

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

NONE

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: RULE TITLE:
1T-1.036 Arts and Cultural Grants
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. 41 No. 34, February 19, 2015 issue of the Florida Administrative Register.

1T-1.036 Arts and Cultural Grants.

(1) No change.

(2) All grant applicants must meet the requirements set forth in the 2016-2017 2015-2016 guidelines for the General Program Support Guidelines, (hyperlink), effective XX/XXXX which are available from the Division at www.Florida-arts.org and are hereby incorporated by reference:

(a) The General Program Support Program Cultural and Museum Grants Program, http://www.flrules.org/Gateway/reference.asp?No=Ref\_03726. Provides general program support for local arts agencies, state service organizations, and organizations that have general program activity in any of the art and cultural disciplines in Section 265.283(7), F.S.

(b) Specific Cultural Projects Program, http://www.flrules.org/Gateway/reference.asp?No=Ref\_03726. (hyperlink) effective XX/XXXX, Provides funding for arts in education, underserved cultural community development, culture builds Florida, and other nonprofit public or private organizations having specific cultural project activity in any of the arts and cultural disciplines in Section 265.283(7), F.S. Grant administration procedures are also included as part of the guidelines.

(3) The following application form is available from the Division at www.Florida-arts.org and is hereby incorporated by reference: General Program Support Program Cultural and Museums Grants Program and Specific Cultural Projects Program Application (Form CA2E145), effective XX/XXXX 5/2013,

http://www.flrules.org/Gateway/reference.asp?No=Ref\_02706.

- (4) No change.
(a) No change.
(b) No change.
(c) No change.
(d) No change.
(e) No change.
(f) No change.

Rulemaking Authority 265.286(11), 265.286(6) FS. Law Implemented 265.286 FS. History--New 10-27-09, Amended 6-1-10, 4-2-12, 6-10-13, 3-16-14, \_\_\_\_\_.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.: RULE TITLES:
6A-1.09412 Course Requirements - Grades K-12 Basic and Adult Secondary Programs
6A-1.09414 Course Requirements - Grades PK-12 Exceptional Student Education

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 46, March 9, 2015 Florida Administrative Register has been continued from April 15, 2015 to May 20, 2015.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 52, March 17, 2015 Florida Administrative Register has been continued from April 15, 2015 to May 20, 2015.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:
58A-6.003 Licensure Application Procedures
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 27, February 10, 2015 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker’s Compensation**

RULE NO.: RULE TITLE:  
 69L-7.020 Florida Workers’ Compensation Health Care  
 Provider Reimbursement Manual  
 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. 41 No. 21, February 2, 2015 issue of the Florida Administrative Register.

The changes to the proposed rules are being made in response to comments from the Joint Administrative Procedures Committee.

69L-7.020 Florida Workers’ Compensation Health Care Provider Reimbursement Manual.

(2) The CPT® 2014 ~~2009~~ Current Procedural Terminology Professional Edition, Copyright 2013 ~~2008~~, American Medical Association; the Current Dental Terminology, CDT-2014 ~~2009/2010~~, Copyright 2013 ~~2008~~, American Dental Association; and in part for D codes and for injectable J codes, and for other medical services and supply codes, the “2014 HCPCS Level II Professional Edition Healthcare Common Procedure Coding System, Medicare’s National Level II Codes, HCPCS-2009”, American Medical Association, ~~Twenty-first Edition~~, Copyright 2014 ~~2008~~, Elsevier Saunders Ingenix Publishing Group, are adopted by reference as part of this rule. When a health care provider performs a procedure or service which is not listed in the Florida Workers’ Compensation Health Care Provider Reimbursement Manual, 2015 ~~2008~~ Edition incorporated above, the provider must use a code contained in the CPT®-2014 ~~2009~~, CDT-2014 ~~2009/2010~~ or HCPCS-2014 ~~2009~~ as specified in this section. The CPT® Assistant, Copyright American Medical Association, the 2014 ICD-9-CM Professional Edition for Physicians, Volumes 1 & 2, American Medical Association, Copyright 2013, and the 2014 ICD-10-CM: The Complete Official Draft Code Set, American Medical Association, Copyright 2013, OptumInsight, Inc., are also adopted by reference as part of this rule. A copy of these reference materials may be obtained from the American Medical Association’s website at <https://commerce.ama-assn.org/store/>. A copy of the CDT reference material may be obtained from the American Dental Association’s website at <http://www.ada.org/en/publications/ada-catalog>. A copy of the HCPCS Level II reference material may be obtained from the American Medical Associations’ website at <http://commerce.ama-assn.org/store/>.

~~Rulemaking Specific Authority 440.13(13)(14)(b), 440.591 FS. Law Implemented 440.13(7), (12), (13)(b)(14)(e) FS. History–New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, 4L-7.020, Amended 12-4-03, 1-1-04, 7-4-04, 5-9-05, 9-4-05, 11-16-06, 10-18-07, 2-4-09.~~

The remainder of the proposed rule reads as previously published.

**Section IV  
 Emergency Rules**

NONE

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

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

The South Florida Water Management District (District) hereby gives notice:

On April 9, 2015, the District’s Governing Board issued SFWMD Order No. 2015-024-DAO-ROW to Florida Power & Light Company (Application No. 15-0123-2). The petition for waiver was received by the District on March 19, 2015. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Register, Vol. 41, No. 56, on March 23, 2015. An amended petition for waiver was received by the District on March 23, 2015. Notice of receipt of the amended petition was published in the Florida Administrative Register, Vol. 41, No. 57, on March 24. No public comment was received. This Order provides a waiver of the District’s criteria to allow the placement of pumping facilities (pipes, pumps and related equipment) and hazardous materials (temporary fuel tanks) for wet season transfer of fresh water from L-31E into the cooling canal system of FPL’s Turkey Point power plant for a two (2) year period; Miami-Dade County, Sections 20 & 29, Township 57 South, Range 40 East. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), F.A.C., and paragraphs 40E-6.221(3)(j) and (n), F.A.C., and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), F.A.C.,

which governs the placement of permanent/semi-permanent above-ground facilities within 40 feet of the top of the canal bank within works or lands of the District and prohibits the storage of hazardous materials. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the placement of the pumping facilities will not interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon a substantial hardship and principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268, jurussel@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

On March 13, 2015, the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), F.A.C., from Taqueria Las Mariposas located in Tampa. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle. The Petition for this variance was published in Vol. 41, No. 52, F.A.R., on March 17, 2015. The Order for this Petition was signed and approved on April 1, 2015. 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 that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved

commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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 April 9, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sun Trust Center. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators with firefighters' emergency 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, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-090).

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 BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on April 13, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Deerhaven Generating Station Unit 2 Chimney. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.8.1, as adopted by subsection 61C-5.001(1), F.A.C., that relates to equipment allowed 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 (VW2015-093).

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 BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

An Emergency Variance for subsection 61C-4.010(7), F.A.C., and subsection 61C-4.010(6), F.A.C., from L&A's Creations located in St. Petersburg. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment for use by customers only.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:

61G6-6.017 Duration of Examination Scores

The Electrical Contractors' Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance which was filed on February 5, 2015, by Virgil David Dougherty. The Notice of Petition for Variance/Waiver was published in Volume 41, No. 32, of the February 17, 2015, Florida Administrative Register. Petitioner sought a waiver or variance of Rule 61G6-6.017, F.A.C., entitled, "Duration of Examination Scores," which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination. The Board considered the instant Petition at a duly-noticed public meeting, held March 12-13, 2015, in Orlando, Florida.

The Board's Order, filed on March 31, 2015, granted the petition, finding Petitioner demonstrated that application of the rule to his circumstances would violate the principles of fairness and would impose a substantial hardship on him.

A copy of the Order or additional information may be obtained by contacting Ruthanne Christie, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:RULE TITLES:

64E-9.004 Operational Requirements

64E-9.006 Construction Plan Approval Standards

64E-9.007 Recirculation and Treatment System Requirements

64E-9.008 Supervision and Safety

NOTICE IS HEREBY GIVEN that on March 25, 2015, the Florida Department of Health received a petition for variance from Bob Dapper representing Royal Spa, Indianapolis, IN. Specifically, the petitioner seeks a variance from the following Sections of 64E-9, F.A.C.: subparagraph 64E-9.004(1)(d)2.; subsections 64E-9.004(5) and (15); paragraphs 64E-9.006(1)(a) and (1)(d); subparagraphs 64E-9.004(2)(a)1., (2)(e)1., and (2)(e)2.; paragraph 64E-9.004(2)(f); subsection 64E-9.007(1); subparagraph 64E-9.004(3)(b)5.; paragraphs 64E-9.004(5)(a) and (10)(e); subsections 64E-9.004(11), (14) and (16), subparagraphs 64E-9.004(16)(d)2. and (16)(d)4.; paragraph 64E-9.004(16)(f), and subsection 64E-9.008(7), which require public swimming pools to: maintain a disinfectant residual, operate a recirculation system when in use, have minimum lighting for indoors, have a water line tile marker, be equipped with access by ladder or stairs, have a clear wet deck width and slope, have an opening on equipment enclosure, have minimal equipment area lighting, have a urinal in unisex restroom, have treatment equipment that meets national standard ANSI-NSF50, have a tile line of 6" width, have filters that meet ANSI-NSF50, have a collector tank and gravity drainage, have auto water makeup, have bypass and valving on heater, have auto feeders for treatment chemicals, have ANSI-NSF50 certification on ozone and validation of UV system, and a pool rules sign.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, Bin#A02, Tallahassee, Florida 32399-1703.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 23, 2015, 5:30 p.m., Finance and Investment Meeting

PLACE: Mission San Luis, 2100 W. Tennessee St., Tallahassee, FL 32304

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Friends of Mission San Luis will hold a meeting for the purposes of conducting Friends' business and assisting the Division of Historical Resources in carrying out the purposes, duties, and responsibilities of the division.

A copy of the agenda may be obtained by contacting: Diane Ogorzaly with the Division of Historical Resources at [Diane.Ogorzaly@DOS.MyFlorida.com](mailto:Diane.Ogorzaly@DOS.MyFlorida.com) or (850)245-6388.

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DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 23, 2015, 6:00 p.m., Board of Directors' Meeting

PLACE: Mission San Luis, 2100 W. Tennessee St., Tallahassee, FL 32304

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Friends of Mission San Luis will hold a meeting for the purposes of conducting Friends' business and assisting the Division of Historical Resources in carrying out the purposes, duties, and responsibilities of the division.

A copy of the agenda may be obtained by contacting: Diane Ogorzaly with the Division of Historical Resources at [Diane.Ogorzaly@DOS.MyFlorida.com](mailto:Diane.Ogorzaly@DOS.MyFlorida.com) or (850)245-6388.

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DEPARTMENT OF STATE

Division of Historical Resources

The Elections Canvassing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 21, 2015, 9:00 a.m.

PLACE: Cabinet Meeting Room, LL03, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Elections Canvassing Commission will meet to certify the official results for the April 7, 2015 Special Election for State Senate District 6 and House Districts 17 and 24 per Sections 100.101 and 100.141, Florida Statutes.

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: Kristi Bronson, Florida Department of State, (850)245-6240, [Kristi.Bronson@dos.myflorida.com](mailto:Kristi.Bronson@dos.myflorida.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: Kristi Bronson, Bureau of Election Records, Florida Department of State, (850)245-6240, [Kristi.Bronson@dos.myflorida.com](mailto:Kristi.Bronson@dos.myflorida.com).

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DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 29, 2015, 10:00 a.m. – 11:00 a.m.

PLACE: Toll-free dial-in number: 1(888)670-3525, conference code: 7071360675

Please be advised that meetings and meeting rooms maybe subject to change. For updates please visit <http://www.cssbmb.com>.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting: <http://www.cssbmb.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 days before the workshop/meeting by contacting: Bureau of Criminal Justice Programs at (850)414-3300. 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: Bureau of Criminal Justice Programs at (850)414-3300.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 24, 2015, 4:00 p.m.

PLACE: Florida Thoroughbred Breeders & Owners Association (FTBOA), 801 SW 60th Avenue, Ocala, Florida 34474

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Executive Committee to discuss general business.

A copy of the agenda may be obtained by contacting EllenMarie Ettenger at (352)307-6699 or email: [events@flhorsepark.com](mailto:events@flhorsepark.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 2 days before the workshop/meeting by contacting: EllenMarie Ettenger at (352)307-6699 or email: events@flhorsepark.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).

**DEPARTMENT OF EDUCATION**

The Blind Services Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, April 29, 2015, 3:00 p.m.

PLACE: 1(888)670-3525, participant passcode: 1242528392 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee Meeting.

A copy of the agenda may be obtained by contacting: Alise Fields, (850)245-0392, Alise.Fields@dbs.fldoe.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 10 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, telephone: (850)245-0392, email: Alise.Fields@dbs.fldoe.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: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, FL 32399, telephone: (850)245-0392, email: Alise.Fields@dbs.fldoe.org.

**DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation announces a public meeting to which all persons are invited.

DATE AND TIME: April 16, 2015, 9:00 a.m.

PLACE: FDOT Burns Building, Auditorium

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Plan - Infrastructure and Growth Leadership Advisory Group Meeting.

A copy of the agenda may be obtained by contacting: Paula San Gregorio at (850)414-4811.

**DEPARTMENT OF MANAGEMENT SERVICES**

Division of Communications

The Department of Management Services, Division of Telecommunications announces public meetings to which all persons are invited.

DATE AND TIMES: Tuesday, May 5, 2015, 9:00 a.m. – 11:30 a.m., 700 MHz - Committee Meeting; 1:00 p.m. – 3:00 p.m., 800 MHz - Committee Meeting

PLACE: Daytona Beach Hilton, 100 North Atlantic Avenue, Daytona Beach, FL 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take actions on the Florida Region 9, 700 MHz and 800 MHz Committee (FCC Region 9) agenda. General agenda items include: 1) Review of Officers and open positions 2) By-Laws and amendments to the Regional Plans and 3) General status report from the State of Florida. The meeting is open to all interested parties. All committee members, and 700/800 MHz public safety licensees in Florida, public safety agencies, including state, municipality, county, Native American Tribal, and non-governmental organization eligible under section 90.523 of the Commission's rules, are invited to attend this session. For more information contact: Ray Carlson, Chairman, Florida Region 9 Planning Committee, 3228 Gun Club Road, West Palm Beach, Florida 33406, telephone: (561)688-3514 or email: carlsonr@pbso.org.

A copy of the agenda may be obtained by contacting: a formal agenda will be provided on the day of the meeting.

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: Ray Carlson, Chairman, Florida Region 9 Planning Committee, 3228 Gun Club Road, West Palm Beach, Florida 33406, telephone: (561)688-3514, email: carlsonr@pbso.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).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Accountancy

The Board of Accountancy announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 13, 2015, 9:00 a.m.

PLACE: Conference call; dial-in number: 1(888)670-3525, conference code number: 9071262934

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Education Advisory Committee to consider items relating to the education requirements to sit for the CPA examination.

A copy of the agenda may be obtained by contacting: Barbara Whitney, Regulation Specialist II, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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: Barbara Whitney, Regulation Specialist II, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607. 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: Barbara Whitney, Regulation Specialist II, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

State Boxing Commission

**RULE NO.: RULE TITLE:**

61K1-3.006 Contracts Between Manager and Participant

The Florida State Boxing Commission announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** April 24, 2015, 10:00 a.m.

**PLACE:** Conference call number: 1(888)670-3525, passcode: 6740308491 then #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a rules workshop from 10:00 a.m. to 11:00 a.m. to discuss Rule 61K1-3.006, F.A.C., and Rule 61K1-3.026, F.A.C. General Business Meeting will be immediately following to discuss Rules 61K1-3.001, 61K1-3.015, 61K1-3.018, 61K1-3.019, 61K1-3.021, and 61K1-3.022, F.A.C.

A copy of the agenda may be obtained by contacting: Lina Hurtado, (850)488-8500.

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 24 hours before the workshop/meeting by contacting: Lina Hurtado, (850)488-8500. 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: Lina Hurtado, (850)488-8500.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.: RULE TITLE:**

62-304.415 Lower St. Johns River Basin TMDLs

The Department of Environmental Protection announces a workshop to which all persons are invited.

**DATE AND TIME:** Wednesday, April 29, 2015, 1:00 p.m.

**PLACE:** Flagler County Commission Chambers, Government Services Complex, 1769 East Moody Boulevard, Bunnell, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To receive public comments on nutrient total maximum daily loads (TMDLs) for an impaired water in the Lower St. Johns River Basin, to be adopted in Rule 62-304.415, F.A.C. These nutrient TMDLs, if adopted, will constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C., that would replace the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2), F.A.C., for this particular waterbody. The TMDLs to be presented at the public workshop are nutrient TMDLs for Crescent Lake (2606B). The draft report for these TMDLs will be posted on the Department's TMDL webpage ([http://www.dep.state.fl.us/water/tmdl/draft\\_tmdl.htm](http://www.dep.state.fl.us/water/tmdl/draft_tmdl.htm)) on April 22, 2015, for public review. Written comments on these TMDLs, as well as the establishment of these nutrient TMDLs as site specific interpretations of the narrative nutrient criteria, will be accepted by the Department through May 22, 2015. These comments should be directed to: Xueqing Gao, Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: [xueqing.gao@dep.state.fl.us](mailto:xueqing.gao@dep.state.fl.us).

A copy of the agenda may be obtained by contacting: Ms. Linda Quinn-Godwin, Water Quality Evaluation and TMDL Program, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or by calling (850)245-8449.

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 Ms. Linda Quinn-Godwin, (850)245-8449. 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).

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Refugee Services**

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

**DATE AND TIME:** May 5, 2015, 10:00 a.m.

**PLACE:** Department of Children and Families, 1317 Winewood Blvd., Building 6, Conference Room A, Tallahassee, FL 32399-0700

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

**Description:** As provided for in Sections 2.5 and 5.2 of this ITN which was published to the Vendor Bid System (VBS) on March 4, 2015. The VBS can be accessed at <http://vbs.dms.state.fl.us/>. The purpose of the Debriefing Meeting of the Evaluators and Ranking of the Replies is to receive and record all evaluation scores for the ITN and calculate the final scores according to the evaluation methodology outlined in Section 5.2.

A copy of the agenda may be obtained by contacting Jenifer.Fonseca@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 3 days before the workshop/meeting by contacting: Jenifer Fonseca at Jenifer.Fonseca@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).

**ABLE TRUST**

The JP PAS Oversight Committee announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** April 23, 2015, 10:00 a.m.

**PLACE:** Conference call: 1(866)210-1669, participant code: 6902370#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

**Agenda:** Current Legislation, Survey, Program Expansion. Also, other business that may come up before the committee.

A copy of the agenda may be obtained by contacting: Natalie Alden, (850)488-9071, Ext. 9750.

For more information, you may contact: Natalie Alden, (850)488-9071, Ext. 9750.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

NOTICE IS HEREBY GIVEN that the Electrical Contractors' Licensing Board has issued an order disposing of the petition for declaratory statement filed by Guru Alert, LLC on November 20, 2014. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published on January 14, 2015, in Vol. 41, No. 9, of the Florida Administrative Register. The petition seeks the Board's interpretation of Sections 489.518 entitled, "Alarm System Agents" and 489.5185 F.S., entitled, "Fire Alarm System Agents," as to whether the "Guru" system as described in the petition, would be considered a fire alarm or security system and whether the Board would require licensing for monitoring of security or fire alarm systems if the "Guru" system is found to be a fire alarm or security system. The Electrical Contractors' Licensing Board considered the Petition at its meeting held on March 13, 2015, in Orlando, Florida. The Board, in the Order filed on March 31, 2015, answered the petition in the affirmative. The Board opined that a license is required to provide the service described in the petition.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Ruthanne Christie, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

NOTICE IS HEREBY GIVEN that the Electrical Contractors' Licensing Board has issued an order disposing of the petition for declaratory statement filed by Nex-Gen Fiber Services, Inc. on January 26, 2015. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published on February 5, 2015, in Vol. 41, No. 24, of the Florida Administrative Register. Petition sought the Board's interpretation of Section 489.503(14), F.S., entitled "Exemptions," as to whether the petitioner would need to be



licensed in order to perform telecommunication and/or fiber optic work and if so, what type of specialty licensure would petitioner be required to obtain. The Electrical Contractors' Licensing Board considered the Petition at its meeting held on March 13, 2015, in Orlando, Florida. The Board, in the Order filed on March 31, 2015, declined to answer the Petition for Declaratory Statement. The Board voted to deny answering the question presented in the petition because the Board finds that Section 489.503(14), F.S., clearly states who is exempt from licensure.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Ruthanne Christie, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

**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:

South Florida Racing Association, LLC, a Florida Limited Liability Company vs. Department Of Business And Professional Regulation, Division Of Pari-Mutuel Wagering; Case No.: 14-6129RX; Rule No.: 61D-4.002

Medical Cannabis Trade Association Of Florida, LLC vs. Department of Health; Case No.: 15-1693RP; Rule Nos.: 64-4.001, 64-4.002

Master Growers, P.A. and Baywood Nurseries Co., Inc. vs. Department Of Health; Case No.: 15-1694RP; Rule No.: 64-4.001-.009

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

South Florida Racing Association, LLC, a Florida Limited Liability Company vs. Department Of Business And Professional Regulation, Division Of Pari-Mutuel Wagering; Case No.: 14-6129RX; Rule No.: 61D-4.002; invalid exercise of delegated legislative authority

**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**

Joann Faiella, Mayor of the City of Port Saint Lucie, Florida, a/k/a Giovanna Maria Faiella vs. Division of Library and Information Services, Department of State; Case No.: 14-1917RU; Dismissed as moot

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

**DEPARTMENT OF HEALTH**

Design & Construction, Announcement for Professional Services for Architecture-Engineering, Continuing Contracts for Central Florida Region, Project # 20151000

STATE OF FLORIDA, DEPARTMENT OF HEALTH  
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES

FOR ARCHITECTURE-ENGINEERING  
CONTINUING CONTRACTS FOR CENTRAL FLORIDA REGION

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Design and Construction Section, announces that professional services are required for the Contract listed below. These services may be used for projects anywhere in the state of Florida at the sole discretion of the Department of Health, however, it is anticipated that the vendors selected will primarily be activated for projects in the central region of the state. For this contract, the Central Region is defined as all counties north of, but not including, Lee, Hendry and Palm Beach and up to the northern line of Citrus, Marion and Volusia counties. Multiple firms may be selected under this Continuing Contract and may

be activated at the sole discretion of the Department as workload may on occasion be sufficient enough to warrant the use of several firms. Selected firms may be assigned projects having estimated construction cost of each individual project under the contract not to exceed \$2 million and for study activity if the fee for professional services for each individual study under the contract does not exceed \$200,000, as provided for in Section 287.055, Florida Statutes. This contract will be for an initial period of two (2) years with an option to renew for an additional two-year period.

**QUALIFICATIONS SELECTION CRITERIA:** Firms must be properly licensed in the State of Florida at the time of submittal. Selections will be made in accordance with Chapter 287.055, Florida Statutes. The Selection Committee will conduct interviews with and may require public presentation by no fewer than three (3) firms regarding their qualifications, understanding of program/requirements and approach and methodology for providing required services.

**SELECTION OF FINALIST FOR INTERVIEW:** Selection for interview will be made on the basis of professional services qualifications including relevant experience and ability, location, recent experience, current and projected workloads of the firms, technical and Florida licensed professional staff and volume of Florida Departments of Health and Management Services work. The firm or firms selected must be registered with MyFloridaMarketPlace (MFMP) prior to execution of a contract. However, they will be exempt from the one percent MFMP fee.

Applications being sent via the U. S. Mail or via overnight express service shall be sent to, Kathryn Vowell, Office Consultant, Florida Department of Health, Design and Construction Section, 4052 Bald Cypress Way, BIN # B06, Tallahassee, Florida 32399-1734, phone: (850)245-4066, email: Kathryn.Vowell@flhealth.gov.

**PROJECT NUMBER:** 20151000

**PROJECT NAME:** Central Region Continuing Contracts for Architectural – Engineering Services

**SERVICES TO BE PROVIDED:** Architecture-Engineering Services

**RESPONSE DUE DATE:** Friday, April 30, 2015 at 4:00 p.m. EDT. Any responses received after the due date and time will be deemed non-responsive and will not receive further consideration. Unsealed and/or unsigned responses received by telegram, facsimile transmission or other similar means are not acceptable, and will be declared non-responsive and will not be further evaluated. Submittals that do not comply with the requirements or instructions of this solicitation document will be declared non-responsive and will not be further evaluated.

**INSTRUCTIONS:** Submit three (3) bound copies of the following information:

1. Table of contents

2. Letter of interest

A copy of the current Department of Health Professional Qualifications Supplement (PQS) Form DBC5112 Revised 7/1/04. A copy of this form can be obtained by calling (850)245-4066 and at the following website: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

3. A copy of the firm's current Florida Professional License registration. (Proper registration at the time of application is required).

4. (CORPORATIONS ONLY) Current Corporate Certificate providing evidence of validation date and designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.

5. Completed Standard Form 330

\*In Article 19, Relevant Projects, and Article 23, Project Owner's Information, list only projects designed, under construction, and/or completed within the past five (5) years.

7. All future notices regarding this solicitation and results of selection will be posted at the following website: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

\* All applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and any section dividers. However, this is not a mandatory requirement.

**EVALUATION:** All proposals submitted shall become the property of the Florida Department of Health. The submitted proposals will be placed on file and not returned. The Department reserves the right to deem proposals that do not comply with the above instructions and/or do not include the required qualification data non-responsive. The applicant will not receive further consideration.

**POSTING OF RESULTS:** Results of the short listing evaluation will be posted on the DMS Vendor Bid System at [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu) within 48 hours after the committee's recommendation. In the event that this information cannot be posted within this time frame, then the applicant firms will be notified of the results by email. Proposals shall include, in the cover letter of each submission, the name of the contact person, email address and direct phone number to be used. All future announcements, results and information about the selection for this project will be posted on the DOH Website at [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

Special Instructions to access website:

Go to link above – open – Go to “Search Advertisements” and click to open.

In “Advertisement Type”, select “Competitive Solicitation”.

In “Agency”, select “Department of Health”

Do not fill in any other boxes.

At the bottom of the page click "Advertisement Search".  
Advertisement is located in the list shown in the boxes.

#### JACKSONVILLE PORT AUTHORITY

##### REQUEST FOR QUALIFICATIONS AE-175A

The JPA is requesting Statements of Qualifications (SOQ's) from Professional Consultant Firms interested in providing Professional Consulting and Design Services for the Jacksonville Port Authority.

The JPA will utilize an external Professional Marine Engineering Consultant Firm to augment and support the JPA's engineering staff. In addition the selected Consultant Firm will perform special services for the Engineering Department, on a work order basis. These services are more completely described in Section 3 – Scope of Services of the Request for Qualifications (RFQ). Examples of the work to be performed while not all inclusive, include professional architecture, surveying, marine engineering design services and other related services as described herein required to support the Senior Director of Facilities Development and other JPA engineering staff in the construction, rehabilitation, and renovation activities pertaining to the following marine terminal facilities or structures: wharfs, docks, berths, bulkheads, dock-piles, dredge material management areas, dock-rails and other similar facilities or structures located at JPA's marine terminals. Although the selected Consultant Firm may provide all services as required through its own staff, some other specialty services may be added through sub-consulting on a project by project basis.

Submission of SOQ's does not guarantee your company will receive a contract from the JPA, nor does it imply that your company has any type of procurement/contractual relationship with the JPA now or in the future. Information provided by your company will be treated in a reasonable manner and will be subject to disclosure pursuant to the laws of the State of Florida.

Concurrent with this policy, the JPA conducts its procurement activities and formal bid processes in a competitive environment that fosters equal opportunity for qualified companies to provide services that meet our requirements.

A Pre-Submission Meeting will be held on Wednesday, April 15, 2015 AT 10:00 a.m., in the Public Meeting Room, First Floor of the Port Central Office Building, 2831 Talleyrand Avenue, Jacksonville, FL 32206. Attendance is highly recommended for any firm that may be considering submitting Statement of Qualifications.

ALL STATEMENTS OF QUALIFICATIONS WILL BE RECEIVED BY THE JPA'S PROCUREMENT DEPARTMENT, UNTIL 2:00 P.M. (ET), ON WEDNESDAY, MAY 20, 2015.

The Request for Qualifications document can be downloaded from: <http://www.jaxport.com/work-with-us/projects-for-bid>.

If you should have any questions regarding this application package, please submit them by email only to Retta Rogers, Manager Procurement Services at [retta.rogers@Jaxport.com](mailto:retta.rogers@Jaxport.com).

#### JACKSONVILLE PORT AUTHORITY

##### REQUEST FOR QUALIFICATIONS AE-175B

The JPA is requesting Statements of Qualifications (SOQ's) from Professional Consultant Firms interested in providing Professional Consulting and Design Services for the Jacksonville Port Authority.

The JPA will utilize an external Professional Civil and Structural Engineering Consultant Firm to augment and support the JPA's Engineering staff. In addition the selected Consultant Firm will perform special services for the Engineering Department, on a work order basis. These services are more completely described in Section 3 – Scope of Services of the Request for Qualifications (RFQ). Examples of the work performed, while not all inclusive, include; professional architecture and civil engineering design services and other related services as described herein required to support the Senior Director of Facilities Development and other JPA engineering staff, in the construction, rehabilitation and renovation activities pertaining to the following marine terminal facilities: roads, bridges, paving, asphalt, rail, drainage, sewer, environmental, geotechnical, planning, surveying services and other similar facilities or structures located at the JPA's marine terminals. Although the selected Consultant Firm may provide all services as required through its own staff, some other specialty services may be added through sub-consulting on a project by project basis.

Submission of SOQ's does not guarantee your company will receive a contract from the JPA, nor does it imply that your company has any type of procurement/contractual relationship with the JPA now or in the future. Information provided by your company will be treated in a reasonable manner and will be subject to disclosure pursuant to the laws of the State of Florida.

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The Request for Qualifications document can be downloaded from: <http://www.jaxport.com/work-with-us/projects-for-bid>. If you should have any questions regarding this application package, please submit them by email only to Retta Rogers, Manager, Procurement Services at [retta.rogers@jaxport.com](mailto:retta.rogers@jaxport.com).

## Section XII Miscellaneous

### DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF CANCELLATION

The Department of Environmental Protection announces the cancellation of a hearing:

DATE AND TIME: April 27, 2015 – May 1, 2015, 9:00 a.m.  
 PLACE: The Plantation on Crystal River, 9301 West Fort Island Trail, Crystal River, Citrus County, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: CANCELLATION OF HEARING: The certification hearing scheduled for April 27, 2015 – May 1, 2015, and noticed on February 20, 2015, for the Duke Energy Florida Citrus Combined Cycle Project, Power Plant Site Certification Application number PA 77-09A3, DOAH Case number 14-3632EPP, DEP Office of General Counsel Case Number 14-0431 has been cancelled. In accordance with the Florida Electrical Power Plant Siting Act, Section 403.508(6)(a), F.S., on March 31, 2015, all parties to this proceeding stipulated that there are no disputed issues of material fact or law to be raised at the certification hearing and filed a motion requesting that the Administrative Law Judge cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection. On April 1, 2015, Administrative Law Judge E. Gary Early issued an order granting the request pursuant to Section 403.508(6)(b), F.S. Pursuant to Section 403.509(1), F.S., the Department of Environmental Protection will prepare and issue a Final Order within 40 days of the Judge's Order. For more information, you may contact: Robert Bull, Department of Environmental Protection, 2600 Blair Stone Rd., M.S. 5500, Tallahassee, Florida 32399-2400, (850)717-9111.

### DEPARTMENT OF HEALTH Board of Nursing

#### Emergency Action

On April 13, 2015, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Margaret Antoinette Ryan, R.N., License #: RN 9238167.

This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

### DEPARTMENT OF ECONOMIC OPPORTUNITY Division of Community Development

Final Order No.: DEO-15-045  
 In re: A LAND DEVELOPMENT REGULATION  
 ADOPTED BY MONROE COUNTY,  
 FLORIDA, ORDINANCE NO. 005-2015

### FINAL ORDER APPROVING MONROE COUNTY ORDINANCE NO. 005-2015

The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 005-2015 (the "Ordinance").

#### FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Florida Statutes, as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.
2. The Ordinance was adopted by Monroe County on January 21, 2015, and rendered to the Department on February 17, 2015.
3. The Ordinance amends the Monroe County Land Development Code by modifying Sections 101-1 (Definitions), 130-4 (Temporary Emergency Housing), and 130-5 (Temporary Uses) establishing regulations concerning temporary emergency housing (providing for the occupancy for persons displaced by a disaster and/or relief workers) and non-emergency housing (providing occupancy for workers involved in improvements to county-owned airport property). The Ordinance contains provisions regulating placement, setbacks, and duration of time for approval of temporary housing. The Ordinance also adds a definition for public assembly.

#### CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) and 380.0552(9), Florida Statutes.

5. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Florida Statutes.

7. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, and specifically with Objective 102.1, and Policies 102.3.2, 501.1.6, 501.2.2, and 501.2.3.

8. The Ordinance is consistent with the Principles for Guiding Development in § 380.0552(7), Florida Statutes, as a whole, and is specifically consistent with the following Principle:

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

(m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 005-2015 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_/s/\_\_\_\_\_  
William B. Killingsworth, Director  
Division of Community Development  
Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to Rules 28-106.104(2), 28-106.201(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida statutes, or Sections 120.569 and 120.57(2), Florida statutes.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the florida administrative register. A petition is filed when it is received by:

Agency Clerk  
Department of Economic Opportunity  
Office of the general Counsel  
107 East Madison St., MSC 110  
Tallahassee, Florida 32399-4128  
Fax: (850)921-3230

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the florida administrative register.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 9th day of April, 2015.

\_\_\_\_\_/s/\_\_\_\_\_  
Katie Zimmer, Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified U.S. Mail:  
Danny Kolhage, Mayor  
Monroe County Board of County Commissioners  
530 Whitehead Street, Suite 102  
Key West, FL 33040

Christine Hurley, Division Director  
Growth Management  
Monroe County, Florida  
2798 Overseas Highway, Suite 400  
Marathon, FL 33050

Amy Heavilin, Clerk  
Monroe County, FL  
500 Whitehead St.  
Key West, FL 33040

DEPARTMENT OF ECONOMIC OPPORTUNITY  
 Division of Community Development  
 Final Order No.: DEO-15-046  
 In re: A LAND DEVELOPMENT REGULATION  
 ADOPTED BY ISLAMORADA, VILLAGE OF  
 ISLANDS, FLORIDA, ORDINANCE NO. 15-03

FINAL ORDER

APPROVING ISLAMORADA ORDINANCE NO. 15-03

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Islamorada, Village of Islands, Florida, Ordinance No. 15-03 (the “Ordinance.”)

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Florida Statutes, as an area of critical state concern. Islamorada, Village of Islands, is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Islamorada, Village of Islands on February 12, 2015, and rendered to the Department on March 16, 2015.

3. The Ordinance amends the Islamorada, Village of Islands Code of Ordinance, Chapter 30 (Land Development Regulations), Article 4 (Administrative Procedures), Division 2 (Development Review Process), Section 30-213 (Public Hearing and Notice) and Article VI (Specific Use Restrictions), Division 11 (Alcoholic Beverage Use Permit). This amendment provides for notice requirements informing property owners of an issuance of an Alcoholic Beverage Use Permit within 500 feet of the property subject to the application, and prohibiting any Alcoholic Beverage Use Permits within 300 feet of places of worship, schools, and child care facilities. The Ordinance also provides procedures and criteria to obtain a variance from the 300 feet prohibition.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) Florida Statutes.

5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. §380.0552, Florida Statutes and Florida Administrative Code Chapter 28-26.

6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Islamorada, Village of Islands Comprehensive Plan generally, and specifically with Policy 1-4.2.1.

9. The Ordinance is consistent with the Principles for Guiding Development in section 380.0552(7), Florida Statutes, as a whole, and is specifically consistent with the following Principles:

(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that the Islamorada, Village of Islands No. 15-03 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_/s/\_\_\_\_\_  
 William B. Killingsworth, Director  
 Division of Community Development  
 Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to Rules 28-106.104(2), 28-106.201(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida statutes, or Sections 120.569 and 120.57(2), Florida statutes.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the florida administrative register. A petition is filed when it is received by:

Agency Clerk  
Department of Economic Opportunity  
Office of the general Counsel  
107 East Madison St., MSC 110  
Tallahassee, Florida 32399-4128  
Fax: (850)921-3230

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the florida administrative register.

The Department’s Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization. Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [Katie.zimmer@DEO.MyFlorida.com](mailto:Katie.zimmer@DEO.MyFlorida.com).

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 9th day of April, 2015.

\_\_\_\_\_/s/\_\_\_\_\_  
Katie Zimmer, Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By U.S. Mail:  
The Honorable Ted Blackburn, Mayor  
Islamorada, Village of Islands Council  
86800 Overseas Highway  
Islamorada, FL 33036

Kelly Toth, Clerk  
Islamorada, Village of Islands  
86800 Overseas Highway  
Islamorada, FL 33036

Cheryl Cioffari  
Director of Planning  
86800 Overseas Highway  
Islamorada, FL 33036

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development  
Final Order No.: DEO-15-047

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-047 on April 8, 2015, in response to an application submitted by Parkside Village Property Owners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

**INDEX TO RULES FILED BETWEEN APRIL 6, 2015**  
**AND APRIL 10, 2015**

Rule No.	File Date	Effective	Proposed	Amended
	Date	Vol./No.	Vol./No.	

**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

1T-1.039	4/9/2015	4/29/2015	41/34	
1T-1.040	4/9/2015	4/29/2015	41/34	

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

40A-2.021	4/9/2015	4/29/2015	41/08	
40A-2.061	4/9/2015	4/29/2015	41/08	
40A-2.101	4/9/2015	4/29/2015	41/08	
40A-2.331	4/9/2015	4/29/2015	41/08	
40A-2.361	4/9/2015	4/29/2015	41/08	
40A-2.381	4/9/2015	4/29/2015	41/08	
40A-2.901	4/9/2015	4/29/2015	41/08	
40A-2.902	4/9/2015	4/29/2015	41/08	41/51

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement - Local Retirement**

60T-1.0035	4/9/2015	4/29/2015	41/21	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

61C-4.010	4/9/2015	4/29/2015	41/38	
61C-4.0161	4/9/2015	4/29/2015	41/38	
61C-4.023	4/9/2015	4/29/2015	41/38	

**DEPARTMENT OF HEALTH**

**Board of Nursing**

64B9-3.015	4/7/2015	4/27/2015	40/234	41/42
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**Certified Master Social Workers**

64B25-28.010	4/7/2015	4/27/2015	41/04	
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**Division of Environmental Health**

64E-13.001	4/7/2015	4/27/2015	41/41
64E-13.004	4/7/2015	4/27/2015	41/41

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

65C-28.008	4/7/2015	4/27/2015	40/233	41/36;41/52
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**LIST OF RULES AWAITING LEGISLATIVE**  
**APPROVAL PURSUANT TO SECTION 120.541(3),**  
**FLORIDA STATUTES**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Minimum Flows and Levels**

62-42.300 2/18/2015 \*\*\*\*\* 40/46 40/68 40/218

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Solid Waste Management Facilities**

62-701.730 1/26/2015 \*\*\*\*\* 40/191;35/37 38/23;35/43