office at RafaelGranado@miamibeachfl.gov.

Procurement Contact: Kristy Bada  
Telephone: (305)673-7000, ext. 6218  
Email: KristyBada@miamibeachfl.gov

Proposers are reminded to acknowledge receipt of this addendum as part of your PRD submission.

Section XII  
Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

M&S Scooters LLC for the establishment of DAIX motorcycles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of M&S Scooters LLC, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (line-make DAIX) at 7117 Atlantic Boulevard, Jacksonville, (Duval County), Florida 32211, on or after February 15, 2016.

The name and address of the dealer operator(s) and principal investor(s) of M&S Scooters LLC are dealer operator(s): Mahmoud Montaser, 7117 Atlantic Boulevard, Jacksonville, Florida 32211; principal investor(s): Mahmoud Montaser, 7117 Atlantic Boulevard, Jacksonville, Florida 32211.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Wendy Yu, Pacific Rim International West, Inc., 10580 Mulberry Avenue, Fontana, California, 92377.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Availability of St. Lucie Inlet Management Plan  
(2016)

The Florida Department of Environmental Protection (Department) announces the availability and adoption of the St. Lucie Inlet Management Implementation Plan Update of 2016.

Summary of the St. Lucie Inlet Management Plan Update of 2016: Pursuant to Subsection 161.101(2), F.S., the Department is the beach and shore preservation authority for the State of Florida. As part of the beach management plan adopted pursuant to Section 161.161, F.S., the Department is adopting this inlet management plan for St. Lucie Inlet in Martin County, Florida. This plan updates an existing plan for St. Lucie Inlet to make the plan consistent with current statutes and observed erosion conditions. Future inlet management activities shall be consistent with the strategies set forth in the adopted Inlet Management Plan Update. To obtain a copy of the St. Lucie Inlet Management Plan Update, visit [http://www.dep.state.fl.us/beaches/publications/index.htm#Inlet\\_Management](http://www.dep.state.fl.us/beaches/publications/index.htm#Inlet_Management) or contact William Weeks, Department of Environmental Protection, (850)245-7696, [william.weeks@dep.state.fl.us](mailto:william.weeks@dep.state.fl.us)

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F. S., is not available.

Because the administrative hearing process is designed to redetermine final agency action on the adoption, the filing of a petition for an administrative hearing may result in a modification of the agency action. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the adoption of the Inlet Management Plan, subject to the result of the administrative review process.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time

period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Rules 28-106.111 and 62-110.106, F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This action constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

---

#### FISH AND WILDLIFE CONSERVATION COMMISSION

##### Nontraditional Section 6 (NTS6) grants program

The Florida Fish and Wildlife Conservation Commission is soliciting proposals for its Nontraditional Section 6 (NTS6) grants program [68-1.003(13), F.A.C.]. The NTS6 grants are awarded to non-federal entities or individuals interested in furthering conservation of federally listed species through Habitat Conservation Planning (HCP), HCP Land Acquisitions, and Recovery Land Acquisitions. A copy of the federal RFP can be found at: [http://www.fws.gov/endangered/grants/pdf/FY16\\_CESCF\\_NOFO\\_FINAL.pdf](http://www.fws.gov/endangered/grants/pdf/FY16_CESCF_NOFO_FINAL.pdf). FWC's grant rule can be found at <https://www.flrules.org/gateway/ruleNo.asp?id=68-1.003>; links to the NTS6 grant guidelines and associated documents regarding process and timeline for application submission can be found in the rule language.

Applications for grant funding will be accepted beginning January 19, 2016. Applications must be received by FWC before close of business on February 18, 2016. Applications received after the deadline will be ineligible for consideration. For more information, email: [Tom.Ostertag@MyFWC.com](mailto:Tom.Ostertag@MyFWC.com) or call (850)921-1033.

---

## Section XIII Index to Rules Filed During Preceding Week

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

---