

**TREASURE COAST EDUCATION, RESEARCH AND DEVELOPMENT AUTHORITY**

The **Treasure Coast Education, Research And Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 30, 2009, 8:00 a.m.

PLACE: Room 219 West, University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Minutes of June 4, 2009 meeting, committee reports, and such other business as the Authority may deem appropriate.

A copy of the agenda may be obtained by contacting: Treasure Coast Education, Research and Development Authority (“Authority”) at (772)467-3107.

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: the Authority at (772)467-3107. 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.

**Section VII**

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Edward Jansen, Petitioner, In Re: Lauderdale West Community Association No. 1, Inc. on December 24, 2008. The following is a summary of the agency’s disposition of the petition:

Lauderdale West Community Association No. 1, Inc. is required to abide by the new provisions governing director terms under the amendment to Section 718.112(2)(d)1., F.S., and may either reaffirm its by-laws by a majority vote of the total voting interest approving the two-year staggered term provisions or else all directors’ terms default to one-year terms upon expiration. The eight (8) directors elected to two year terms in 2008 are allowed to continue serving until the terms expires in March 2010. The three (3) director seats elected in the March 2009 election must be for one-year terms.

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

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

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Joseph J. Rosen, Petitioner, In Re: The Versailles, Inc. on February 16, 2009. The following is a summary of the agency’s disposition of the petition:

That The Versailles, Inc., a residential cooperative association, may refuse non-members who presently attend meetings with members to videotape meetings by adopting a rule in accordance with its rulemaking procedures that is consistent with Sections 719.106(1)(c) and 719.106(1)(d), (4), (5), F.S., and Rule 61B-75.004, F.A.C.

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

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

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Lori Schmidt, a Licensed Community Association Manager for Atlantic Cloisters Association, Inc. on June 16, 2009. The following is a summary of the agency’s declination of the petition:

The Division declined to issue an order because Schmidt did not present evidence of ownership of a unit or a board resolution authorizing her to bring this action on its behalf; or the Division was not provided a full copy of the current governing documents for the condominium and is unable to review the petition as it lacks a sufficient records to review; or the Division may not issue a statement where parties who will be affected are not party to the proceeding; or does not have the authority to interpret and enforce ambiguous provisions in contracts, as interpretation of contracts is strictly a judicial function.

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

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

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Paul L. Wean, Esq., attorney for Wekiva Hunt Club Condominium Association, Inc. on January 22, 2009. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the Petitioner withdrew its Petition for Declaratory Statement.

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

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

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NOTICE IS HEREBY GIVEN THAT on June 8, 2009, the Board of Professional Surveyors and Mappers has received the petition for declaratory statement from Harley C. Gilmore, on behalf of Academic Services Corporation. The petition seeks the agency's opinion as to the applicability of Section 472.003(1), F.S., as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 472.003(1), F.S., and whether an official city or county surveyor and mapper is required to sign, date and seal final drawings furnished to individuals or other government agencies.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Dentistry has issued an order disposing of the petition for declaratory statement filed by Laban Bontrager, D.M.D. on July 2, 2008. The following is a summary of the agency's disposition of the petition:

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement filed by Laban Bontrager, D.M.D. The Notice of Petition for Declaratory Statement was published in Vol. 34, No. 24, of June 13, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 20, 2008. The Petition requested the Board's interpretation of Section 466.017(1) and (2), F.S., and whether a licensed dentist may prescribing Chantix (Varenicline) for smoking cessation, would be within his scope of practice as a licensed dentist, pursuant to Section 466.017 (1) and (2), F.S.. The Board's Order, filed on July 2, 2008, finds that Petitioner has complied with the requirements of Section 120.565, F.S. and Rule 28-105.002, F.A.C. The Board believes that a licensed dentist may prescribe smoking cessation drugs because it is within the scope of practice for a licensed dentist, pursuant to Section 466.017(1) and (2), F.S.. The Board's conclusion is based solely on the Board's application of the factual circumstances outlined in the Petition to the pertinent statutory provision set forth above and should not be interpreted as commenting on whether the facts in the petition may or may not violate any other provision of Chapter 466 or 456, F.S., or any rules promulgated thereunder.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement filed by James A Meininger, D.M.D. The Notice of Petition for Declaratory Statement was published in Vol. 34, No. 20, of the May 16, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 20, 2008.

The Board's Order, filed on July 2, 2008, finds that Petitioner has not complied with the requirements of Section 120.565, F.S. and Rule 28-105.002, F.A.C. The Board of Dentistry declines to issue a declaratory statement in response to Dr. Meininger's petition. The petition does not meet the requirements of Section 120.565, F.S. and Rule 28-105.002, F.A.C. The petition does not specifically identify the statutes or rules that require interpretation. Additionally, the petitioner is asking for an opinion based on his past conduct. Also, the petitioner is asking about the conducts of someone else.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

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

**NONE**

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

**NONE**

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

**NONE**

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

**NONE**

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

**DEPARTMENT OF EDUCATION**

**NOTICE TO DESIGN/BUILDER:**

The University of Florida Board of Trustees announces that Design/Build services will be required for the project listed below:

Project: UF-354, Sun Terrace Expansion (University of Florida, Health Science Center)

The project consists of adding on approximately 1,500 GSF to the existing Sun Terrace facility and designing and building a new 4,000 GSF facility. The addition will be for a new food service venue and the new structure will house the HSC Bookstore and a coffee venue. The third part of the scope will be to provide a covered walkway to connect the new building, existing Sun Terrace building, the Stetson Gallery and the HSC Library. The site is an active roof deck with offices and classroom functions below. For the Bookstore portion of the building, the existing roof deck will need to be structurally enhanced.

The total construction budget is \$2,000,000, including structural improvements. Construction shall be "fast-tracked" to begin by May 2010. Gold LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory.

The contract for design/build services will consist of two parts. Part one services include design, construction administration, value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) proposal based on 60% Construction Documents, for which the design/builder will be paid a fixed fee.

If the GMP is accepted, part two, the construction phase, will be implemented. In part two of the contract, the design/builder becomes the single point of responsibility for completion of the construction documents, performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for part one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the design/builder's contract.