

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

RULE NO.: 27P-2.002
RULE TITLE: State Comprehensive Emergency
Management Plan Adopted

PURPOSE AND EFFECT: The purpose of this amendment is
to adopt the 2018 State Comprehensive Emergency
Management Plan.

SUBJECT AREA TO BE ADDRESSED: State Comprehensive
Emergency Plan

RULEMAKING AUTHORITY: 252.35, FS.

LAW IMPLEMENTED: 252.35(2)(a), FS.

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

DATE AND TIME: September 27, 2019, 10:00 a.m. – 12:00
p.m.

PLACE: Division of Emergency Management, 2575 Shumard
Oak Boulevard, Kelly Training Room, Tallahassee, Florida
32399.

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: Ryan Lock at (850)841-9484. If you are hearing or
speech impaired, please contact the agency using the Florida
Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770
(Voice).

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ryan
Lock, Division of Emergency Management, 2555 Shumard Oak
Boulevard, Tallahassee, Florida 32399-2100, telephone:
(850)841-9484, email:ryan.lock@em.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS:

27P-2.002 State Comprehensive Emergency Management
Plan Adopted.

(1) The Division hereby adopts and incorporates by
reference into this Chapter the State Comprehensive
Emergency Management Plan (February 2020 February 1, 2014
Edition).

(2) No change.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented
252.35(2)(a) FS. History—New 1-4-01, Amended 7-8-02, 8-4-04, 6-2-
10, Formerly 9G-2.002, Amended _____.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-9.0015
RULE TITLE: Application for Examination and Licensure

PURPOSE AND EFFECT: The Board proposes the
development of a rule amendment to update the incorporated
application.

SUBJECT AREA TO BE ADDRESSED: The incorporated
application.

RULEMAKING AUTHORITY: 456.013, 456.017, 456.072,
484.005, 484.007 FS.

LAW IMPLEMENTED: 456.017, 456.0635, 456.072, 484.002,
484.007, 484.014(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: Janet E.
Hartman, Executive Director, Board of Opticianry, 4052 Bald
Cypress Way, Bin # C08, Tallahassee, Florida 32399-3253.

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-14.002
RULE TITLE: Application for Board Certification and
Renewal

PURPOSE AND EFFECT: The Board proposes the
development of a rule amendment to update the incorporated
application.

SUBJECT AREA TO BE ADDRESSED: The incorporated
application.

RULEMAKING AUTHORITY: 484.005(1) FS.

LAW IMPLEMENTED: 484.002(6), 484.005(1) 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: Janet E. Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3253. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.:	RULE TITLES:
64B8-4.008	Authorization for Release of Information
64B8-4.029	Registration as a Dispensing Physician; Delegation of Dispensing to Prescribing Physician Assistants

PURPOSE AND EFFECT: The proposed rule amendments are intended to delete unnecessary language and to incorporate DH-MQA 1240 into the rule.

SUMMARY: The proposed rule amendments delete unnecessary language in Rule 64B8-4.008 and incorporate DH-MQA 1240 into Rule 64B8-4.009.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 458.309, 458.311, 458.313, 458.315, 458.317, 465.0276 FS.

LAW IMPLEMENTED: 458.311, 458.313, 458.315, 458.317, 458.347(4)(e), 465.0276 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-4.008 Authorization for Release of Information.

Each applicant for licensure shall submit at the time of filing the application an executed authorization and release on a form supplied by the Department, requesting and directing the inspection and furnishing to the Department and Board, or any of its authorized representatives, of all relevant documents, records or other information pertaining to the applicant. ~~Said authorization and release shall also release any individual, firm, officer, corporation, association, organization, or institution from any and all liability in respect to such inspection or the furnishing of any such information.~~

Rulemaking Authority 458.309, 458.311, 458.313, 458.315, 458.317 FS. Law Implemented 458.311, 458.313, 458.315, 458.317 FS. History—New 3-31-80, Formerly 21M-22.08, 21M-22.008, 61F6-22.008, 59R-4.008, Amended.

64B8-4.029 Registration as a Dispensing Physician; Delegation of Dispensing to Prescribing Physician Assistants. A physician may dispense drugs to his or her patient in the regular course of his or her practice provided that the physician is registered as a dispensing physician with the Board of Medicine. In order to register as a dispensing physician, the physician must:

(1) Submit application to the Board on form DH-MQA 1070, entitled “Physician Dispensing Registration,” (7/11), which is hereby incorporated by reference and available from <http://www.flrules.org/Gateway/reference.asp?No=Ref-00780>, or the Board of Medicine’s website at http://www.doh.state.fl.us/mqa/medical/me_applicant.html;

(2) through (3) No change.

(4) Pursuant to Section 458.347(4)(e), F.S., a dispensing physician who supervises a Florida-licensed prescribing physician assistant has the authority to delegate to the prescribing physician assistant the dispensing of any medication used in the supervising physician’s practice unless such medication is listed in the formulary set forth in Rule 64B8-30.008, F.A.C. The delegation of dispensing to the prescribing physician assistant must be documented with the

Board of Medicine by completing form DH-MQA 1240, entitled "Dispensing Physician Assistant," (8/10), which is hereby incorporated by reference and available from <http://www.flrules.org/Gateway/reference.asp?No=Ref-> or the Board of Medicine's website at <https://flboardofmedicine.gov/forms/pa-disp-form.pdf> http://www.doh.state.fl.us/mqa/medical/me_applicant.html.

No fee is required for the delegation of dispensing to physician assistants.

Rulemaking Authority 458.309, 465.0276 FS. Law Implemented 465.0276, 458.347(4)(e) FS. History—New 3-24-10, Amended 12-6-10, 12-27-11, ____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Rules/Legislative Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 21, 2019

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-6.008 Unlicensed Physicians; Duties of Hospital

PURPOSE AND EFFECT: The proposed rule amendment is intended to delete unnecessary language from the rule.

SUMMARY: The Department does not utilize a form for hospital reporting of unlicensed physicians and so the language referencing a department form is being deleted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 458.309, 458.345 FS.

LAW IMPLEMENTED: 458.345 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-6.008 Unlicensed Physicians; Duties of Hospital.

(1) Every hospital employing an unlicensed physician shall report this fact to the Department on January 1 and July 1 of each year ~~on a form to be supplied by the Department.~~

(2) through (3) No change.

Rulemaking Authority 458.309, 458.345 FS. Law Implemented 458.345 FS. History—New 3-31-80, Formerly 21M-23.08, Amended 1-31-90, 9-11-90, Formerly 21M-23.008, Amended 11-4-93, Formerly 61F6-23.008, 59R-6.008, Amended 4-6-99, ____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules/Legislative Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 21, 2019

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:

64B8-7.002 Previously Inactive Applicants; Limited License

64B8-7.004 Supervision and Reporting Requirements

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify the language regarding county health departments which were previously referred to as local health units. Additionally, the word supervision is being clarified.

SUMMARY: The proposed rule amendments clarify the language regarding county health departments which were previously referred to as local health units. Additionally,

supervision as used in Section 458.317(1)(b), F.S., is being clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 458.309, 458.317 FS.

LAW IMPLEMENTED: 458.317 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-7.002 Previously Inactive Applicants; Limited License.

(1) Any applicant for limited licensure who has been out of the active practice of the profession of medicine for more than three years prior to the application for limited licensure must function under the supervision of the full-time director of a

county local health department unit or a licensed physician approved by the board for a period of at least six months consistent with the following criteria:

(a) The particular program must be described to and approved by the Board.

(b) The applicant for limited licensure must be utilized in medically oriented and related work.

(2) It shall be the responsibility of the applicant for limited licensure to insure that the director of the county health department local health unit files with the Department a statement certifying that the applicant has successfully completed the six month training program pursuant to the guidelines of this rule and Section 458.317, F.S.

(3) No change.

Rulemaking Authority 458.309, 458.317 FS. Law Implemented 458.317 FS. History—New 3-31-80, Formerly 21M-25.02, Amended 1-1-92, Formerly 21M-25.002, 61F6-25.002, 59R-7.002, Amended 12-14-99,_____.

64B8-7.004 Supervision and Reporting Requirements.

(1) It shall be the responsibility of the full time director of the county health department county public health unit director or the licensed physician approved by the board as provided in Section 458.317(1)(b), F.S., to assist in the supervision of any limited licensee. In the absence of specific approval by the board of supervision by a physician other than the director, the director shall be responsible for the supervision required by Section 458.317, F.S.

(2) The phrase “supervision,” as used in Section 458.317, F.S., shall mean that the supervising physician must be within a 30 minute driving commute if the physical presence of the physician is necessary and must be immediately available by telecommunications easily available and must have a pre-arranged plan of activity or treatment for specific patient problems which the supervised limited licensee may carry out in the absence of any complicating features.

Rulemaking Authority 458.309, 458.317 FS. Law Implemented 458.317 FS. History—New 3-31-80, Formerly 21M-25.04, Amended 3-9-87, Formerly 21M-25.004, 61F6-25.004, 59R-7.004, Amended 11-11-15,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules/Legislative Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 21, 2019

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.002
 RULE TITLE: Time for Payment of Civil Penalties or Administrative Fines; Time Frames for Completion of Requirements

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the requirement for documentation of the lectures imposed by Board order.

SUMMARY: The proposed rule amendment clarifies that written documentation is required from the physician when documenting completion of a lecture imposed by Board order.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.072(2), 458.309 FS.

LAW IMPLEMENTED: 456.072(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.002 Time for Payment of Civil Penalties or Administrative Fines; Time Frames for Completion of Requirements.

(1) No change.

(2) Unless otherwise specified in the Board’s Order, the time frames for completion of the requirements are as follows:

(a) through (f) No change.

(g) Lectures imposed by Order of the Board shall be completed and documentation submitted within one (1) year from the date the Order is filed. Documentation shall consist of written documentation ~~an affidavit~~ from the physician setting forth the date, time, place, topic and duration (must be at least one hour in length) of the lecture. In addition, the physician shall submit a copy of the sign-in sheet for those in attendance at the lecture. Documentation from the risk manager is not required; and,

(h) No change.

Rulemaking Authority 456.072(2), 458.309 FS. Law Implemented 456.072(2) FS. History—New 10-23-80, Formerly 21M-20.02, Amended 9-7-92, Formerly 21M-20.002, 61F6-20.002, 59R-8.002, Amended 7-10-01, 5-4-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules/Legislative Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 21, 2019

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-12.005
 RULE TITLE: Procedures

PURPOSE AND EFFECT: The proposed rule amendment is intended to delete unnecessary language from the rule.

SUMMARY: The Board does not audit random licensees for compliance with financial responsibility and as such, this language is being deleted from the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is

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

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

RULEMAKING AUTHORITY: 458.309, 458.320 FS.

LAW IMPLEMENTED: 458.320 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-12.005 Procedures.

(1) through (3) No change.

(4) The licensee must retain such written documentation as may be necessary to prove his or her compliance with or exemption from the financial responsibility requirements for a period of not less than 7 years and must provide such documentation to the Board or its agent upon request. ~~The Board will audit at random a number of licensees as necessary to assure that the financial responsibility requirements are met.~~

(5) – (6) No change.

Rulemaking Authority 458.309, 458.320 FS. Law Implemented 458.320 FS. History—New 3-15-87, Formerly 21M-40.005, 61F6-40.005, 59R-12.005, Amended 12-2-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules/Legislative Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 21, 2019

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

RULE NOS.: RULE TITLES:

5P-2.001 Program Participation
5P-2.002 Program Responsibilities
5P-2.003 Procurement Standards
5P-2.004 Reimbursement Process
5P-2.005 Administrative Reviews
5P-2.006 Fiscal Action

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 45 No. 85, May 1, 2019 issue of the Florida Administrative Register has been withdrawn.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-2.0040 Sanitation Standards in K-12 Private Schools

The Department of Education hereby gives notice: that on June 3, 2019, the Office of the Clerk for the Department of Education, received a Petition for Variance from subsection 6A-2.0040(7), F.A.C., Sanitation Standards in K-12 Private Schools. The petition, dated May 29, 2019, requests a variance permitting the school to provide drinking water for students in a format other than the slant jet type drinking fountains prescribed by rule. The petitioner is Lighthouse on the Rock, located in Key Largo, Florida.

Notice of the petition was published in Vol. 45, No. 113, F.A.R., on June 11, 2019. Having received no public comment on the petition, the order on this petition was executed on July 30, 2019. After a complete review of the petition, the Department finds that the rule, as applied, will create a financial hardship for Petitioner. The Department further finds that Petitioner's proposed alternative scheme would adequately address the concerns and purpose set forth by the rule's underlying statutes.

The petitioner shall strictly adhere to the operating procedures outlined and adopted by the order and shall maintain a copy at its location during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Department of Education’s Office of the Clerk: Chris Emerson, Agency Clerk, Department of Education, 325 West Gaines St., Tallahassee, FL 32399 or email: christian.emerson@fldoe.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on August 30, 2019, the Agency for Health Care Administration, received a petition for variance from Rule 59A-36.025, F.A.C., from Crescent Wood to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019013764. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on August 30, 2019, the Agency for Health Care Administration, received a petition for variance from Rule 59A-36.025, F.A.C., from Brookdale Bayshore to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019013763. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on August 30, 2019, the Agency for Health Care Administration, received a petition for variance from Rule 59A-36.025, F.A.C., from Brookdale Northdale to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019013761. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on August 6, 2019, the Agency for Health Care Administration, received a petition for variance from Rule 59A-36.025, F.A.C., from A Blue Ribbon Care Assisted Living Facility, LLC to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019012344. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on August 30, 2019, the

Agency for Health Care Administration, received a petition for variance from Rule 59A-36.025, F.A.C., from Brookdale Lake Orienta to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019013760. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.027 HC General Program Procedures and Requirements

The Florida Housing Finance Corporation hereby gives notice: On September 5, 2019, the Florida Housing Finance Corporation issued an order granting the variance from subsection 67-21.027(1) F.A.C. for Water's Edge Associates, Ltd., to allow for calculation of the minimum set aside percentage based on income averaging. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the variance was not granted. The petition was filed on August 19, 2019 and notice of the receipt of petition was published on August 21, 2019 in Vol. 45, Number 163, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2019, 10:00 a.m. to conclusion

PLACE: GoToWebinar.com, Webinar ID: 807-790-763

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hurricane Irma NPS Subgrants Panel will convene by webinar to review and score the 2019 Hurricane Irma NPS Subgrant Applications. This panel review date was originally scheduled for September 6, 2019, and was moved due to Hurricane Dorian.

A copy of the agenda may be obtained by contacting: Sarah Liko at (850)245-6332 or Sarah.Liko@dos.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sarah Liko at (850)245-6332 or Sarah.Liko@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: Sarah Liko at (850)245-6332 or Sarah.Liko@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, September 16, 2019, 2:00 p.m. until conclusion.

PLACE: This meeting will be held via webinar and teleconference. Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/129555109>

You can also dial in using your phone. United States: (646)749-3112, Access Code: 129-555-109

Joining from a video-conferencing room or system?

Depending on your device, dial: 129555109@67.217.95.2 or 67.217.95.2##129555109

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2020-2021 Presenter Level 3 grants under the General Program Support Grant Program.

A copy of the agenda may be obtained by contacting: The Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.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 48 hours before the workshop/meeting by contacting: Rachelle Ashmore at rachelle.ashmore@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: Hillary Crawford, (850)245-6462, jenice.crawford@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 18, 2019, 2:00 p.m.

PLACE: This meeting will be held via webinar and teleconference. Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/370491405>

You can also dial in using your phone. United States: (224)501-3412, Access Code: 370-491-405

Joining from a video-conferencing room or system?

Depending on your device, dial: 370491405@67.217.95.2 or 67.217.95.2##370491405

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2020-2021 Presenter Specific Cultural Projects and Levels 1 and 2 grants under the General Program Support Grant Programs.

A copy of the agenda may be obtained by contacting: he Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.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 48 hours before the workshop/meeting by contacting: Rachele Ashmore at rachele.ashmore@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: Hillary Crawford, (850)245-6462, jenice.crawford@dos.myflorida.com.

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: Regulatory Public Meeting, Wednesday, September 18, 2019, 10:00 a.m.

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL, 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to Discuss Regulatory Matters

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center, 2301 McGregor Blvd., Fort Myers, FL 33901

Okeechobee Service Center, 316 N.W. 5th Street, Okeechobee, FL 34972

Orlando Service Center, 1707 Orlando Central Parkway Suite 200, Orlando, FL 32809

The meeting will also be webcast

A copy of the agenda may be obtained by contacting: Agendas are available 7 days prior to the meeting date.

You may obtain a copy of the agenda by contacting Lisandra Jones at ljones@sfwmd.gov or by going to our website at: www.sfwmd.gov/rules.

- Scroll Down to Monthly Regulatory Meetings
- or by subscribing to ePermitting Electronic Noticing: www.sfwmd.gov/epermitting.

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).

For more information, you may contact: Information line at (561)682-6207 or Florida toll-free 1(800)432-2045, x6207.

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: Monday, September 16, 2019, 5:00 p.m., SFWMD Recreational Forum

PLACE: District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SFWMD Recreational Forum is for public discussion regarding recreational issues and opportunities within the South Florida Water Management District.

A copy of the agenda may be obtained by contacting: Yvette Bonilla, (561)682-6286, ybonilla@sfwmd.gov, or <https://www.sfwmd.gov/news-events/meetings>.

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).

For more information, you may contact: Yvette Bonilla, (561)682-6286.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

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

DATE AND TIME: October 11, 2019, 1:30 p.m., Eastern Time

PLACE: Park Trammell Building - Room 608, 1313 North Tampa Street, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct a general business meeting, including license application review, discipline cases, and other miscellaneous matters.

A copy of the agenda may be obtained by contacting: Patrick Cunningham, Executive Director, Florida State Boxing Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016 or (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 days before the workshop/meeting by contacting: 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: Patrick Cunningham, Executive Director, Florida State Boxing Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016 or (850)488-8500.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Recreation and Parks

The Florida Department of Environmental Protection, Division of Recreation and Parks, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 18, 2019, 2:00 p.m. – 4:00 p.m. ET

PLACE: Department of Environmental Protection, 3800 Commonwealth Blvd., Carr Building, Room 153, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the workgroup for the Statewide Comprehensive Outdoor Recreation Plan (SCORP), and to discuss the draft 2019 SCORP and related outdoor recreation topics.

A copy of the agenda may be obtained by contacting: Mark Kiser, Office of Park Planning, Division of Recreation and Parks, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 525, Tallahassee, Florida 32399-3000, email: Mark.Kiser@floridadep.gov, telephone: (850)245-3051.

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: Mark Kiser, as listed above. 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 ENVIRONMENTAL PROTECTION
Division of Recreation and Parks

The Recreational Carrying Capacity Subcommittee of the Myakka River Management Coordinating Council announces a public meeting to which all persons are invited.

DATE AND TIME: September 20, 9:30 a.m. – 12:30 p.m.

PLACE: Oscar Scherer State Park, 1843 South Tamiami Trail, Osprey, FL 34229

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Council Business examining recreational use on the Myakka River as a Wild and Scenic River.

A copy of the agenda may be obtained by contacting: Chris Oliver, Division of Recreation and Parks, District 4 Administration, 1843 S. Tamiami Tr. Osprey, FL 34229 or by calling (941)882-7206.

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: Chris Oliver, (941)882-7206. 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 HEALTH
Division of Environmental Health

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

DATE AND TIME: October 7, 2019, 9:30 a.m. – 2:30 p.m., ET or until completed, whichever is first.

PLACE: DOH-Orange County Health Dept. Auditorium, 6101 Lake Ellenor Drive, Orlando, 32809. Recorded teleconference call-in phone number is: 1(888)585-9008, Conference room number: 754-420-028 (press *2 to unmute and re-mute your line to speak)

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOH Public Swimming Pool Advisory Board will review, discuss and make recommendations to the department regarding applications submitted by owners/agents for variance from the state’s public swimming pool codes.

Note: This is the rescheduled September 4, 2019 public meeting that was postponed due to Hurricane Dorian

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: Mr. August Ursin, (850)901-6517 august.ursin@flhealth.gov or by writing to DOH, 4052 Bald Cypress Way, Bin A08, Tallahassee, FL 32399-1710

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: August Ursin as listed above. 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: August Ursin as listed above.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Community Health Promotion, Florida Coordinating Council for the Deaf and Hard of Hearing announces a public meeting to which all persons are invited.

DATES AND TIMES: November 7, 2019, 9:00 a.m. – 6:00 p.m.; November 8, 2019, 8:00 a.m. – 12:00 Noon

PLACE: Hyatt Regency Coconut Point, 5001 Coconut Road, Bonita Springs, FL 34134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Coordinated Council for the Deaf and Hard of Hearing (FCCDHH) is mandated by Florida Statue 413.271 to serve as an advisory and coordinating body which recommends policies that address the needs of Florida's community who are deaf, hard of hearing, late deafened, or have combined hearing and vision loss. The purpose of the Quarterly Council Meeting will be to provide Committee updates, deliver presentations by Community Experts, and Public Forum.

Communication Access Real-time Translation Services: (CART) will be provided remotely via: <http://streamtext.net/player?event=FCCDHH>

The meeting may be accessed via Conference Call: 1(888)299-2873, Conference Room Code: 996761858

A copy of the agenda may be obtained by contacting: Tiffany Baylor at (850)558-9633.

DEPARTMENT OF FINANCIAL SERVICES

The Department of Financial Services announces a public meeting to which all persons are invited.

DATE AND TIME: Date change: Thursday, September 12, 2019, 4:00 p.m. – 5:00 p.m., Eastern Time

PLACE: Online only - Conference Call: (850)413-1558, Conference ID: 518483#. GoToMeeting webinar link: <https://global.gotomeeting.com/join/721641621>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida PALM Executive Steering Committee will meet to discuss the status of the Florida PALM Project.

A copy of the agenda may be obtained by contacting: Florida PALM Project website <https://www.myfloridacfo.com/floridapalm/governance/>.

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: Jenifer Hartsfield at (850)410-9025 or FloridaPALM@myfloridacfo.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: or would like to submit public comment regarding the Florida PALM Executive Steering Committee, please email FloridaPALM@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

The Office of Insurance Regulation and the Continuing Care Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: September 19, 2019, 8:30 a.m.

PLACE: The Office of Insurance Regulation, 200 East Gaines Street, Larson Building, Room 116, Tallahassee, FL 32399-0327.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To elect the chair and elect or appoint a vice chair of the Continuing Care Advisory Council and discuss issues currently facing the continuing care industry.

A copy of the agenda may be obtained by contacting: Melinda Cupp at Melinda.Cupp@flair.com or (850)413-5294.

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: Melinda Cupp at Melinda.Cupp@flair.com or (850)413-5294. 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: Melinda Cupp at Melinda.Cupp@flair.com or (850)413-5294.

GULF CONSORTIUM

The Gulf Consortium announces a public meeting to which all persons are invited.

DATE AND TIME: September 11, 2019, 4:00 p.m.

PLACE: Dial-in Number: (646)749-3129, Participant Passcode: 773-744-389

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial information on The Gulf Consortium.

A copy of the agenda may be obtained by contacting: Amanda Jorjorian at ajorjorian@balmoralgroup.us.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Orange County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: September 19, 2019, 10:30 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Finance Committee; Monday, September 16, 2019, 10:00 a.m. until completion of agenda

PLACE: Call in number: 1(888)585-9008 Code:605155637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business of the Committee

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at jenny@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308 (850)488-5624 or Toll Free 1(877)822-1993.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or (850)488-5624 to discuss your accessibility needs. Please allow 5 business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

The Florida Commission on Access to Civil Justice CANCELED announces a public meeting to which all persons are invited.

DATE AND TIME: CANCELED due to Hurricane Dorian

PLACE: CANCELED

GENERAL SUBJECT MATTER TO BE CONSIDERED: CANCELED

A copy of the agenda may be obtained by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.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 4 days before the workshop/meeting by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.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: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org.

PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM

The Panhandle Public Library Cooperative System (PPLCS) announces a hearing to which all persons are invited.

DATE AND TIME: September 18, 2019, 10:00 a.m.

PLACE: PPLCS office located at 2862 Madison St., Ste. # 1, Marianna, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: FY 2019-2020 Draft budget

A copy of the agenda may be obtained by contacting: C. De La Hunt at cdelahunt@pplcs.net or (850)482-9296.

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: C. De La Hunt at cdelahunt@pplcs.net or (850)482-9296.

PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM

The Panhandle Public Library Cooperative System (PPLCS) announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2019, approx. 10:30 a.m., following FY 2018-2019 draft budget hearing

PLACE: PPLCS office located 2862 Madison St., Ste. #1, Marianna, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: board meeting

A copy of the agenda may be obtained by contacting: C. De La Hunt at cdelahunt@pplcs.net or (850)482-9296.

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: C. De La Hunt at cdelahunt@pplcs.net or (850)482-

9296. 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: C. De La Hunt at cdelahunt@pplcs.net or (850)482-9296.

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Credzu, LLC. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On 9/5/2019 -Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Credzu, LLC. The petition seeks a declaratory statement from the Office whether its business model (connect customers with credit repair service providers. Customers will provide bank account information and funds will be debited from account per Agreement) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

**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:

BAY LAUREL CENTER COMMUNITY DEVELOPMENT DISTRICT and FLORIDA ASSOCIATION FOR

CONSTITUTIONAL OFFICERS, INC. Petitioners, v. FLORIDA COMMISSION ON ETHICS, Respondent, Case No. 19-4669RP

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**

SARASOTA COUNTY PUBLIC HOSPITAL BOARD REQUEST FOR STATEMENTS OF QUALIFICATIONS for ARCHITECTURAL AND ENGINEERING SERVICES
The Sarasota County Public Hospital Board, a body corporate under the laws of the State of Florida, whose post office address is 1700 South Tamiami Trail, Sarasota, FL 34239, and Sarasota County Public Hospital District, a Florida independent district whose post office address is 1700 South Tamiami Trail, Sarasota, FL 34239, ("the Hospital") is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants' Competitive Negotiation Act. The scope of work may include programming, site planning, conceptual building design and massing, 3D modeling, and potential connectivity options, of an approximately 95,000-square-foot, 86 licensed inpatient bed Behavioral Health replacement hospital, and related outpatient services.

Services required by qualified firms include conceptual level professional design services for architectural, civil, roadway, mechanical, electrical, plumbing, fire protection and structural.

Firms interested in being considered as candidates are required to submit *five bound statements of the following qualifications* that include at least the following data, *to be organized in the following order*:

1. A copy of Florida design licensure and Florida corporate registration certificates.
2. Proof of Professional Liability Insurability, and the following related information:
 - a. Limits of Firm’s Professional Liability Insurance;
 - b. For your current fiscal year what is, and for your next fiscal year what do you project to be, your:
 - i. Design revenue;
 - ii. Number of active design projects;
 - iii. Based on construction cost, average dollar value of your active projects; and
 - iv. Based on construction cost, the dollar value of your three largest projects.
3. Regardless of the forgoing the Board may require additional coverage or coverages. The Board reserves the right to make such elections.
4. The scope involves professional services, and Professional Liability Insurance is required covering liability for claims that arise from the negligent errors, omissions, or acts of the Contractor, Subcontractor and its Sub-subcontractors and/or Sub-suppliers in the provision of professional services. The policy shall include Contractual Liability coverage and be effective (retroactively, if applicable) from the date of commencement of professional activities in connection with the scope until five (5) years following completion of the scope. A copy of the policy shall be provided to “the Hospital.” Minimum limits are:
 - Prime Design Professional: \$1,000,000 per occurrence/aggregate;
 - Sub-Design Professional: \$1,000,000 per occurrence/aggregate.
 Coverage shall include:
 - a. Indemnification Endorsement: “the Hospital” and any other parties as required by contract as indemnified parties;
 - b. Contractual Liability covering hold harmless agreement contained in the contract must be included without exceptions;
 - c. Delays in project completion and cost guarantees are covered;
 - d. Insurance is primary and non-contributory;
 - e. Insuring agreement to read: “to pay on behalf of in lieu of to indemnify”;
 - f. Separation of insureds;
 - g. Retroactive date: Will apply back to the first date of professional services;
 - h. No exclusions for construction means, methods, techniques, sequences and procedures; and
 - i. General Aggregate must apply per project.

- For the purposes of Professional Liability Insurance, the term “Prime Design Professional” means the architect and/or engineer providing architectural, engineering, and/or other professional services under a contract directly with “the Hospital.” The term “Sub-Design Professional” means any architect and/or engineer providing architectural, engineering, and/or other professional services directly or indirectly to a Prime Design Professional in connection with the project. A Prime Design Professional is also a Contractor/Subcontractor and a Sub-Design Professional is also a Sub-subcontractor.
5. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of the submission package.
 6. Proposed design team with qualifying resumes for a Behavioral Health hospital replacement.
 7. Behavioral Health replacement hospital projects the proposed team has successfully completed together.
 8. Firm’s design experience with the successful completion of Behavioral Health outpatient projects.
 9. Proposed individual design team member availability for this project.
 10. A current list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
 11. Design and permitting experience within the City of Sarasota, FL and other applicable permitting agencies.
 12. Location of the design firm’s main office, and location of the proposed team for this project.
 13. An explanation of how the firm intends to respond expeditiously on urgent project matters.
- All interested firms are further informed as follows:
1. A minimum of 5 client reference responses are *required*. A non-response from a reference will affect ranking scores.
 2. The Hospital reserves the right to reject any or all submittals at any time during this process.
 3. The basis for selecting candidates includes, but is not limited to the firm’s experience with local and all appropriate regulatory agencies having jurisdiction, consideration of related project experience, qualifications of proposed team, successful related projects by the proposed design team, design criteria experience as stated above, ability to respond, and project approach.
 4. The Hospital reserves the right to request additional information beyond the data set forth above.
 5. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-1804. Submissions shall be titled Statement of Qualifications for

ARCHITECTURAL AND ENGINEERING SERVICES

The Sarasota Memorial Hospital
Behavioral Health Replacement Hospital

6. Submittals must be received by the Hospital no later than 3:30 p.m. on Tuesday, September 24, 2019. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

7. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

8. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.

9. The selection committee will meet in a public meeting in Sarasota Memorial Hospital’s first-floor Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, on Tuesday, October 1, 2019 from 8:00 a.m. to 5:00 p.m. to discuss and announce the top three firms with whom immediately after the public meeting the Hospital will rank and announce the ranking order. The Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

ADVERTISED IN

FLORIDA ADMINISTRATIVE WEEKLY, FRIDAY, AUGUST 30, 2019 AND FRIDAY, SEPTEMBER 6, 2019 AND

SARASOTA HERALD TRIBUNE, FRIDAY, AUGUST 30, 2019 AND FRIDAY, SEPTEMBER 6, 2019

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 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., Friday, August 30, 2019 and 3:00 p.m., Thursday, September 5, 2019.

Rule No.	File Date	Effective Date
5BER19-2	8/30/2019	8/30/2019
5JER19-3	8/30/2019	8/30/2019
5KER19-1	8/30/2019	8/30/2019
6A-1.094122	9/4/2019	9/24/2019

6A-10.0315	9/4/2019	9/24/2019
6M-8.601	8/30/2019	9/19/2019
53ER19-57	9/4/2019	9/4/2019
53ER19-58	9/4/2019	9/4/2019
60LER19-1	8/30/2019	8/30/2019
60LER19-2	8/30/2019	8/30/2019
64B11-5.003	9/4/2019	9/24/2019
65E-16.001	8/30/2019	9/19/2019
65E-16.002	8/30/2019	9/19/2019
65E-16.003	8/30/2019	9/19/2019
65E-16.004	8/30/2019	9/19/2019

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

Availability of Grant Funds: Florida’s Sports Fish Restoration-R3 Fishing Grant Program

The Florida Fish and Wildlife Conservation Commission (FWC) is accepting applications for grant funding through the Florida’s Sport Fish Restoration-R3 Fishing Grant Program, fiscal year 2019-20. The deadline for receipt of applications is 5:00 p.m., October 7th, 2019. Applications received after the deadline will be ineligible for consideration.

NOTE: Applications must be submitted to FWC at R3Fishing@MyFWC.com or mailed to: FL Fish and Wildlife Conservation Commission, Attn: Fishing R3 Coordinator, 620 South Meridian Street, Tallahassee, FL 32399

The Florida’s Sport Fish Restoration R3 Fishing Grant Program is supported with funds from the federal Sport Fish Restoration Program, the FWC Division of Marine Fisheries Management, and the FWC Division of Freshwater Fisheries Management for the implementation of high school fishing programs throughout the state of Florida. Clubs who are selected for the program may receive up to \$500. Information on the R3 Program, Program

Guidelines, Grant Application, and Application Requirements are available at MyFWC.com/Fishing. Email questions to R3Fishing@MyFWC.com or call (850)617-6012.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order Number DEO-19-026

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 020-2018

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 020-2018

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 020-2018 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 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 August 15, 2018, and rendered to the Department on July 11, 2019.

3. The Ordinance provides for an extension to a previously approved interim development ordinance, Ordinance 011-2017, which was approved by Department’s Final Order DEO 17-144. Ordinance 011-2017 provided for deferring the processing of applications submitted to Monroe County pursuant to Section 139-2 of the Monroe County Code, concerning the Affordable Housing Incentive Program, and Section 138-22(b) of the Monroe County Code, concerning the transfer of off-site market rate units to another location.

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. See §§ 380.05(6) and 380.0552(9), Fla Stat.

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

6. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, with Objective 101.5 and Policy 601.1.9.

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), Fla Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically complies with the following:

(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.

(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.

(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 Monroe County Ordinance No. 020-2018 is consistent with the Monroe County Comprehensive Plan and 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/ James Stansbury

James D. Stansbury, Chief, Bureau of Community Planning and Growth, 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 SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 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 SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 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 4th day of September, 2019.

/s/Taya Orozco, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Sylvia Murphy, Mayor, Monroe County, 102050 Overseas Highway, Suite 234, Key Largo, Florida 33037

Kevin Madok, Clerk, Monroe County, Board of County Commissioners, PO Box 1980, Key West, Florida 33041

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order Number DEO-19-028

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 014-2019

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 014-2019

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 014-2019 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 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 May 22, 2019, and rendered to the Department on July 11, 2019.

3. The Ordinance amends the definition of “nesting areas (for birds)” under Chapter 101 of the Monroe County Land Development Code to clarify that the term applies to endangered, threatened, or species of special concern and does not apply to non-native invasive or nuisance species.

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. See §§ 380.05(6) and 380.0552(9), Fla Stat.

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

6. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and specifically, with Objectives 102.3, 206.1, and 206.1.2.

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), Fla Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically complies with the following:

(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.

(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

(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.

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 014-2019 is consistent with the Monroe County Comprehensive Plan and 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/James Stansbury James D. Stansbury, Chief, Bureau of Community Planning and Growth, 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 SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 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 SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 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 4th day of September, 2019.

/s/ Taya Orozco, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Sylvia Murphy, Mayor, Monroe County, 102050 Overseas Highway, Suite 234, Key Largo, Florida 33037

Kevin Madok, Clerk, Monroe County, Board of County Commissioners, PO Box 1980, Key West, Florida 33041

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order Number DEO-19-024

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 016-2019

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 016-2019

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 016-2019 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 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 May 22, 2019, and rendered to the Department on July 11, 2019.
3. The Ordinance amends the Monroe County Land Development Code (“Code”) to amend section 130-93, Suburban Commercial (SC) to permit parks as-of-right within a SC zoning district.

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. *See* §§ 380.05(6) and 380.0552(9), Fla Stat.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and specifically, with Objective 101.5, Objective 1201.2, Policy 1201.2.4, Objective 1201.3, and Policy 1201.3.9.
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), Fla Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically complies with the following:

(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.

(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 016-2019 is consistent with the Monroe County Comprehensive Plan and Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

[Remainder of page intentionally left blank]

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/ James Stansbury, James D. Stansbury, Chief, Bureau of Community Planning and Growth, 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 SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 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 SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 120.57(2), FLORIDA STATUTES.

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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 4th day of September, 2019.

/s/ Taya Orozco, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Sylvia Murphy, Mayor, Monroe County, 102050 Overseas Highway, Suite 234, Key Largo, Florida 33037

Kevin Madok, Clerk, Monroe County, Board of County Commissioners, PO Box 1980, Key West, Florida 33041

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order Number DEO-19-025

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 019-2018

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 019-

2018

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 019-2018 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 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 August 15, 2018, and rendered to the Department on July 11, 2019.

3. The Ordinance provides for an extension to a previously approved interim development ordinance, Ordinance 010-2017, which was approved by Department’s Final Order DEO 17-143. Ordinance 010-2017 provided for deferring the processing of applications submitted to Monroe County for marijuana dispensing facilities until the Monroe County Comprehensive Plan and Land Development Code have been amended to address these facilities.

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. See §§ 380.05(6) and 380.0552(9), Fla Stat.

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

6. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, with Objective 101.5 and Policy 101.4.1.

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), Fla Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically complies with the following:

- (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.
- (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 Monroe County Ordinance No. 019-2018 is consistent with the Monroe County Comprehensive Plan and Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

[Remainder of this page intentionally left blank]

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/ James Stansbury, James D. Stansbury, Chief, Bureau of Community Planning and Growth, 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 SUBSECTIONS 28-106.104(2), 28-106.201(2), AND

SECTION 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 SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 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 4th day of September, 2019.

/s/ Taya Orozco, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Sylvia Murphy, Mayor, Monroe County, 102050 Overseas Highway, Suite 234, Key Largo, Florida 33037

Kevin Madok, Clerk, Monroe County, Board of County Commissioners, PO Box 1980, Key West, Florida 33041

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order Number DEO-19-029

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 015-2019

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 015-2019

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsections 380.05(6)

and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 015-2019 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 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 May 22, 2019, and rendered to the Department on July 11, 2019.

3. The Ordinance provides a definition for “offshore island” under Chapter 101 of the Monroe County Land Development Code and amends Section 188-10 to provide specific criteria that applies to all structures developed, used or occupied on offshore islands.

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. See §§ 380.05(6) and 380.0552(9), Fla Stat.

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

6. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, with Policies 101.6.1 and 101.6.2.

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), Fla Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically complies with the following:

- (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.
- (b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.

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

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 015-2019 is consistent with the Monroe County Comprehensive Plan and 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/ James Stansbury, James D. Stansbury, Chief, Bureau of Community Planning and Growth, 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 SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 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 SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 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
4th day of September, 2019.

/s/ Taya Orozco

Agency Clerk

Department of Economic Opportunity

107 East Madison Street, MSC 110

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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.
