

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

**RULE NO.:** RULE TITLE:  
 60S-4.0035 Retirement Application and Effective Retirement Date

**PURPOSE AND EFFECT:** Amend form FR-11 to add field for applicant's email address; any other necessary changes.

**SUBJECT AREA TO BE ADDRESSED:** Form FR-11

**RULEMAKING AUTHORITY:** 121.031, 121.4501(8) FS.

**LAW IMPLEMENTED:** 112.65, 121.021, 121.091, 121.4501(16), 121.591(2) 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: Garry Green, Bureau Chief, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL, (850)414-6349.

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

**RULE NO.:** RULE TITLE:  
 64B16-26.351 Standards for Approval of Registered Pharmacy Technician Training Programs

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to update the approval date for accredited Registered Pharmacy Technician Training Programs and to update language regarding training programs.

**SUBJECT AREA TO BE ADDRESSED:** Standards for Approval of Registered Pharmacy Technician Training Programs.

**RULEMAKING AUTHORITY:** 465.005, 465.014(4), (7) FS.

**LAW IMPLEMENTED:** 465.014(2), (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: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

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

**Section II**  
**Proposed Rules**

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

**RULE NO.:** RULE TITLE:  
 40E-8.221 Minimum Flows and Levels (MFLs): Surface Waters

**PURPOSE AND EFFECT:** In 2010, District staff received Governing Board direction and funding to implement research and studies on the Caloosahatchee River to re-evaluate the existing Caloosahatchee River Minimum Flow and Minimum Water Level (MFL). The current MFL criteria, adopted in 2001, is based on the salinity tolerance of a single species-tape grass (*Vallisneria americana*). Eleven new scientific studies on the Caloosahatchee River, utilizing a resource-based approach with multiple ecological indicators, were conducted. In 2016, the 11 studies were presented for review and technical input at a 2-day Public Science Symposium in Ft. Myers. Since then, additional scientific analyses and modeling were conducted to develop revised MFL criteria and this work was documented in a draft MFL Technical Document. In 2017, a 5-member panel of independent scientific experts reviewed the draft MFL Technical Document, visited the Caloosahatchee River, and held a public panel session. In 2018, two rule development workshops were held in Ft Myers. The District received a very positive peer review of the MFL technical document and the scientific approaches/methodologies used to revise the MFL criteria.

**SUMMARY:** Based on this compilation of scientific studies, monitoring, modeling, technical evaluations and public input, staff proposes to amend Rule 40E-8.221, F.A.C., to increase the MFL flow criteria at the S-79 structure from 300 cubic feet per second (cfs) to 400 cfs and to revise the duration and return frequency components of the MFL criteria.

**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 revision of the Caloosahatchee MFL rule criteria (salinity and timing of exceedances) are irrelevant to the evaluation of an application, because all the water from the MFL recovery strategy (C-43 Reservoir water) is protected from allocation by a water reservation rule (40E-10.041, FAC). The current MFL and a revised MFL criteria share the same recovery strategy. Therefore, there would be no adverse impacts to small businesses through water use regulation. Additionally, there are no anticipated changes to the ways in which the rule is implemented or enforced. Using the revised MFL criteria, there are no additional regulatory fees, modeling analysis, or other technical analyses required to meet the water use regulatory criteria outlined in the Applicant's Handbook for Water Use Permit Applications. The regulatory permitting process is identical. As such, there would be no additional direct or indirect regulatory costs.

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: The District has completed the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) the "Is a SERC Required?" form, which is available upon request. Based on the completed "Is a SERC Required?" form, the proposed rule amendments will not require legislative ratification pursuant to the subsection 120.541(3), F.S.

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: 373.042, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 F.S.

LAW IMPLEMENTED: 373.016, 373.036, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246, 373.709 F.S.

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

DATE AND TIME: September 13, 2018, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406 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: South Florida Water Management District Clerk at (561) 682-6805. 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 IS: Don Medelli at dmedelli@sfwmd.gov or call (561)682-6340.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-8.221 Minimum Flows and Levels (MFLs): Surface Waters.

The MFLs contained in this Part identify the point at which further withdrawals would cause significant harm to the water resources, or ecology, of the area as applicable, pursuant to Sections 373.042 and 373.0421, F.S. It is the District's intent to correct or prevent the violation of these MFLs through management of the water resources and implementation of a recovery strategy.

(1) No change.

(2) Caloosahatchee River. The MFL for the Caloosahatchee River is the 30-day moving average flow of 400 cubic feet per second (cfs) at S-79. A minimum mean monthly flow of 300 CFS is necessary to maintain sufficient salinities at S-79 in order to prevent a MFL exceedance. A MFL exceedance occurs during a 365-day period, when:

(a) A MFL exceedance occurs during a 365-day period when the 30-day moving average flow at S-79 is below 400 cfs and the 30-day moving average salinity exceeds 10 at the Ft. Myers salinity monitoring station (located at latitude 26° 38' 57.84" N, longitude 81° 52' 5.68" W). Salinity at the Ft. Myers salinity monitoring station shall be measured at 20% of the total river depth at mean low water. A 30-day average salinity concentration exceeds 10 parts per thousand at the Ft. Myers salinity station (measured at 20% of the total river depth from the water surface at a location of latitude 263907.260, longitude 845209.296); or

(b) A MFL violation occurs when a MFL exceedance occurs more than once in a 5-year period. A single, daily average salinity exceeds a concentration of 20 parts per thousand at the Ft. Myers salinity station. Exceedance of either paragraph (a) or (b), for two consecutive years is a violation of the MFL.

(3) through (5) No change.

Rulemaking Authority §§ 9, 10 P.L. 83-358, 373.042, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS. Law Implemented 373.016, 373.036, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246, 373.709 FS. History--New 9-10-01, Amended 4-1-03, 12-12-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Terrie Bates, Water Resource Division Director  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 12, 2018  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 26, 2018

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.: RULE TITLES:  
 40E-21.221 Evaluating Water Conditions  
 40E-21.251 Water Shortage Phases  
 40E-21.271 General Water Use Restrictions  
 40E-21.275 Variances  
 40E-21.421 Enforcement  
 40E-21.551 Phase IV Critical Water Shortage

PURPOSE AND EFFECT: The Joint Administrative Procedures Committee (JAPC) periodically reviews agency rules for consistency with the governing statutes. The District is undertaking rule development to amend several rules to address comments received from JAPC. The District will delete several references to “discretionary” language and amend various provisions to provide clarity to water users.

SUMMARY: The proposed rule amendments clarify language in Rules 40E-21.221, .251, .271, .275, and .551, F.A.C., and delete unnecessary language in Rule 40E-21.421, F.A.C.

**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.

This determination is based on the rule amendments do not result in an increase in the impact on small businesses and do not increase regulatory costs.

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: The District has completed the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form, which is available upon request. Based on the completed “Is a SERC Required?” form, the proposed rule amendments are not expected to require legislative ratification pursuant to the subsection 120.541(3), F.S.

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: 373.044, 373.113, FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.119, 373.175, 373.246, 373.603, 373.609, FS.

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

DATE AND TIME: September 13, 2018, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406.

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: South Florida Water Management District Clerk (561)682-6805. 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 IS: Terrie Bates, Division Director, Water Resources, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: (561)682-6952, email: tbates@sfwmd.gov. For procedural questions regarding the rulemaking process, contact Jan Sluth, CP, FRP, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: (561)682-6299, email: jsluth@sfwmd.gov.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

40E-21.221 Evaluating Water Conditions.

(1) through (2) No change.

(3) Current data shall be compared to historical data to determine whether estimated present and anticipated available water supply within any source class will be insufficient to meet the estimated present and anticipated demands of the users from the source class, or whether serious harm to the water resources can be expected. It shall be the policy of the District to seek the cooperation and assistance of state, county and municipal government officials in developing the historic and technical data used to periodically evaluate water conditions.

(a) No change.

(b) Present and anticipated user demands for each use and method of withdrawal class shall be periodically estimated for each source class. Factors considered in estimating the present and anticipated demands of the users within a source class may include:

1. through 6. No change.

(c) Estimated present and anticipated available water supply shall be periodically compared to estimated present and anticipated user demands to determine impact on the water

resource. Factors ~~that may be~~ considered in determining whether serious harm to the water resource may occur include:

- 1. through 3. No change.
- (d) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.175, 373.246 FS. History—New 5-31-82, Amended 1-26-86, 9-10-01,\_\_\_\_\_.

40E-21.251 Water Shortage Phases.

- (1) through (2) No change.

(3) Each source class for which a water shortage has been declared shall be assigned a specific water shortage phase. More than one source class may be combined into a single class for this purpose. The water shortage phase selected for a source class ~~is may be~~ based upon:

- (a) through (b) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 5-31-82, Amended \_\_\_\_\_.

40E-21.271 General Water Use Restrictions.

- (1) No Change.

(2) The Board ~~will may~~ order any combination of the water use restrictions specified in this Chapter Part V for the appropriate water shortage phase for each affected source class. The restricted area ~~will may~~ include for enforcement purposes, all or part of a county, municipality, surface water basin or utility service area which impacts a source class for which a water shortage is declared. ~~Further, the Board may order any combination in lieu of or in addition to the restrictions specified in Part V of the restrictions described in subsection (3), by use or method of withdrawal class, within each source class, if necessary to achieve the percent reduction in overall demand.~~

(3) Additional restrictions ~~to which may be~~ considered include:

- (a) through (j) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.175, 373.246 FS. History—New 5-31-82, Amended 1-26-86, 9-10-01,\_\_\_\_\_.

40E-21.275 Variances.

- (1) through (4) No change.

(5) Procedures:

- (a) through (c) No change.

(d) The Board ~~will may~~ revoke or modify a variance when it determines that the continued utilization of the variance is inconsistent with the objectives of the District.

- (6) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 5-31-82, Amended 1-26-86, 2-14-91, 7-2-98, 6-12-00,\_\_\_\_\_.

40E-21.421 Enforcement.

- (1) through (5) No change.

~~(6) In the event a water user is in violation of the water shortage plan or any water shortage order issued pursuant thereto, it shall be presumed that the person present at the premises where such unauthorized use is occurring who has a possessory interest in those premises, is responsible therefor. In the event that no one is present at the premises while such unauthorized use is occurring, it shall be presumed that the owner of the premises is responsible for such use. These presumptions shall not affect the burden of proof of the District to present a prima facie case as to each violation, and shall be rebuttable by the presentation of evidence to indicate that another person was responsible for the unauthorized water use.~~

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.119, 373.175, 373.246, 373.603, 373.609 FS. History—New 5-31-82, Amended \_\_\_\_\_.

40E-21.551 Phase IV Critical Water Shortage.

The following restrictions shall apply when a Phase IV shortage is declared by the District.

- (1) Essential/Domestic/Utility/Commercial.

- (a) No change.

- (b) Domestic Type Use.

1. Residential type domestic use ~~should shall~~ be voluntarily reduced to 30 gallons per person per day.

2. Domestic type use in industrial and commercial establishments ~~should shall~~ be voluntarily reduced to the minimum levels necessary to preserve public health and safety.

- (c) No change.

- (d) Power Production Use. Water used for power production ~~should shall~~ be voluntarily reduced.

- (e) Commercial and Industrial Process Use.

- 1. No change.

- (I) through (II) No change.

- (III) Use equal to or less than 50 gallons per wash ~~should shall~~ be voluntarily reduced;

- b. No change.

- (I) through (II) No change.

- (III) Use equal to or less than 100 gallons per wash ~~should shall~~ be voluntarily reduced.

2. Water used for commercial and industrial processes ~~should shall~~ be voluntarily reduced.

- 3. No change.

4. Water use for pesticide application under the supervision of a licensed pest control operator ~~should shall~~ be voluntarily reduced. Under the provisions of this subparagraph, the applicator must be on the premises when water is applied outside of the hours allowed for irrigation.

- 5. No change.

6. Water use for mobile equipment washing by a licensed person or entity ~~should~~ ~~shall~~ be voluntarily reduced.

(f) Diversion and Impoundment into Non-District Facilities. Water used for diversion and impoundment into non-District facilities ~~should~~ ~~shall~~ be voluntarily reduced; however, the diversion of surface water from sources in the Lake Okeechobee Region as depicted on Figure 21-4 and described in subsection 40E-21.691(3), F.A.C., shall be subject to the restrictions described in subparagraph (2)(a)6., below.

(2) Agriculture.

(a) No change.

(b) Livestock Use. Livestock water use ~~should~~ ~~shall~~ be voluntarily reduced.

(c) Aquacultural Use. Aquacultural water use ~~should~~ ~~shall~~ be voluntarily reduced.

(d) Soil Flooding.

1. Soil flooding for vegetable seed planting, rice planting, burning of sugarcane prior to harvest and to permit harvesting of sod ~~should~~ ~~shall~~ be voluntarily reduced.

2. No change.

(e) No change.

(3) Nursery/Urban Irrigation/Recreation.

(a) Nursery Use.

1. Low volume irrigation uses and low volume hand watering ~~should~~ ~~shall~~ be voluntarily reduced.

2. through 3. No change.

(b) through (d) No change.

(e) Golf Course Use.

1. Irrigation of greens ~~should~~ ~~shall~~ be voluntarily reduced and shall be accomplished during non-daylight hours.

2. through 4. No change.

(f) No change.

(4) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 5-31-82, Amended 1-26-86, 2-14-91, 11-19-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Terrie Bates, Division Director, Water Resources

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: South Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 12, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 18, 2018

### Section III Notice of Changes, Corrections and Withdrawals

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Certificate of Need

RULE NO.: RULE TITLE:

59C-1.005 Certificate of Need Exemption Procedure  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 88, May 4, 2018 issue of the Florida Administrative Register.

59C-1.005 Certificate of Need Exemption Procedure

(1) through (5) No change.

(6) Project Specific Exemption Requests. In addition to meeting the requirements of subsections (1) and (2) of this rule, requests for exemption of certain projects must meet the additional requirements specified below:

(a) through (i) No change.

(j) The consolidation or combination of licensed nursing homes or transfer of beds between licensed nursing homes within the same planning subdistrict, by providers that operate multiple nursing homes within that same planning district, if there is no increase in the planning subdistrict total number of nursing home beds as a result of this project and the site of the relocation is not more than 30 miles from the original location.

A request for exemption under this paragraph shall specify:

1. through 3. No change.

(k) through (l) No change.

Rulemaking Authority 408.034(8), 408.15(8) FS. Law Implemented 408.036(3), (4) FS. History—New 1-1-77, Amended 6-5-79, 2-1-81, Formerly 10-5.05, Amended 11-17-87, 3-23-88, 1-31-91, Formerly 10-5.005, Amended 7-13-98, 4-2-01, 11-12-01, 8-18-05, 3-16-16,\_\_\_\_\_.

#### DEPARTMENT OF HEALTH

##### Division of Environmental Health

RULE NOS.: RULE TITLES:

64E-11.002 Definitions

64E-11.003 Food Supplies

64E-11.014 Mobile Food Units

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., FS., published in Vol. 44, No. 81, April 25, 2018 issue of the Florida Administrative Register.

64E-11.002 Definitions.

(1) through (13) No change.

(14) Frankfurter – As defined in 9 C.F.R. § 319.180 (01-01-2018~~1998~~) herein incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(15) through (16) No change.

(17) Hot Water – A minimum ~~miniumum~~ water temperature of 100 degrees Fahrenheit or above.

(18) through (33) No change.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.22, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.009, Amended 6-1-93, 11-30-93, 8-28-96, Formerly 10D-13.022, Amended 3-15-98, 7-14-03, 4-1-09, .

64E-11.003 Food Hygiene Standards ~~Supplies~~.

(1) through (2) No change.

(3) Personnel – Except as specifically provided in this subsection, the standards for personnel are governed by Parts 2-2 through 2-5 ~~and Part 3-8~~ of the Food Code, as incorporated by reference in Rule 64E-11.002.

(a) through (b) No change.

(4) Food Equipment and Utensils – Except as specifically provided in this subsection, the standards for food equipment and utensils are governed by Chapter 4 of the Food Code, as incorporated by reference in Rule 64E-11.002. ~~(a) Every food service establishment must have equipment and utensils so designed, constructed, located, installed, maintained and operated as to permit full compliance with the provisions of this chapter. Only equipment necessary for the proper operation of the activities of the food service establishment is required. Sinks used for the preparation of food shall not be used for any other purpose.~~

~~(b) Equipment that is certified or classified for sanitation in accordance with American National Standards Institute/National Sanitation Foundation (ANSI/NSF) standards (Standard 2, July 1, 2002; Standard 3, July 1, 2001; Standard 4, April 26, 2002; Standard 6, December 6, 2002; Standard 7, April 1, 2001; Standard 8, December 26, 2002; Standard 12, November 1, 1992; Standard 13, August 1, 2001; Standard 18, August 29, 1996; Standard 20, July 1, 2000; Standard 25, December 26, 2002; Standard 29, November 1, 1990; Standard 36, January 1, 2002; Standard 37, April 26, 2002; Standard 51, June 14, 2002; and Standard 59, December 26, 2002) by an ANSI accredited program, are considered to be in compliance with Parts 4-1 and 4-2 of the Food Code.~~

(5) Sanitary Facilities and Controls – except as specifically provided in this subsection, the standards for sanitary facilities and controls are governed by Chapter 5 of the Food Code, as incorporated by reference in Rule 64E-11.002.

(a) Water Supply – The water supply must be adequate, of safe sanitary quality and from an approved source in accordance with provisions of Chapters 62-550 and 62-555, F.A.C., or Chapter 64E-8, F.A.C. Chapters 62-550 and 62-555, F.A.C. (07/2018) are incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX> and <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. Hot and cold running water under pressure must be provided in all areas where food is prepared and where equipment and multi-use utensils are washed.

(b) Sewage Disposal – Sewage must be disposed of in a public sewerage system or other approved sewerage system in accordance with provisions of Chapter 64E-6 or Chapter 62-600, F.A.C., whichever is applicable. Chapter 62-600, F.A.C. (07/2018) is incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. Grease interceptors must be readily accessible for cleaning. Grease interceptors must be designed and installed in accordance with provisions of Chapter 64E-6, F.A.C., or the applicable plumbing authority.

(c) through (d) No change.

(e) Garbage and Rubbish Disposal – All garbage and rubbish must be removed from the food establishment premises with sufficient frequency to prevent nuisance conditions and must be disposed of in accordance with provisions of Chapter 62-701, F.A.C. (07/2018), which is incorporated by reference and [available at https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX](https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX).

(f) Vermin Control – Insecticides or pesticides, when used, must be used in full compliance with Chapter 5E-14, F.A.C. (07/2018), which is incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(6) Other Facilities and Operations – Except as specifically provided in this subsection, the standards for other facilities and operations are governed by Chapters 6-7 of the Food Code, as incorporated by reference in Rule 64E-11.002.

(a) through (b) No change.

(c) Live Birds and Animals – No live birds or animals, excluding crustacea, shellfish, and fish in aquariums, are allowed in a food service establishment, in vehicles used for transporting food, or in any other area or facility used to conduct food service operations, except as provided under section 413.08, F.S. ~~Live birds may be present in food service areas where adequate engineering controls of the ventilation system will prevent contamination of the facility, employees, or consumers.~~

(7) through (8) No change.

Rulemaking Authority 381.006, 381.0072 FS. Law Implemented 381.006, 381.0072 FS. History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.23, Amended 2-21-91, Retained here and Transferred to 7C-4.010, Amended 6-1-93, 8-28-96, Formerly 10D-13.023, Amended 3-15-98, 7-14-03, .

64E-11.014 Mobile Food Units.

All mobile food units required to have vehicle identification numbers must submit their vehicle identification number to the department on the application for licensure. The license decal must be affixed to the mobile food unit. Mobile food units must comply with Rules 64E-11.001 through 64E-11.003 and Rules 64E-11.011 through 64E-11.013, F.A.C., except that such mobile food units are not required to have employee/patron toilet facilities or mop sinks. No license will be granted to a mobile food unit until the following additional requirements have been met:

(1) through (5) No change.

(6) When a service area is provided at the commissary for cleaning and servicing mobile food units, the service area must include at least overhead protection for any supplying, cleaning or servicing operation. Such area must be physically separated from other food operations; must be equipped to furnish approved potable water in accordance with applicable provisions of Chapters 62-550 and 62-555 or Chapter 64E-8, F.A.C.; and must provide facilities for the drainage and disposal of liquid wastes in accordance with applicable provisions of Chapter 64E-6 or 62-600, F.A.C., and the plumbing authority. The surface of the servicing area must be constructed of a smooth, nonabsorbent material such as concrete or machine laid asphalt and must be maintained in good repair, kept clean and be graded to drain. Chapters 62-550, 62-555, and 62-600, F.A.C. (07/2018) are incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>,

<https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, and <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(7) through (9) No change.

Rulemaking Authority 381.0072 FS. Law Implemented 381.0072 FS. History—New 3-15-98, Amended 7-14-03, \_\_\_\_\_.

Section IV  
Emergency Rules

NONE

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-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

NOTICE IS HEREBY GIVEN that on July 19, 2018, the Department of Law Enforcement, received a petition for permanent waiver of subsection 11B-27.002(4), F.A.C., from Joel W. Audate. Petitioner wishes to permanently waive that portion of the Rule that states: (a) Within 4 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, and gain employment, and certification as an officer.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dana Kelly, Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by Telephone at (850)410-7676.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants  
RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements  
The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On July 11, 2018, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Holiday Village of Sandpiper Inc. located in Port St. Lucie. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Petition for this variance was published in Vol. 44/135 on July 12, 2018. The Order for this Petition was signed and approved on July 19, 2018. After a complete review of the

variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring he wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.co, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On July 2, 2018, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and paragraph 5-202.11(A), 2009 FDA Food Code from Fit Fixins LLC located in Port St Lucie. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Petition for this variance was published in Vol. 44/129 on July 3, 2018. The Order for this Petition was signed and approved on July 19, 2018. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring he wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.co, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On July 19, 2018, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Stanton Energy CTR # 6, filed July 3, 2018, and advertised on July 6, 2018 in Vol. 44, No. 131, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4.1 A.S.M.E. A17.1b, 2009 edition, as adopted by Rule 61C-5.001, Florida Administrative Code that requires minimum head room clearance in the machine room because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2018-134).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

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 July 18, 2018, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for BRFL Associates, LLC at 510 Grand Regency Blvd., Brandon, FL. Petitioner seeks an emergency variance of the requirements of Rules 2.4.1.5 and 2.15.9.2, ASME A17.1, 2013 edition as adopted by Rule 61C-5.001, Florida Administrative Code that requires platform guards and bottom car clearances operations 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, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW 2018-154).



A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, [dhr.elevators@myfloridalicense.com](mailto:dhr.elevators@myfloridalicense.com).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings

The Board of Professional Engineers hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on April 23, 2018, by Andrew Schrader, P.E., C.G.C. The Notice of Petition for Variance or Waiver was published in Vol. 44, No. 82, of the April 26, 2018, Florida Administrative Register. Petitioner sought a variance or waiver of paragraph 61G15-35.003(1)(c), F.A.C., regarding the requirements that licensed professional engineers whose principal practice is structural field inspections possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., at the time of application. The Board considered the Petition at a duly-noticed public meeting held on June 21, 2018, in Orlando, Florida. The Board's Order, filed on July 10, 2018, denied the Petition finding that the Applicant failed to demonstrate how he had achieved the purpose of the underlying statute by other means, and that compliance with the rule does not pose an undue hardship on the Applicant.

A copy of the Order or additional information may be obtained by contacting: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303, telephone: (850)521-0050 or by email: [zraybon@fbpe.org](mailto:zraybon@fbpe.org).

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-26.2031 Licensure by Examination; Foreign Pharmacy Graduates

NOTICE IS HEREBY GIVEN that on July 20, 2018, the Board of Pharmacy, received a petition for variance or waiver filed by George Morad Youssef, seeking a waiver of the requirement of paragraph 64B16-26.2031(2)(c), F.A.C., which requires that a foreign graduate applicant complete 2080 hours of supervised work activity, of which a minimum of 500 hours must be completed within the State of Florida. Such experience must be equivalent to that required in the internship program as set forth in Rule 64B16-26.2033, F.A.C. The work experience program, including both the preceptor and the permittee, must be approved by the Board of Pharmacy.

A copy of the Petition for Variance or Waiver may be obtained by contacting: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or at [info@Floridaspharmacy.gov](mailto:info@Floridaspharmacy.gov). Comments on this petition should be filed with the Board of Pharmacy/MQA, within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.010 Finances

NOTICE IS HEREBY GIVEN that on July 18, 2018, the Department of Children and Families, received a petition for waiver of subsection 65C-15.010(3), Florida Administrative Code, from Angelic Adoptions Inc., assigned Case No. 18-028W. Subsection 65C-15.010(3), the child-placing agency, shall have its financial records audited annually. A report of this audit shall be available to the Department at the licensed locating during normal business hours.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI

Notice of Meetings, Workshops and Public Hearings

STATE BOARD OF ADMINISTRATION

The State Board of Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 6, 2018, 9:00 a.m. – conclusion of Business (ET)

PLACE: Hermitage Room, First Floor, The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Audit Committee.

For more information regarding this meeting, please see our website at: <http://www.sbafla.com>.

A copy of the agenda may be obtained by contacting: Kimberly Calhoun, (850)413-1243 or email: [Kimberly.Calhoun@sbafla.com](mailto:Kimberly.Calhoun@sbafla.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 7 days before the workshop/meeting by contacting: Jim Moore, (850)413-1164 or email: [jim.moore@sbafla.com](mailto:jim.moore@sbafla.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).

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a prehearing conference and a hearing in the following dockets to which all persons are invited.

**DOCKET NO. AND TITLE:**

Docket No. 20180045-EI – In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Tampa Electric Company.

**PREHEARING CONFERENCE DATE AND TIME:** Monday, August 6, 2018, 1:30 p.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE PREHEARING:**

The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

**HEARING DATE AND TIME:** Monday, August 20, 2018, 1:00 p.m.; August 21 through 24, 2018, have also been reserved for continuation of the hearing, if needed. The starting time of the next day's session will be announced at the conclusion of the prior day. The hearing may be adjourned early if all testimony is concluded.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING:**

The purpose of this hearing shall be to receive testimony and exhibits regarding the tax impacts on Tampa Electric Company resulting from the passage of the Tax Cuts and Jobs Act of 2017 and to take action on any motions or other matters that may be pending at the time of the hearing. The commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the parties to present evidence and testimony in support of their positions; and (2) allow for such other purposes as the Commission may deem appropriate.

**PUBLIC TESTIMONY:** Any member of the public who wishes to offer testimony should be present at the beginning of the hearing on August 20, 2018. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least 20 days before the final hearing, pursuant to the requirements contained in Rule 25-106-205, Florida Administrative Code (F.A.C.).

All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapters 120 and 366, Florida Statutes; and Chapters 28-106 and 25-22, F.A.C.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

**EMERGENCY CANCELLATION OF PROCEEDINGS**

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, August 2, 2018, 9:00 a.m., Water Resources Analysis Coalition Forum and Governing Board

**PLACE:** South Florida Water Management District, District Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33406

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A Public Forum of the Water Resources Analysis Coalition (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this public forum. No Governing Board action will be taken.

A copy of the agenda may be obtained by contacting: Yvette Bonilla, (561)682-6286, [ybonilla@sfwmd.gov](mailto:ybonilla@sfwmd.gov) or at our website: <https://www.sfwmd.gov/agenda>.

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: District Clerk, (561)682-6805. 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: Yvette Bonilla, (561)682-6286.

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**DEPARTMENT OF MANAGEMENT SERVICES**

**State Retirement Commission**

The Department of Management Services announces a hearing to which all persons are invited.

**DATES AND TIMES:** August 13, 2018, 9:00 a.m. – 5:00 p.m. and August 14, 2018, 9:00 a.m. – 5:00 p.m.

**PLACE:** Hyatt Place, Tampa Airport/Westshore, 4811 W. Main Street, Tampa, FL 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida, 32399-0950 or by calling (850)487-2410.

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 15 days before the workshop/meeting by contacting: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida, 32399-0950 or by calling (850)487-2410. 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: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or call (850)487-2410.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

The Florida Barbers' Board announces a public meeting to which all persons are invited.

**DATE AND TIME:** Sunday, October 7, 2018, 9:00 a.m.

**PLACE:** The Shores Resort & Spa, 2637 South Atlantic Avenue, Daytona Beach Shores, FL 32118, (386)767-7350

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

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: Florida Barbers' Board, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395. 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: Florida Barbers' Board, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

The Board of Cosmetology announces a public meeting to which all persons are invited.

**DATES AND TIMES:** October 8–9, 2018, 9:00 a.m.

**PLACE:** The Shores Resort & Spa, 2637 South Atlantic Avenue, Daytona Beach Shores, FL 32118, (386)767-7350

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business.

A copy of the agenda may be obtained by contacting: Florida Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

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: Florida Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395. 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: Florida Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 6, 2018, 8:30 a.m., Eastern Time

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board - topics include, but are not limited to, proposed legislation affecting Chapter 475, Part II, F.S., Chapter 61J1, F.A.C. rule amendments, budget discussions, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: DREAppraisalSection@myfloridalicense.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 five (5) days before the workshop/meeting by contacting: Department of Business and Professional Regulation at (407)481-5632. 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 BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 8, 2018, 9:00 a.m., Eastern Time

PLACE: Zora Neale Hurston Building, 400 West Robinson Street, Suite N901, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this

meeting may be conducted by teleconference in order to permit maximum participation of the Board members or Board counsel. A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772. Only public portions of the agenda are available upon request.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

The Division of Drugs, Devices and Cosmetics announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 16, 2018, 9:30 a.m.

PLACE: Telephone conference: 1(888)670-3525 participant code: 9259887749

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Dinah Greene, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, (850)717-1800, Dinah.greene@myfloridalicense.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 10 days before the workshop/meeting by contacting: Dinah Greene, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, (850)717-1800, Dinah.greene@myfloridalicense.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).

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: Dinah Greene, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, (850)717-1800, Dinah.greene@myfloridalicense.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2018, 1:00 p.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED:

**Suicide Prevention.**

A copy of the agenda may be obtained by contacting: Sofia Castro at [sindie.castro@myflfamilies.com](mailto:sindie.castro@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 5 days before the workshop/meeting by contacting: Sofia Castro at [sindie.castro@myflfamilies.com](mailto:sindie.castro@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).

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, August 16, 2018, 2:00 p.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida, 32301-1329

The meeting will also be accessible via phone. The call-in information is available on the Corporation webpage <http://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2018/2018-106>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will discuss a Request for Applications (RFA) to finance the construction of small Permanent Supportive Housing Developments that are either Community Residential Homes or Supported Living Units. Grant funding will be made available to Non-Profit organizations that have a primary mission which includes serving Persons with Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Jean Salmonsén at (850)488-4197.

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: Jean Salmonsén at (850)488-4197. 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.

**QUEST CORPORATION OF AMERICA, INC.**

The Florida Department of Transportation, District Five, announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2018, 5:30 p.m., formal presentation, 6:00 p.m.

PLACE: St. Marks United Methodist Church, 2030 North Highway A1A, Indialantic, Florida, 32903

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 439512-1-32-01

Project Description: State Road (S.R.) A1A/Miramar Avenue from U.S. 192/S.R. 500 to south of Atlantic Boulevard, Brevard County, Florida

The Florida Department of Transportation (FDOT) invites all persons to a public hearing regarding safety improvements on S.R. A1A/Miramar Avenue. The purpose of this project is to increase bicycle and pedestrian safety by adding 11 raised concrete pedestrian mid-block crossings, and enhancing one existing crossing, within the project limits. Construction of the new pedestrian crossings will include signs, Rectangular Rapid Flashing Beacons, crosswalks, curb ramps, lighting, and pavement markings. The existing crossing is located south of 2nd Avenue, where additional safety features will be added. Sidewalk additions and sod modifications will also occur within the project limits to enhance beach access. Improvements also include minor drainage work. This project will not require right of way acquisition.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting FDOT District Five Title VI Coordinator Jennifer Smith by email at [jennifer.smith2@dot.state.fl.us](mailto:jennifer.smith2@dot.state.fl.us).

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016, and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: FDOT Project Manager Megan Owens, by phone at (386)943-5140 or by email at [megan.owens@dot.state.fl.us](mailto:megan.owens@dot.state.fl.us).

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 seven (7) days before the workshop/meeting by contacting: FDOT Project Manager Megan Owens, by phone at (386)943-5140 or by email at [megan.owens@dot.state.fl.us](mailto:megan.owens@dot.state.fl.us). 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: FDOT Project Manager, Megan Owens, by phone at (386)943-5140 or by email at [megan.owens@dot.state.fl.us](mailto:megan.owens@dot.state.fl.us). You may also contact Consultant Project Manager Rodger Schmidt, P.E., by phone at (407)660-6406 or by email at [schmidtrp@cdmsmith.com](mailto:schmidtrp@cdmsmith.com).

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

DEPARTMENT OF HEALTH

Board of Medicine

NOTICE IS HEREBY GIVEN that Board of Medicine has received the petition for declaratory statement from Susan M. Piergeorge, MS, RDN. The petition seeks the agency’s opinion as to the applicability of Section 468.505(1)(g)(h), F.S., as it applies to the petitioner.

The petition filed on June 20, 2018, seeks the Board’s opinion as to whether a Nutrition Education Manager/Nutritionist with a dietary supplement manufacturer needs to obtain a license in Florida as a Registered Dietitian Nutritionist. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Dietetics and Nutrition Practices Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or telephone: (850)245-4444 or by electronic mail – Allen.Hall@flhealth.gov.

**Section VIII  
Notice 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 has been filed 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

University of Florida

Notice of Bid

University of Florida Procurement Services will receive sealed bids for ITB19KO-104, JWRU Elevator Modernization, on August 30, 2018 at 3:00 p.m., at 971 Elmore Drive, Gainesville, FL. Scope of work: Modernization of four elevators at J. Wayne Reitz Union. Mandatory pre-bid meeting will be held August 2, 2018 at 8:30 a.m. in Room G315 at J. Wayne Reitz Union, 655 Reitz Union Drive, Gainesville, FL. Vendor questions and requests for clarification are due on August 14, 2018 at 4:00 p.m. All questions can be directed to Karen Olitsky, Procurement Agent III, at kolitsk@ufl.edu. For bid documents and other information visit <https://procurement.ufl.edu/vendors/schedule-of-bids/>.

DEPARTMENT OF EDUCATION

Florida Gulf Coast University

Ad for Continuing Services Contract Small Projects

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Gulf Coast University Board of Trustees, announces a Request for Proposal for Professional Services in the discipline of architecture for Continuing Services regarding Minor Projects up to \$2 million as noted below:

Project: Continuing Professional Services Contract: Minor Construction Projects Up to \$2 million, Fort Myers, Florida

Description of Project:

Projects will be primarily for small renovation or remodeling of existing buildings where labs, offices, or classrooms need to be re-configured. Accordingly, there could be a need to re-design the structural, mechanical, electrical and plumbing systems as part of such work. The assignment of such small projects will be issued by the FGCU administration on an as-needed basis when/where remodeling is required.

**Contract Term**

A two year contract will be negotiated with the selected A/E firm for such small construction projects of \$2 million or less. An A/E fee structure and a list of engineering sub-consultants will be negotiated at the time of contract negotiation. Do not include a fee structure or a list of engineering sub-consultants with this proposal, or face possible disqualification.

**Instructions:**

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have the following attached:

1. A completed Florida Gulf Coast University “Professional Qualifications Supplement,” dated February 2013. Applications on any other form will not be considered.
2. A copy of the applicant’s current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

As required by Section 287.133, Florida Statutes, a consultant 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 consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontract, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Additional project information will be posted as a “Fact Sheet” on the website for FGCU Facilities Planning: [www.fgcu.edu/facilities](http://www.fgcu.edu/facilities) for this request for proposal.

The “Professional Qualifications Supplements (PQS)”, which includes project information and selection criteria, may be obtained at [www.fgcu.edu/facilities/ProfessionalSupplements](http://www.fgcu.edu/facilities/ProfessionalSupplements) or by contacting Jodie Greenhoe, Facilities Planning, via e-mail at [jgreenhoe@fgcu.edu](mailto:jgreenhoe@fgcu.edu), by mail at 10501 FGCU Blvd. South, Fort Myers, Florida 33965-6565, or by phone at (239)590-1500. Submittals must be received in the FGCU Facilities Planning Office, Edwards Hall - Room 217 by 4:00 p.m. EDST, August 15, 2018. Facsimile (FAX) submittals are not acceptable and will not be considered.

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Monday, July 16, 2018 and 3:00 p.m., Friday, July 20, 2018.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
41-2.014	7/16/2018	8/5/2018
61G7-5.0021	7/16/2018	8/5/2018
61G15-20.002	7/19/2018	8/8/2018
61G15-24.001	7/19/2018	8/8/2018
61G15-27.001	7/19/2018	8/8/2018
64B1-3.009	7/20/2018	8/9/2018
64B1-3.010	7/20/2018	8/9/2018
64B1-9.007	7/20/2018	8/9/2018
64B2-13.004	7/16/2018	8/5/2018
64B4-3.001	7/18/2018	8/7/2018
64B4-4.002	7/18/2018	8/7/2018
64B4-4.003	7/18/2018	8/7/2018
64B4-4.005	7/18/2018	8/7/2018
64B4-4.013	7/18/2018	8/7/2018
64B5-12.013	7/17/2018	8/6/2018
64B5-12.0135	7/17/2018	8/6/2018
64B5-13.0046	7/17/2018	8/6/2018
64B15-13.001	7/20/2018	8/9/2018
64B15-19.002	7/20/2018	8/9/2018
64B15-19.0065	7/20/2018	8/9/2018
64B15-19.007	7/20/2018	8/9/2018
64B18-17.001	7/17/2018	8/6/2018
68A-15.061	7/20/2018	8/9/2018
68A-27.003	7/20/2018	7/20/2018

68B-14.0035	7/20/2018	7/23/2018
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

**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.