

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:

59G-4.150 Inpatient Hospital Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.150, Florida Administrative Code, (F.A.C.), is to incorporate by reference the Florida Medicaid Inpatient Hospital Services Coverage Policy, \_\_\_\_\_. The revised coverage policy updates policy language to align with the requirements of sections 383.145 and 409.973, Florida Statutes, (F.S.).

SUBJECT AREA TO BE ADDRESSED: Inpatient Hospital Services.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.150, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919, 409.961 F.S.

LAW IMPLEMENTED: 383.145, 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 F.S.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 6, 2024, from 10:00 a.m. to 10:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407.

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: MedicaidRuleComments@ahca.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: MedicaidRuleComments@ahca.myflorida.com. Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Official comments to be entered into the rule record will be received until 5:00 p.m. on December 9, 2024, and may be emailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact MedicaidRuleComments@ahca.myflorida.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**59G-4.150 Inpatient Hospital Services.**

(1) No change

(2) All providers must be in compliance with the provisions of the Florida Medicaid Inpatient Hospital Services Coverage Policy, \_\_\_\_\_ ~~January 2024~~, incorporated by reference. The policy is available on the Agency for Health Care Administration’s \_\_\_\_\_ website \_\_\_\_\_ at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and available \_\_\_\_\_ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-16380>.

(3) No change.

~~(4) This rule is in effect for 5 years from its effective date.~~  
Rulemaking Authority 409.919, 409.961 F.S. Law Implemented ~~383.145~~, 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 F.S. History—New 1-1-77, Amended 3-30-78, 1-2-79, 2-3-81, 7-28-81, 7-1-83, 3-1-84, 10-31-85, Formerly 10C-7.39, Amended 10-2-86, 2-28-89, 10-17-89, 10-14-90, 5-21-91, 11-14-91, 3-25-92, 5-13-92, 7-12-92, 8-9-93, 12-21-93, Formerly 10C-7.039, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 6-9-96, 5-12-99, 1-1-01, 2-25-09, 7-11-16, 4-3-24, \_\_\_\_\_.

## Section II

### Proposed Rules

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: RULE TITLE:

61J2-24.002 Citation Authority

PURPOSE AND EFFECT: The Board proposes a rule amendment to update the violations for failure to indicate the name, address and telephone number of the title company on the contract and for failure to provide Seller’s broker, or Seller if not represented by a broker, within ten (10) business days of the date the Licensee’s broker made a written request for verification of the deposit with either a copy of the written verification, or if no verification is received by Licensee’s broker, written notice that Licensee’s broker did not receive verification of the deposit.

SUMMARY: The proposed amendment updates violations and increases the fine amounts for failure to indicate the name, address and telephone number of the title company on the contract and for failure to provide Seller’s broker, or Seller if not represented by a broker, within ten (10) business days of the date the Licensee’s broker made a written request for verification of the deposit with either a copy of the written verification, or if no verification is received by Licensee’s

broker, written notice that Licensee’s broker did not receive verification of the deposit.

**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:** 455.224(1), (2), 475.05, 475.2801, FS.

**LAW IMPLEMENTED:** 455.224, 475.2801, 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:** Giuvanna Corona, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giuvanna.Corona@myfloridalicense.com.

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

**61J2-24.002 Citation Authority.**

- (1) No Change.
- (2) The following violations with accompanying fine or other conditions may be disposed of by citation:

VIOLATION	FINE
(a) through (bb) No Change.	
(cc) Paragraph 61J2-14.008(2)(b),	\$1,000.00

F.A.C. – <del>Second offense</del> Failure to indicate the name, address and telephone number of the title company or attorney on the contract	250.00
(dd) Paragraph 61J2-14.008(2)(b), F.A.C. – <del>Second offense</del> Failure to provide Seller’s broker, or Seller if not represented by a broker, within ten (10) business days of the date the Licensee’s broker made the written request for verification of the deposit with either a copy of the written verification, or if no verification is received by Licensee’s broker, written notice that Licensee’s broker did not receive verification of the deposit	\$1,000.00 500.00
(ee) Through (kk) No Change.	

(3) Through (5) No Change.

*Rulemaking Authority 455.224(1), (2), 475.05, 475.2801, 475.2801 FS. Law Implemented 455.224, 475.2801 475.25(1) FS. History—New 12-29-91, Amended 4-16-92, 1-20-93, 6-28-93, Formerly 21V-24.002, Amended 8-23-93, 4-7-94, 4-12-95, 7-5-95, 2-13-96, 6-5-96, 7-23-96, 1-22-97, 3-30-97, 11-10-97, 3-24-98, 7-1-98, 10-25-98, 1-19-99, 1-18-00, 10-15-00, 2-21-02, 2-5-04, 1-30-06, 7-20-09, 11-15-12, 10-16-16, 2-11-19, 9-23-20, 5-10-22, 3-2-23*

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Florida Real Estate Commission

**NAME OF AGENCY HEAD WHO APPROVED THE**

**PROPOSED RULE:** Florida Real Estate Commission

**DATE PROPOSED RULE APPROVED BY AGENCY**

**HEAD:** August 27, 2024

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT**

**PUBLISHED IN FAR:** November 6, 2024

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

**RULE NOS.:** **RULE TITLES:**

68B-65.001 Purpose

68B-65.002 Definitions

68B-65.003 Reporting Requirements

68B-65.004 Recordkeeping Requirements and Data Management

68B-65.005 License Denial, Suspension, or Revocation

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to clarify and update reporting and recordkeeping requirements for the Marine Fisheries Trip Ticket Program and improve commercial saltwater fishing data collection to provide more timely information for management decisions and fishery disaster requests. The effect of these rule changes would be to move rules related to the Marine Fisheries Trip Ticket Program from Division 68E to Division 68B, F.A.C., as well as clarify

and establish commercial saltwater fishing reporting and recordkeeping requirements, such as shorter reporting periods and electronic submission of reports.

**SUMMARY:** These rule amendments would clarify, update, and establish the Marine Fisheries Trip Ticket Program's reporting and recordkeeping requirements to make them easier to understand and to improve the timeliness of commercial saltwater fishing data collection to support and inform management decisions and fishery disaster requests. The rule changes would repeal Chapter 68E-5 F.A.C. and move rules related to the Marine Fisheries Trip Ticket Program from Chapter 68E-5 F.A.C to Chapter 68B-65, F.A.C., require all trip tickets to be submitted through VESL software application, set a weekly reporting period (Sunday – Saturday) with a submission deadline three days after the reporting period ends, require all Florida-licensed wholesale dealers to report every reporting period, require commercial harvesters to report unsold product, and prohibit the possession of commercially harvested marine organisms if their harvest has not been reported within the applicable reporting period. The proposed effective date for these rule changes is July 1, 2025. This rulemaking accompanies rulemaking for Chapter 68E-5, F.A.C.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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:** Article IV, Section 9, Florida Constitution

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution

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

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: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Jessica McCawley, Director, Division of Marine Fisheries Management, 620 S. Meridian St., Tallahassee, Florida 32399, and (850)487-0554.

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

**68B-65.001 Purpose**

The purpose of this chapter is to establish a marine information system, hereinafter referred to as the Marine Fisheries Trip Ticket Program, as required by Section 379.2402, F.S., that provides commercial fisheries data necessary for management of sustainable fisheries in Florida.

PROPOSED EFFECTIVE DATE: JULY 1, 2025

Rulemaking Authority Article IV, Section 9, Fla. Const. Law Implemented 379.361, 379.362 FS. History–New 07-01-25.

**68B-65.002 Definitions**

As used in Chapter 68B-65, F.A.C.:

(1) “Commercially harvested” means a marine organism harvested:

(a) For sale or with intent to sell; or

(b) With respect to a species for which no recreational bag limit or recreational vessel limit has been established, of a quantity greater than 100 pounds per person per day or two or fewer organisms of the same species whose aggregate weight exceeds 100 pounds; or

(c) With respect to a species for which a recreational bag limit or recreational vessel limit has been established, in a quantity greater than such bag limit or vessel limit allowed by law or rule; or

(d) Using methods or gear that are authorized only for use by commercial harvesters licensed pursuant to subsection 68B-2.003(2), F.A.C., or

(e) By a person, firm, corporation, or other entity required to be licensed pursuant to subsection 68B-2.003(2), F.A.C., for the harvest of such species.

(2) “Donate” or “donation” means the gift or gifting of a marine organism by a commercial harvester to another person or entity.

(3) “Marine Fisheries Trip Ticket” or “trip ticket” means a report that is submitted to the Commission regarding the harvest and/or sale of a marine organism in Florida for an individual fishing trip.

(4) “Marine organism” means an organism, including plants and diadromous species, that has a natural portion of its life cycle that is dependent upon marine or estuarine waters,

including any saltwater products as defined in Section 379.101, F.S., but excluding striped bass (*Morone saxatilis*), American eel (*Anguilla rostrata*), non-living shells, marine reptiles, marine mammals, and birds.

(5) “Wholesale dealer” means a person, firm, corporation, or other entity licensed pursuant to s. 379.362(1)(a), F.S., and any person, firm, corporation, or other entity purchasing marine organisms from any commercial harvester.

PROPOSED EFFECTIVE DATE: JULY 1, 2025

Rulemaking Authority Article IV, Section 9, Fla. Const. Law Implemented 379.361, 379.362 FS. History—New 7-1-25.

### **68B-65.003 Reporting Requirements**

(1) Persons Responsible for Reporting – The following persons are required to report information on commercially harvested marine organisms to the Commission:

(a) A wholesale dealer who purchases a marine organism in Florida from a commercial harvester.

(b) A wholesale dealer who is also a commercial harvester and who harvests a marine organism and places such marine organism into their own wholesale dealer inventory in Florida.

(c) A wholesale dealer who does not purchase or receive a commercially harvested marine organism in Florida from a commercial harvester during a reporting period must report such information to the Commission for each applicable reporting period.

(d) A person who commercially harvested a marine organism and does not sell such marine organism to a wholesale dealer. This includes instances when a person donates a commercially harvested marine organism, retains a commercially harvested marine organism for personal use, or when a person is unable to sell a commercially harvested marine organism to a wholesale dealer.

(e) A person who commercially harvested a marine organism and sells the marine organism in a state other than Florida, Texas, Louisiana, Mississippi, Alabama, Georgia, South Carolina, North Carolina, Virginia, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, or Maine.

(2) Information to be Reported –

(a) Except as provided in paragraph (b), a person responsible for reporting information on commercially harvested marine organisms to the Commission pursuant to subsection (1) must submit a trip ticket with the following information for each trip:

1. Name and Saltwater Products License number of the commercial harvester who harvested the marine organism.

2. Wholesale Dealer License number of the wholesale dealer who purchased the marine organism from the commercial harvester.

3. Date of sale.

4. Information on where, when, and how the marine organism was harvested, including the gear used for harvest.

5. Landing location.

6. Quantity of each species of marine organism harvested.

7. Price paid per pound or per unit of measure for each species of marine organism purchased.

8. Species-level information.

(b) Exceptions.

1. A person required to report pursuant to paragraph (1)(d) must report the information in subparagraphs (2)(a)1., (2)(a)4., (2)(a)5., (2)(a)6., and (2)(a)8.

2. A wholesale dealer who does not purchase or receive a marine organism in Florida from a commercial harvester during a reporting period must report such information to the Commission in lieu of the information required by paragraph (2)(a).

(c) A person reporting information on commercially harvested marine organisms pursuant to this subsection may combine the information required by paragraph (2)(a) or by subparagraph (2)(b)1. for a single trip into one trip ticket report.

(d) A person reporting information on commercially harvested marine organisms pursuant to this subsection may not combine the information required by paragraph (2)(a) or by subparagraph (2)(b)1. for more than one trip into one trip ticket report.

(e) A commercial harvester who sells or donates a marine organism to a wholesale dealer in Florida must provide to the wholesale dealer, at the time of sale, accurate information pertaining to subparagraphs (2)(a)1., (2)(a)4., (2)(a)5., (2)(a)6., and (2)(a)8.

(3) Reporting Period – Reporting periods are weekly, beginning on Sunday and ending on the following Saturday.

(a) A wholesale dealer required to submit a report pursuant to paragraph (1)(a) must report a trip ticket for each purchase of marine organisms made during the reporting period.

(b) A person required to submit a report pursuant to paragraphs (1)(b), (1)(d), or (1)(e) must report a trip ticket for each fishing trip that landed commercially harvested marine organisms during the reporting period.

(4) Reporting Deadlines

(a) A person required to report to the Commission pursuant to this rule must submit all trip ticket reports no later than 11:59 p.m., local time, on the first Tuesday following the end of each reporting period.

(b) A person required to report to the Commission pursuant to subsection (1) may not possess a commercially harvested marine organism after the reporting deadline specified in paragraph (4)(a) has passed if the harvest of the marine

organism has not been reported to the Commission pursuant to the reporting requirements established in this rule.

(5) Submission of Reports –

(a) A wholesale dealer required to report information on commercially harvested marine organisms pursuant to subsection (1) must submit reports to the Commission’s Marine Fisheries Trip Ticket Program via the VESL software application published by Bluefin Data LLC, available online at: <https://www.bluefindata.com>.

(b) A person required to report information on commercially harvested marine organisms pursuant to paragraphs (1)(d) or (1)(e) must submit required reports to the Commission using one of the following methods:

1. If the commercial harvester is also a wholesale dealer, they must submit trip ticket reports to the Commission’s Marine Fisheries Trip Ticket Program via the VESL software application published by Bluefin Data LLC, available online at: <https://www.bluefindata.com>.

2. If the commercial harvester is not a wholesale dealer, they must submit trip ticket reports to the Commission’s Marine Fisheries Trip Ticket Program by completing and returning to the Commission a “Commercial Harvester-reported Landings Form” (Form DMF-CHRL2024, September 2024), incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?NO=Ref-XXXXX>.

PROPOSED EFFECTIVE DATE: JULY 1, 2025

Rulemaking Authority Article IV, Section 9, Fla. Const. Law Implemented 379.361, 379.362 FS. History–New 7-1-25.

**68B-65.004 Recordkeeping Requirements and Data Management.**

(1) A wholesale dealer required to report information on commercially harvested marine organisms pursuant to subsection 68B-65.003(1), F.A.C., must provide the commercial harvester who sold or otherwise transferred a marine organism to the wholesale dealer with a copy of the relevant trip ticket record for each transaction.

(2) An electronic record, electronic copy, or a paper copy of each trip ticket record submitted to the Commission must be maintained by the commercial harvester and wholesale dealer for a period not less than three (3) years from the date of sale or purchase.

(3) A person required to report information on commercially harvested marine organisms pursuant to paragraphs 68B-65.003(1)(d) or (1)(e), F.A.C., must maintain an electronic record, electronic copy, or a paper copy of each trip ticket record submitted to the Commission for a period not less than three (3) years from the date such marine organisms were landed.

(4) A wholesale dealer required to report pursuant to paragraph 68B-65.003(1)(c), F.A.C., must maintain an electronic record, electronic copy, or a paper copy of each such report for a period not less than three (3) years from the date of submission.

(5) All marine fisheries trip ticket data are confidential and exempt from public disclosure pursuant to s. 379.362(6), F.S.

(a) Wholesale dealers may obtain their reported marine fisheries trip ticket data tied to their license by completing and returning to the Commission a Request for Release of Personal Wholesale Dealer Landings Data form (Form DMF-DLD2024, September 2024), incorporated herein by reference and available \_\_\_\_\_ at <http://www.flrules.org/Gateway/reference.asp?NO=Ref-XXXXX>.

(b) Commercial harvesters may obtain their reported marine fisheries trip ticket data tied to their license by completing and returning to the Commission a Request for Release of Personal Commercial Landings Data form (Form DMF-CLD2024, September 2024), incorporated herein by reference \_\_\_\_\_ and \_\_\_\_\_ available \_\_\_\_\_ at <http://www.flrules.org/Gateway/reference.asp?NO=Ref-XXXXX>.

(6) A wholesale dealer is required to make all records related to the harvest, purchase, or receipt of commercially harvested marine organisms available for inspection at all times by the Commission pursuant to s. 379.362(6), F.S., and such records are subject to being audited by the Commission.

(7) A person required to report information on commercially harvested marine organisms pursuant to paragraphs 68B-65.003(1)(d) or (1)(e), F.A.C., is required to make all such records available for inspection at all times by the Commission and such records are subject to being audited by the Commission.

PROPOSED EFFECTIVE DATE: JULY 1, 2025

Rulemaking Authority Article IV, Section 9 Fla. Const. Law Implemented 379.361, 379.362 FS. History–New 7-1-25.

**68B-65.005 License Denial, Suspension, or Revocation.**

The submission of required trip tickets is an eligibility requirement for saltwater products licenses and wholesale dealer licenses. The Commission may revoke, suspend, or deny the renewal of the license of anyone required to report trip tickets for failure to make required reports, for failure or refusal to permit the examination of required records, or for falsifying any such record.

PROPOSED EFFECTIVE DATE: JULY 1, 2025

Rulemaking Authority Article IV, Section 9 Fla. Const., 379.407, 379.414 FS. Law Implemented 379.407, 379.414 FS. History–New 7-1-25.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jessica McCawley, Director, Division of Marine Fisheries Management, 620 S. Meridian St., Tallahassee, Florida 32399, and (850) 487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 15, 2024

## FISH AND WILDLIFE CONSERVATION COMMISSION

### Marine Resources

RULE NOS.:	RULE TITLES:
68E-5.001	Introduction, Scope, and Definitions
68E-5.002	Reporting Requirements
68E-5.003	Record Content and Description
68E-5.004	Data Management
68E-5.005	Penalties
68E-5.900	Forms

PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify and update reporting and recordkeeping requirements for the Marine Fisheries Trip Ticket Program and improve commercial saltwater fishing data collection to provide more timely information for management decisions and fishery disaster requests. The effect of these rule changes would be to move rules related to the Marine Fisheries Trip Ticket Program from Division 68E to Division 68B, F.A.C., as well as clarify and establish commercial saltwater fishing reporting and recordkeeping requirements, such as shorter reporting periods and electronic submission of reports.

SUMMARY: These rule amendments would clarify, update, and establish the Marine Fisheries Trip Ticket Program's reporting and recordkeeping requirements to make them easier to understand and to improve the timeliness of commercial saltwater fishing data collection to support and inform management decisions and fishery disaster requests. The rule changes would repeal Chapter 68E-5 F.A.C. and move rules related to the Marine Fisheries Trip Ticket Program from Chapter 68E-5 F.A.C. to Chapter 68B-65, F.A.C., require all trip tickets to be submitted through VESL software application, set a weekly reporting period (Sunday – Saturday) with a submission deadline three days after the reporting period ends, require all Florida-licensed wholesale dealers to report every reporting period, require commercial harvesters to report unsold product, and prohibit the possession of commercially harvested marine organisms if their harvest has not been

reported within the applicable reporting period. The proposed effective date for these rule changes is July 1, 2025. This rulemaking accompanies rulemaking for Chapter 68B-65, F.A.C.

### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

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: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 620 S. Meridian St., Tallahassee, Florida 32399, and (850)487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

#### **68E-5.001 Introduction, Scope, and Definitions.**

##### **PROPOSED EFFECTIVE DATE: JULY 1, 2025**

*Rulemaking Authority Article IV, Section 9, Fla. Const. Law Implemented 379.361, 379.362 FS. History—New 10-17-84, Formerly 16B-45.01, 16B-45.001, 16R-13.001, Amended 12-31-89, Formerly 16R-5.001, 62R-5.001, Repealed 7-1-2025.*

**68E-5.002 Reporting Requirements.**

**PROPOSED EFFECTIVE DATE: JULY 1, 2025**

*Rulemaking Authority Article IV, Section 9, Fla. Const. Law Implemented 379.361, 379.362 FS. History—New 10-17-84, Formerly 16B-45.02, 16B-45.002, 16R-13.002, Amended 12-31-89, Formerly 16R-5.002, Amended 1-5-95, 6-11-95, Formerly 62R-5.002, Repealed 7-1-2025.*

**68E-5.003 Record Content and Description.**

**PROPOSED EFFECTIVE DATE: JULY 1, 2025**

*Rulemaking Authority Article IV, Section 9, Fla. Const. Law Implemented 379.361, 379.362 FS. History—New 10-17-84, Formerly 16B-45.03, 16B-45.003, Amended 3-30-87, Formerly 16R-13.003, Amended 12-31-89, Formerly 16R-5.003, Amended 1-5-95, Formerly 62R-5.003, Repealed 7-1-2025.*

**68E-5.004 Data Management.**

**PROPOSED EFFECTIVE DATE: JULY 1, 2025**

*Rulemaking Authority Article IV, Section 9 Fla. Const. Law Implemented 379.361, 379.362 FS. History—New 10-17-84, Formerly 16B-45.04, 16B-45.004, Amended 3-30-87, Formerly 16B-13.004, Amended 12-31-89, Formerly 16R-5.004, Amended 1-5-95, Formerly 62R-5.004, Repealed 7-1-2025.*

**68E-5.005 Penalties.**

**PROPOSED EFFECTIVE DATE: JULY 1, 2025**

*Rulemaking Authority Article IV, Section 9 Fla. Const., 379.407, 379.414 FS. Law Implemented 379.407, 379.414 FS. History—New 10-17-84, Formerly 16B-45.05, 16B-45.005, 16R-13.005, Amended 12-31-89, Formerly 16R-5.005, 62R-5.005, Repealed 7-1-2025.*

**68E-5.900 Forms.**

**PROPOSED EFFECTIVE DATE: JULY 1, 2025**

*Rulemaking Authority Article IV, Section 9 Fla. Const. Law Implemented 379.245 FS. History—New 5-10-99, Formerly 62R-5.900, Repealed 7-1-2025.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jessica McCawley, Director, Division of Marine Fisheries Management, 620 S. Meridian St., Tallahassee, Florida 32399, and (850)487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 15, 2024

**DEPARTMENT OF COMMERCE**

**Division of Community Development**

RULE NOS.:       RULE TITLES:  
73C-61.001       Definitions  
73C-61.002       Real Estate Transactions Prior to July 1, 2023

73C-61.003       Registration  
73C-61.004       Computation of Time  
73C-61.005       Fines  
73C-61.006       Liens  
73C-61.007       Rebuttable Presumption

PURPOSE AND EFFECT: To create a rule that aligns with new legislative changes from Senate Bill 264 from the 2023 Legislative Session that prohibits the purchase or acquisition of real property by persons or entities from the People’s Republic of China and requires registration of their real property.

SUMMARY: These new rules will provide persons or entities from the People’s Republic of China with the registration form and necessary information about the registration of real property in this state.

**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: The Agency has previously reviewed the statutory requirements and determined that the proposed new rules will not have an adverse impact or associated regulatory cost that exceeds any of the criteria set forth in section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 692.204(10), F.S.

LAW IMPLEMENTED: 692.204, F.S.

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: Karen Gates, Department of Commerce, 107 E. Madison Street, MSC 110, Tallahassee, FL 32399, karen.gates@commerce.fl.gov, (850)245-7150

THE FULL TEXT OF THE PROPOSED RULE IS:

**73C-61.001 Definitions.**

For the purpose of administering section 692.204, F.S., and these rules, the following definitions apply:

(1) “Clear and present danger” means an immediate danger to the public health, safety, or welfare or other substantial loss to the state.

(2) For the purpose of interpreting section 692.204(1)(a)5., F.S., “controlling interest” has the same meaning as defined in section 287.138(1)(a), F.S.

(3) For the purpose of administering section 692.204(1)(a), F.S., “controlling interest in real property” means any interest other than a lease which gives the PRC principal both of the following rights, whether or not the rights are exercised or shared concurrently with any other person, and whether or not the underlying real property is subject to an easement or other encumbrance:

(a) The right to improve or develop the real property; and

(b) The right to attach fixed or immovable structures or objects to the real property.

(4) “De minimis indirect interest” means:

(a) Any interest that is the result of the PRC principal’s ownership of either:

1. Registered equities in a publicly traded company owning the land and such ownership interest is less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

2. An interest that is not a controlling interest as defined in section 287.138(1)(a), F.S., in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment advisor under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(b) Any passive ownership interest of a PRC principal in an entity, provided that the PRC principal does not possess, by virtue of that ownership interest or otherwise, the power to direct or cause the direction of the management or policies of the entity with respect to the interest in real property.

(5) “Department” means the Florida Department of Commerce.

(6) “Directly own” means the PRC principal holds equitable or legal title to the real property in their own name.

(7) “Domicile” means the place where the individual is physically present and intends to remain permanently or indefinitely.

(8) “Indirectly own” means the PRC principal has an interest in an entity that has equitable or legal title to the real property; or the PRC principal has an interest in the real property, but the equitable or legal title to the real property is held by another entity or individual.

(9) “Interest in real property” means all or part of an equitable or legal title to the real property and does not include a lease.

(10) “Military installation” has the same meaning as defined in section 692.201(5), F.S.

(11) “Official documentation” means documentation issued by U.S. Citizenship and Immigration Services.

(12) “Own” means to have equitable or legal title to the real property.

(13) “People’s Republic of China (PRC) principal” means any person or entity, other than an individual approved by the federal government to participate in the EB-5 Program, that is:

(a) The People’s Republic of China, the Chinese Communist Party, or any official or member of the People’s Republic of China or the Chinese Communist Party;

(b) Any other political party or member of a political party or a subdivision of a political party in the People’s Republic of China;

(c) A partnership, an association, a corporation, an organization, or any other combination of persons organized under the laws of or having its principal place of business in the People’s Republic of China, or a subsidiary of such entity;

(d) Any person who is domiciled in the People’s Republic of China and who is not a citizen or lawful permanent resident of the United States; or

(e) Any person, entity, or collection of persons or entities described in paragraphs (a) through (d) having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property in this state.

*Rulemaking Authority 692.204(10) FS. Law Implemented 692.204 FS. History—New xx-xx-24.*

### **73C-61.002 Real Estate Transactions Prior to July 1, 2023.**

A PRC principal that executed a contract for the purchase of real property in the State of Florida prior to July 1, 2023, may own or acquire the real property that is the subject of the contract on or after July 1, 2023. Such real property must be registered with the Department in accordance with rule 73C-61.003, F.A.C.

*Rulemaking Authority 692.204(10) FS. Law Implemented 692.204 FS. History—New xx-xx-24.*

### **73C-61.003 Registration.**

(1) The Department will provide a means, accessible through the Department’s website at [www.floridajobs.org](http://www.floridajobs.org), for individuals to determine the proximity of real property to a military installation or a critical infrastructure facility in Florida.

(2) Any interest in real property registered by a PRC principal in accordance with rule 73C-60.003, F.A.C., is not required to be registered pursuant to this rule.

(3) Registration for Real Property Owned or Acquired Prior to July 1, 2023

A PRC principal who owns or acquires an interest, other than a de minimis indirect interest, in real property in Florida



prior to July 1, 2023, must register with the Department within 30 days of the effective date of this rule. A PRC principal who fails to register within 30 days of the effective date of this rule will have fines assessed in accordance with rule 73C-61.005, F.A.C.

(4) Registration for Real Property Purchased on or After July 1, 2023, as Authorized Under Section 692.204(2), F.S.

(a) A PRC principal who is a natural person who purchases, other than a de minimis indirect interest, one residential real property that is 2 acres or less and is not on or within 5 miles of any military installation in the state of Florida on or after July 1, 2023, must register with the Department within 30 days after the property is owned or acquired.

(b) If the PRC principal who is a natural person purchases the real property between July 1, 2023, and the effective date of this rule, the PRC principal will have 30 days from the effective date of this rule to register with the Department to be deemed timely registered.

(5) Registration for Real Property Acquired on or After July 1, 2023, as Authorized Under Section 692.204(5), F.S.

(a) A PRC principal who acquires real property or any interest therein, other than a de minimis indirect interest, on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, must register with the Department within 30 days after the property is owned or acquired by the person or entity.

(b) If the PRC principal acquired the real property or any interest therein between July 1, 2023, and the effective date of this rule, the PRC principal will have 30 days from the effective date of this rule to register with the Department to be deemed timely registered.

(c) The PRC principal must submit an updated registration Form COM-73C-60, Foreign Principal Real Property Registration Form, effective XX/XXXX, which is incorporated by reference and available at <http://flrules.org/Gateway/reference.asp?No=xxx> or, by using the online registration system on the Department's website at <http://www.floridajobs.org>, within three years of acquiring the real property demonstrating the sale, transfer, or other divestment of such real property. For purposes of Form COM-73C-60, the phrase "foreign principal" means the same as the term "PRC principal".

(d) A PRC principal who registers more than 30 days after the real property is owned or acquired shall be deemed late and will have fines assessed in accordance with rule 73C-61.005, F.A.C.

(6) Registration for Real Estate Contracts

A PRC principal who obtains equitable title by executing a real estate contract with the obligation of closing to obtain legal

title within 90 days shall register the real property that is the subject of the contract within 30 days of acquiring legal title. A PRC principal who obtains equitable title by executing a real estate contract without the obligation of closing to obtain legal title within 90 days shall register the real property that is the subject of the contract within 120 days of acquiring equitable title.

(7) Registration Method

Each PRC principal who is required to register their real property with the Department must do so either by utilizing and submitting Form COM-73C-60, Foreign Principal Real Property Registration Form, effective XX/XXXX, which is incorporated by reference and available on the internet at: <http://flrules.org/Gateway/reference.asp?No=Ref=xx> or by using the online registration system on the Department's website at <http://www.floridajobs.org>.

(8) Updated Registrations

(a) A PRC principal must update their registration with the Department if any of the following occur:

1. The PRC principal sold the real property;
2. The PRC principal no longer owns the real property;
3. The PRC principal no longer has any interest in the real property; or

4. The PRC principal no longer meets the definition of a PRC principal as that term is defined in rule 73C-61.001(13).

(b) A PRC principal's registration must be updated by either submitting Form COM-73C-60, Foreign Principal Real Property Registration Form, effective XX/XXXX, which is incorporated by reference and available at <http://flrules.org/Gateway/reference.asp?No=Ref=xx> or by using the online registration system on the Department's website at <http://www.floridajobs.org>.

(c) A PRC principal who fails to file an updated registration as required by this rule is not subject to the penalties imposed by section 692.204, F.S., or Department of Commerce Rules 73C-61.005 and 73C-61.006, F.A.C.

(9) The prohibition and registration requirements prescribed by section 692.204, F.S., shall not apply with respect to any interest that is a de minimis indirect interest.

Rulemaking Authority 692.204(10) FS. Law Implemented 692.204 FS. History—New xx-xx-24.

#### **73C-61.004 Computation of Time.**

In computing the 30 days prescribed in section 692.204(4)(b), F.S., and these rules, the day of the act from which the period of time begins to run will not be included. The last day of the period must be included unless it is a Saturday, Sunday, or legal holiday as prescribed by section 110.117, F.S., in which event the period shall run until the end of the next business day.

Rulemaking Authority 692.204(10) FS. Law Implemented 692.204 FS. History—New xx-xx-24.

**73C-61.005 Fines.**

(1) The Department will impose a \$1,000 fine against the PRC principal for each day that the registration is late. Except as provided in section 692.204(4)(b), F.S., the registration will be deemed late if it is filed more than 30 days after the real property is owned or acquired by the PRC principal.

(2) The Department will issue a notice of violation to any PRC principal found in violation of section 692.204(4), F.S., prior to final agency action. Such notice will include hearing rights pursuant to section 120.569, F.S.

(3) Fines imposed are due and payable to the Department within 30 days of entry of the final order unless otherwise stated in the final order.

Rulemaking Authority 692.204(10) FS. Law Implemented 692.204 FS. History—New xx-xx-24.

**73C-61.006 Liens.**

The Department may place a lien on the PRC principal’s real property for any fines that are not paid within 30 days of entry of the final order unless otherwise stated in the final order.

Rulemaking Authority 692.204(10) FS. Law Implemented 692.204 FS. History—New xx-xx-24.

**73C-61.007 Rebuttable Presumption.**

(1) A closing agent who relies on and maintains the affidavit specified in section 692.204(6), F.S., has established a rebuttable presumption that the closing agent did not have actual knowledge that the real estate transaction violated section 692.204, F.S.

(2) A seller of real property who relies on and maintains the affidavit specified in section 692.204(6), F.S., has established a rebuttable presumption that the seller did not have actual knowledge that the real estate transaction violated section 692.204, F.S.

Rulemaking Authority 692.204(10) FS. Law Implemented 692.204 FS. History—New xx-xx-24.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Karen Gates, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: J. Alex Kelly, Secretary, Department of Commerce

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 7, 2024

Section III  
Notice of Changes, Corrections and  
Withdrawals

NONE

Section IV  
Emergency Rules

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NO.: 65CER22-1  
RULE TITLE: Standards for Unaccompanied Alien Children and Unaccompanied Refugee Minor Programs

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: On September 28, 2021, the Governor of the State of Florida signed Executive Order 21-223, declaring that the Biden administration’s refusal to faithfully enforce federal immigration laws has led to an unprecedented surge of illegal border crossings at the southwest border of the United States. In July 2021 alone, over 213,000 persons attempted to illegally enter the United States at the southwest border, the highest number in more than 20 years, and another 209,840 persons attempted to illegally enter in August. Note 1. For the entire federal fiscal year of 2021, over 1.7 million foreign nationals were encountered at the southwest border attempting to enter the country illegally. Note 2. In the first quarter of this federal fiscal year, the reported number of such encounters stands at more than 518,000. Note 3. By contrast, in the last full federal fiscal year of the previous administration (federal fiscal year 2020), there were fewer than 460,000 such encounters, and in the fiscal year before that (federal fiscal year 2019), there were fewer than 980,000 encounters. Note 4.

The Biden administration has taken numerous actions to cause and further exacerbate this border crisis. It terminated the previous administration’s Migrant Protection Protocol (MPP) program (also known as the “Remain in Mexico” policy), reinstated a “catch and release” policy, ended further construction of a border wall, and declined to detain and remove certain categories of illegal aliens who had been convicted of committing crimes. The administration’s unlawful termination of MPP was successfully challenged in court, see *Texas v. Biden*, No. 21-10806 (5th Cir. Dec. 21, 2021), but the Biden

administration is currently working to reimplement the program. Its other actions, however, remain in effect.

Notwithstanding that federal immigration law generally requires that aliens entering the United States without a clear right to be admitted (including applicants for asylum) must be detained pending further proceedings, see 8 U.S.C. § 1225(b)(2)(A), *id.* § 1225(b)(1)(B), the Biden administration has instead been releasing into the interior of the United States large numbers of illegal aliens apprehended at the southwest border. The U.S. Border Patrol released 60,559 illegal aliens from the southwest border in July 2021 alone and another 44,122 in August 2021, a massive increase from the 17 illegal aliens released in December 2020, the last full month of the previous administration. Note 5. During federal fiscal year 2021, the Border Patrol released in total more than 248,000 aliens apprehended at the southwest border, almost all of which occurred after January 2021. Note 6. This number does not reflect additional releases by other elements of the U.S. Department of Homeland Security (DHS). In an October 20, 2021 letter, DHS confirmed that at least 5,900 single illegal alien adults who were released at the southwest border have reported to an Immigration and Customs Enforcement (ICE) field office in Florida. This number likely vastly underreports the number of released illegal aliens from the southwest border who have resettled in Florida because approximately 80% of aliens who are released at the border and are directed to report to an ICE office within 60 days reportedly fail to do so. Note 7. Because the Federal Government does not actively coordinate or consult with the State of Florida concerning the illegal aliens that it releases from the southwest border into the interior of the United States, the State of Florida has no knowledge about the backgrounds, criminal history, immigration status, or the status of removal proceedings for the aliens who have resettled in Florida. The State of Florida has brought a legal challenge to the Biden administration's unlawful "catch and release" policy, which is now pending in the U.S. District Court for the Northern District of Florida. See First Amended Complaint for Declaratory and Injunctive Relief, *State of Florida v. United States*, No. 3:21-cv-01066-TKW-EMT (N.D. Fla. Feb. 1, 2022) (articulating harms to the State of Florida because of the Biden administration's "catch and release" policy).

The surge of foreign nationals attempting to enter illegally at the southwest border has included a large number of Unaccompanied Alien Children (UAC), defined by federal law as a child who has no lawful immigration status; has not attained 18 years of age; and, with respect to whom, there is no parent or legal guardian in the United States, or no parent or legal guardian in the United States available to provide physical custody and care, see 6 U.S.C. § 279(g)(2). Over 146,000 encounters at the southwest border for federal fiscal year 2021 involved UAC or single minors, compared to approximately

33,000 in fiscal year 2020 and 80,000 in fiscal year 2019. Note 8. For federal fiscal year 2022, the number of such encounters has already reached more than 85,000. Note 9. Under existing federal law, the U.S. Department of Health and Human Services (HHS) must take custody of these UAC and attempt to place them with sponsors in the United States until the UAC's immigration proceedings are completed. While the UAC await placement with a sponsor, HHS will often house the UAC in group home facilities or foster homes that are operated by private entities or individuals under contract with HHS and licensed by the states where the facilities or homes are located. It is estimated that at least 4,284 UAC were housed in group home facilities or foster homes in Florida over the last year. During federal fiscal year 2021, 11,145 UAC were placed with sponsors in Florida, more than the 10,773 UAC placed in California, a substantially larger state. Note 10. So far during federal fiscal year 2022, 6,659 UAC have already been placed in Florida. Note 11.

Neither DHS nor HHS actively coordinates or consults with the State of Florida, including the Department, on the UAC that are resettled in Florida. The State does not receive meaningful, if any, advance notice when UAC are transported to Florida and is not meaningfully consulted on the number of UAC that the State's child-caring resources and capacity could feasibly support without adversely affecting children already present in Florida and under the State's protection and care. Recently, the State of Florida discovered that, between May and October 2021, there were 78 flights that arrived in Florida likely transporting UAC. This occurred without advance notice to the Department and without the State's consent. The State is given no opportunity to object to the transportation or resettlement of UAC in Florida.

Moreover, the State receives no information on the background, criminal history, immigration status, status of removal proceedings, or the sponsors of the UAC brought to Florida. See, e.g., Letter from Governor Ron DeSantis to DHS Secretary Alejandro Mayorkas, Resettlement of Illegal Aliens in Florida, Aug. 26, 2021; Letter from Acting ICE Director Tae Johnson to Governor Ron DeSantis, Oct. 20, 2021; Letter from DHS Secretary Alejandro Mayorkas to Governor Ron DeSantis, Nov. 24, 2021. UAC are regularly placed with sponsors without adequate follow-up by HHS or the placement entities to ensure the safety and welfare of the UAC. According to a recent report, between January and May 2021, federal contractors responsible for placing UAC with sponsors across the United States were unable to reach the minor or the sponsor in roughly one of every three attempts. Note 12. Nor does the State have any assurance that the UAC are, in fact, minors. As a result of the chaos at the southwest boarder, there is a significant risk of insufficient and inaccurate vetting of people claiming protection as UAC. Many UAC are male teenagers nearing adulthood, and some are gang

members when they arrive or later become gang members. Note 13. Recently, a 24-year-old Honduran national was charged with murder in Florida after having falsely represented his age and having been released into the United States as a UAC. Note 14. In short, the Federal Government has failed to provide the State of Florida with sufficient answers to its requests for information on the resettlement of illegal aliens, including UAC, so that their safety and the safety and welfare of Florida's citizens, including children already present in Florida, can be secured. The Federal Government's failure to enforce federal immigration law and secure the border, as well as the absence of meaningful coordination and consultation concerning the resettlement of UAC in Florida, are an immediate danger to the safety and welfare of Floridians, including its most vulnerable children, as well as recently arrived UAC. (The Federal Government's conduct with respect to the resettlement of UAC in Florida stands in stark contrast to the Federal Government's conduct with respect to the resettlement of Unaccompanied Refugee Minors (URM), where the Federal Government has a cooperative agreement in place with the State of Florida.)

To date, the Department has generally granted licenses to facilities that sought to house UAC brought to Florida by HHS. In light of the crisis described above, Section 8 of Executive Order 21-223 directed the Department to "determine whether the resettlement of unaccompanied alien children in Florida from outside of the state constitutes 'evidence of need' under section 409.175(5)(b)(1), Florida Statutes, sufficient to justify the award of a license under Florida law to family foster homes, residential child-caring agencies, or child-placing agencies that seek to provide services for unaccompanied alien children." "To the extent that such resettlement of unaccompanied alien children in Florida is determined not to constitute 'evidence of need' under Florida law," the executive order directed the Department to "amend, if necessary, Florida Administrative Code Rule 65C-46.022, 'Standards for Unaccompanied Alien Children (UAC) Homes and Unaccompanied Refugee Minor Programs,' in accordance with state law, to reflect the Department's determination." In this Emergency Rule, the Department determines that an application for issuance or renewal of a license to house UAC or URM, who are being resettled in Florida from outside of the state, does not constitute "evidence of need," § 409.175(5)(b)1, Florida Statutes, "to protect the health, safety, and well-being of all children in the state" cared for by residential child-caring agencies, § 409.175(1)(a), Florida Statutes, in the absence of a cooperative agreement between the State of Florida and the Federal Government in which the State of Florida is entitled, at a minimum, to advance notice and meaningful consultation before the resettlement of such UAC or URM in Florida. The Emergency Rule also prohibits existing licensees from adding to their existing UAC population and imposes additional

requirements to ensure that such licensees protect the safety and welfare of UAC that they place with sponsors in the state.

Given the ongoing crisis at the border, including the Federal Government's failure to enforce federal immigration law and to secure the border, the resettlement of UAC in Florida, its ongoing refusal to provide meaningful coordination and consultation, its failure to provide adequate protection for and supervision of UAC once they are placed with sponsors in the state, and its failure to adequately screen purported UAC (as evidenced by the recent murder charge brought against an adult foreign national who misrepresented his age to gain entry to the United States), emergency rulemaking is justified and necessary.

Note 1: Rebecca Beitsch, *US-Mexico July Border Crossings Hit 20 Year High, The Hill* (Aug. 12, 2021), <https://thehill.com/policy/national-security/567647-us-mexico-july-border-crossings-near-20-year-high>; see U.S. Customs & Border Prot., *Southwest Land Border Encounters*, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters> (last updated May 3, 2022) (showing 213,593 for July and 209,840 for August).

Note 2: U.S. Customs & Border Prot., *Southwest Land Border Encounters*, *supra* note 1.

Note 3: *Id.*

Note 4: *Id.*

Note 5: See U.S. Customs & Border Prot., *Custody and Transfer Statistics FY2021*, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy2021> (last accessed November 20, 2024).

Note 6: See *id.*

Note 7: See Mark Krikorian, *Immigration Enforcement on the Honor System*, <https://www.nationalreview.com/corner/immigration-enforcement-on-the-honor-system/> (July 16, 2021). In addition, between federal fiscal year 2008 and 2019, "32 percent of aliens referred to [immigration courts] absconded into the United States" and did not report to their hearings. See Memorandum Opinion and Order, *Texas v. Biden*, No. 2:21-CV-067-Z, 2021 WL 3603341, at \*4 (N.D. Tex. Aug. 13, 2021).

Note 8: See U.S. Customs & Border Prot., *Southwest Land Border Encounters*, *supra* note 1.

Note 9: See *id.*

Note 10: See Office of Refugee Resettlement, *Unaccompanied Children Released to Sponsors by State* (June 24, 2021), <https://www.acf.hhs.gov/orr/grant-funding/unaccompanied-children-released-sponsors-state>.

Note 11: See *id.*

Note 12: See Stef W. Knight, *Exclusive: Government Can't Reach One-in-Three Released Migrant Kids* (Sept. 1, 2021), <https://www.axios.com/migrant-children-biden->

administration-a597fd98-03a7-415c-9826-9d0b5aaba081.html.

Note 13: See Camilo Montoya-Galvez, U.S. Shelters Received a Record 122,000 Unaccompanied Migrant Children in 2021, CBS News (Dec. 23, 2021), <https://www.cbsnews.com/news/immigration-122000-unaccompanied-migrant-children-us-shelters-2021/> (stating that nearly three-quarters of unaccompanied minors encountered at the border during the 2021 fiscal year were believed to be ages 15 to 17 and roughly two-thirds of the total were males); Kerry J. Byrne, The Number of Adult Migrants Posing as Children at Border Surging, N.Y. Post (Nov. 13, 2021), <https://nypost.com/2021/11/13/the-number-of-adult-migrants-posing-as-children-at-border-surging/> (reporting that about “30% of the MS-13 members arrested in recent years by ICE originally entered the U.S. as unaccompanied minors”); see also Written testimony of CBP U.S. Border Patrol Acting Chief of Carla Provost for a Senate Committee on the Judiciary hearing titled “The MS-13 Problem: Investigating Gang Membership As Well As Its Nexus to Illegal Immigration, and Assessing Federal Efforts to End the Threat”, Department of Homeland Security (June 21, 2017), <https://www.dhs.gov/news/2017/06/21/written-testimony-cbp-senate-committee-judiciary-hearing-titled-ms-13-problem#fn3>; Unaccompanied child immigration loophole releases MS-13 gang members, AP News (Jan. 13, 2019), <https://apnews.com/article/5d2784fb7c909b43791d6aea63339a6c>.

Note 14: See Adam Shaw, Honduran Illegal Immigrant Charged with Murder Entered US Falsely Claiming to be Unaccompanied Minor: Report (Nov. 4, 2021), <https://www.foxnews.com/politics/honduran-illegal-immigrant-charged-murder-entered-us-unaccompanied-minor>.  
**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The procedure is fair under the circumstances because the Emergency Rule ends the State’s practice of facilitating the Federal Government’s UAC resettlement program without terminating existing licenses or otherwise permanently foreclosing the issuance of licenses for UAC in the future. Instead, going forward, the State will require a meaningful cooperative agreement with the Federal Government, including a commitment to resume full enforcement of the immigration laws and to secure the border, before issuing or renewing licenses for housing UAC. (The same principle will apply for licenses to house URM, but there is a cooperative agreement with the Federal Government already in place.) In the meantime, existing licensees will not be permitted to add to their existing UAC population and will be subject to additional obligations to ensure the welfare and safety of the UAC whom they place with sponsors in Florida, but their existing licenses will not be cancelled.

**SUMMARY:** The Emergency Rule addresses licensing requirements for any residential child-caring agency, child-placing agency, or family foster home seeking to provide services for UAC or URM. The Department has adopted Rule 65C-9.004, F.A.C., but it is awaiting legislative ratification. This rule provides that the resettlement of UAC or URM by the Office of Refugee Resettlement (ORR) into Florida does not constitute “evidence of need” under section 409.175(5)(b)1, Florida Statutes, “to protect the health, safety, and well-being of all children in the state” cared for by residential child-caring agencies, § 409.175(1)(a), in the absence of a cooperative agreement between the State of Florida and the Federal Government. The Emergency Rule also prohibits existing licensees from adding to their UAC population and requires such licensees to conduct welfare checks of the UAC whom they place with sponsors in Florida.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Elizabeth Floyd at [Elizabeth.Floyd@myflfamilies.com](mailto:Elizabeth.Floyd@myflfamilies.com)

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

**65CER22-1 Standards for Unaccompanied Alien Children and Unaccompanied Refugee Minor Programs (Renewal).**

(1) Any residential child-caring agency, child-placing agency, or family foster home, as those terms are defined in 409.175(2), F.S., seeking to provide services for Unaccompanied Alien Children (UAC) and Unaccompanied Refugee Minors (URM) must meet licensing requirements herein in addition to the program standards for the type of license sought.

(2) For purposes of section 409.175(5)(b)1, F.S., which requires “evidence of need” to obtain a license, and section 409.175(1)(a), F.S., which provides that the purpose of the licensure requirement is to “protect the health, safety, and well-being of all children in the state” who are cared for by residential child-caring agencies or family foster homes, or placed by child-placing agencies, the planned and organized resettlement of UAC or URM by the Office of Refugee Resettlement (ORR) of the U.S. Department of Health and Human Services does not constitute evidence of need as required for issuance or renewal of a license for a residential child-caring agency, child-placing agency, or family foster home that seeks to provide services to such UAC or URM, unless such resettlement is governed by a cooperative agreement between the State of Florida and the United States Government. In the absence of such cooperative agreement, no license will be issued or renewed with respect to any residential child-caring agency, child-placing agency, or family foster home that applies to provide services for UAC or URM

resettling to Florida, and any residential child-caring agency, child-placing agency, or family foster home providing such services under a current license to UAC or URM who have already resettled in Florida may not further place or take placement of any additional UAC or URM until a cooperative agreement is entered. For purposes of this rule, the term “resettlement” means the transportation of persons to Florida for the purpose of temporarily or permanently residing in Florida. The Department has no obligation to enter or renew a cooperative agreement with the United States Government for the resettlement of UAC or URM to Florida, and the Department may revoke or decline to enter or renew such agreement.

(3) The child-placing agency or residential child-caring agency, whichever is applicable, must ensure a contractual or grant agreement was executed between ORR and the child-placing agency or residential child-caring agency in order to provide care and services to UAC.

(4) The child-placing agency or residential child-caring agency, whichever is applicable, must ensure a contractual or grant agreement was executed between the U.S. Government and the State of Florida in order to provide care and services to URM.

(5) Care and supervision of UAC, URM, and dependent youth may not be provided in the same home or under the same license. The child-placing agency must ensure foster parents comply with this requirement.

(6) For a residential child-caring agency, the director and direct care staff must sign and comply with the plan applicable to the licensed setting. For a foster home, the child-placing agency must ensure the foster parents sign and comply with the plan applicable to the licensed setting. Residential child-caring agencies, child-placing agencies, or foster homes that provide services for UAC must use the “Plan for Unaccompanied Alien Children” Form, CF-FSP 5488, February 2022, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14108>. Residential child-caring agencies, child-placing agencies, or foster homes that provide services for URM must use the “Partnership Plan for Unaccompanied Refugee Minors,” Form CF-FSP 5487, February 2022, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14107>.

(7) The residential child-caring agency or child-placing agency, whichever is applicable, must conduct in-person welfare checks of any UAC that it places, or assists in placing, with a sponsor after the effective date of this rule to ensure each child’s safety and well-being.

(a) The welfare checks must be completed a minimum of once every six months until one of the following occurs:

1. The child reaches the age of 18;
2. The child permanently leaves Florida;
3. The child is removed from the United States;
4. The child is granted lawful immigration status; or
5. The residential child-caring agency or child-placing agency closes or is no longer licensed.

(b) The welfare checks must include:

1. Verifying the identity of the child through previously submitted photographs obtained by the child-placing or residential child-caring agency;

2. Taking a photograph of the child;

3. Looking for any unusual marks on visible parts of the body;

4. Speaking with the child about any issues he or she may be experiencing; and

5. Speaking with the caregiver about the child’s well-being and basic needs.

(c) The child-caring or child-placing agency must report the results of the welfare checks to the Department or, if applicable, the Florida Abuse Hotline as follows:

1. Suspected incidents of child abuse and neglect must be immediately reported to the Florida Abuse Hotline in accordance with Chapter 39, F.S.

2. If the welfare check does not reveal any of the incidents described in (7)(c)1. of this rule, then the report must be made no later than the fifth (5th) day of the month following the date the welfare check was conducted, e.g., if a welfare check is completed on January 15, then the report must be made no later than February 5. The report must include the following:

a. Name of the child and date of birth.

b. Date the welfare check was conducted.

c. Name of the child’s caregiver.

d. Location of the in-person welfare check.

e. Statement affirming that there were no presenting issues or concerns.

f. Any indication that the child is no longer residing in or is temporarily relocated from the sponsor’s home, to include that the child has been determined to be missing or the child’s whereabouts are unknown.

(8) Any child-placing agency or residential child-caring agency that provides care to URM must adhere to all contractual and federal case management requirements when conducting in-person child welfare checks.

(9) The residential child-caring agency must ensure all direct care staff complete training hours on immigration in child welfare, cultural awareness, and human trafficking related topics, as outlined in section 4.3.6. of the Office of Refugee and Resettlement UAC Program Policy, March 11, 2019, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-13072>.

The child-placing agency must ensure foster parents complete training hours outlined in 65C-45.002, F.A.C.

(10) The child-placing agency or residential child-caring agency must provide a copy of its education plan outlining how education will be provided.

(11) The child-placing agency or residential child-caring agency must develop policies and procedures on the administration and management of medication. A licensed health care provider must write or verbally order all nonprescription medications. Verbal orders must be documented in the child’s file. The residential child-caring agency or child-placing agency must align all health and safety policies with ORR guidelines.

(12) The child-placing agency or residential child-caring agency must notify the Department of any changes in the contract/grant agreement with ORR, and submit an updated copy, to include ORR’s decision to no longer utilize the facility.

(13) For purposes of this rule, the term “Unaccompanied Alien Child” has the same meaning as in 6 U.S.C. § 279(g)(2), and the term “Unaccompanied Refugee Minor” means an unaccompanied minor, as defined in 45 C.F.R. §400.111, who has met the federal eligibility standards for placement into the Unaccompanied Refugee Minor Program.

(14) This Emergency Rule will expire on February 21, 2025.

PROPOSED EFFECTIVE DATE: November 23, 2024.  
Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 23, 2024

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on November 20, 2024, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida

Administrative Code, and Section 6-402.11, 2017 FDA Food Code from Earl’s Restaurant (Las Olas FL) Inc. located in Fort Lauderdale. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level. The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

NOTICE IS HEREBY GIVEN that on September 11, 2024, the Board of Cosmetology, received a petition for variance or waiver filed by Kristina Tran, Petitioner. Petitioner also filed an additional notice on September 11, 2024. Although Petitioner did not cite the correct rule on both Petitions, it appears that Petitioner is seeking a variance or waiver from Rule 61G5-29.011, Florida Administrative Code, regarding an Endorsement of Specialty Registration. Petitioner is seeking a variance or waiver to obtain a Facial Specialist and a Nail Specialist/Manicurist license in the state of Florida without submitting a certificate of completion from the School of Cosmetology in Oklahoma City named HI-LIGHTS.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ruthanne Christie, Executive Director, Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Ruthanne.Christie@myfloridalicense.com  
 Comments on this petition should be filed with the Board of Cosmetology within 14 days of publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

NOTICE IS HEREBY GIVEN that on September 23, 2024, the Board of Cosmetology, received a petition for variance or waiver filed by Cathleen Kelly, Petitioner. Petitioner is seeking a variance or waiver from Rule 61G5-29.011, Florida Administrative Code, regarding an Endorsement of Specialty Registration. Petitioner is seeking a permanent variance or waiver to obtain a Facial Specialist license in the state of Florida without submitting a certificate of completion from the Carsten Institute in Tempe, Arizona.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ruthanne Christie, Executive Director, Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Ruthanne.Christie@myfloridalicense.com  
 Comments on this petition should be filed with the Board of Cosmetology within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-46.011 Personnel and Staffing Requirements

NOTICE IS HEREBY GIVEN that on November 15, 2024, the Department of Children and Families, received a petition for from Frankie Ford of Redemption Home 1 seeking a waiver of subparagraph 65C-46.011(8)(a)1., Florida Administrative Code, which requires executive directors hired after July 1, 1987 to have a bachelor’s degree from an accredited college or university and at least three years of experience in management or supervision.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 400, Tallahassee, FL 32303 or Agency.clerk@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-22.001 General Requirements

NOTICE IS HEREBY GIVEN that on November 06, 2024, the Department of Children and Families, received a petition for variance from section 3.8.4 of the Child Care Facility Handbook, incorporated by reference in subsection 65C-22.001(6), Florida Administrative Code, from four child care facilities directed by YMCA of Polk County. Section 3.8.4 of the Handbook requires monthly fire drills utilizing the alarm system approved by the local fire authority when children are in care.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 400, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NO.: RULE TITLE:

65D-30.0142 Clinical and Operational Standards for Medication-Assisted Treatment for Opioid Use Disorders

The Department of Children and Families hereby gives notice: An order granting waiver was issued on November 14, 2024, to Central Florida Treatment Centers. The Petition, filed

September 11, 2024, sought a waiver of Subparagraph 65D-30.0142(1)(e)5, requiring initial assessments for methadone medication-assisted treatment be conducted in person. Petitioner demonstrated the purpose of the underlying statute could be met by telehealth assessments. The Notice of Petition for Waiver was published September 23, 2024, in Volume 50, Number 186 of the Florida Administrative Register. No comments were received.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe St., Ste. 400, Tallahassee, FL 32303, Agency.Clerk@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NO.: RULE TITLE:

65D-30.0142 Clinical and Operational Standards for Medication-Assisted Treatment for Opioid Use Disorders

The Department of Children and Families hereby gives notice: An order granting waiver was issued on November 14, 2024, to Metro Treatment of Florida. The Petition, filed August 27, 2024, sought a waiver of Subparagraph 65D-30.0142(1)(e)5, requiring initial assessments for methadone medication-assisted treatment be conducted in person. Petitioner demonstrated the purpose of the underlying statute could be met by telehealth assessments. The Notice of Petition for Waiver was published September 4, 2024, in Volume 50, Number 173 of the Florida Administrative Register. No comments were received.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe St., Ste. 400, Tallahassee, FL 32303, Agency.Clerk@myflfamilies.com.

DEPARTMENT OF FINANCIAL SERVICES

Securities

The Office of Financial Regulation hereby gives notice: On November 19, 2024, the Office of Financial Regulation issued a Final Order Denying Petition for a Waiver from paragraph 69W-600.0024(6)(b), Florida Administrative Code, submitted on behalf of Rosana Teresa Garces. On May 30, 2024, the Office issued a Notice of Intent to Enter a Final Order Denying the Petition for Waiver from 69W-600.0024(6)(b), Florida Administrative Code, and Notice of Rights. Petitioner's failure to file a petition for hearing or to file any other document in compliance with Rules 28-106.201, 28-106.2015, or 28-106.301, Florida Administrative Code, constitutes a waiver of Petitioner's right to an administrative hearing. Based on the Findings of Fact and Conclusions of Law, the Petition is denied.

\*\*The original petition was published March 18, 2024 in the



Florida Administrative Register Volume 50, Number 54.  
 A copy of the Order or additional information 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.gov.

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

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Board of Professional Surveyors and Mappers announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2024, 11:00 a.m.

PLACE: Microsoft Teams Meeting. Join the meeting from your computer, tablet or smartphone.

<https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting?rtc=1>

Meeting ID: 213 614 611 564, Passcode: Zg2ZT6vw

Dial in by phone +1(850)391-8548,,504508690# United States, Tallahassee, Phone conference ID: 504 508 690#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review Committee will meet to review applications submitted for licensure. The Board will then convene to vote on the Application Review Committee's recommendations.

A copy of the agenda may be obtained by contacting: Christopher Green, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, PSM@fdacs.gov.

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: Christopher Green at PSM@fdacs.gov. 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: Christopher Green, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, PSM@fdacs.gov.

### REGIONAL PLANNING COUNCILS

#### Northeast Florida Regional Planning Council

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2024, 10:00 a.m. Executive Committee Meeting. Visit [www.nefrc.org](http://www.nefrc.org) for updates.

PLACE: 40 East Adams Street, Jacksonville, FL 32202.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: (904)279-0880.

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: (904)279-0880. 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.

### REGIONAL PLANNING COUNCILS

#### Central Florida Regional Planning Council

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

DATE AND TIME: Wednesday, December 4, 2024, 10:00 a.m.

PLACE: Town of Lake Placid Government Center, 1069 US-27, Lake Placid, FL 33852

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

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, income, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact the CFRPC Title VI/Nondiscrimination Coordinator, Brenda Torres, (863)534-7130, or via Florida Relay Service 711, or by email: [btorres@cfrpc.org](mailto:btorres@cfrpc.org) at least three (3) days before the workshop.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, income, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact the CFRPC Title VI/Nondiscrimination Coordinator, Brenda Torres, (863)534-7130 extension 109, or via Florida Relay Service 711,

or by email: [btorres@cfrpc.org](mailto:btorres@cfrpc.org) at least three (3) days before the meeting/workshop.

La participación pública es solicitada sin distinción de raza, color, origen nacional, sexo, edad, discapacidad, religión o situación familiar. Las personas que requieren asistencia bajo la Ley sobre Estadounidenses con Discapacidades (ADA) o la traducción de idiomas, de forma gratuita deben ponerse en contacto con la Coordinadora de Título VI / No Discriminación/ADA, Brenda Torres, CFRPC a (863)534-7130 extensión 109, oa través de el Transmisión de la Florida 711, o por correo electrónico [btorres@cfrpc.org](mailto:btorres@cfrpc.org) al menos tres (3) días antes del evento o reunion.

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, Transportation Director, at 1(863)534-7130, ext. 134 or [msoderstrom@cfrpc.org](mailto:msoderstrom@cfrpc.org).

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

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

For more information, you may contact: Marybeth Soderstrom, Transportation Director, at 1(863)534-7130, ext. 134 or [msoderstrom@cfrpc.org](mailto:msoderstrom@cfrpc.org).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Mobile Home Relocation Corporation  
The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: November 26, 2024, 3:00 p.m.

PLACE: Via-Zoom or Telephone. To attend the meeting by telephone toll-free, please call (888)475-4499 US or (855)703-8985 Canada and enter meeting ID (429)115-1196 and pass code 412913 when prompted. Or to join the meeting via-Zoom please access the following link:

<https://zoom.us/j/4291151196?pwd=YIJNUWd3Vjhwakx0VERXdzhjM3NGQT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will address official business of the Florida Mobile Home Relocation Corporation which will include, among other

matters, reviewing and taking action on FY 2023/24 Financial Audit, a review of mobile homeowner applications for compensation and/or abandonment due to a change in use of the land comprising of the mobile home park, and such other businesses as may come before the Board. A schedule of future meetings will be determined.

A copy of the agenda may be obtained by contacting: Fran Gilbert at (888)320-0322 or [fran@fmhrc.org](mailto:fran@fmhrc.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: Fran Gilbert at (888)320-0322 or [fran@fmhrc.org](mailto:fran@fmhrc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Fran Gilbert at (888)320-0322 or [fran@fmhrc.org](mailto:fran@fmhrc.org).

**DEPARTMENT OF HEALTH**

Division of Children's Medical Services

The Child Abuse Death Review Circuit 13 Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2024, 1:00 p.m. - 1:15 p.m., Eastern Time

PLACE: Zoom Meeting. Register in advance for this meeting: <https://us06web.zoom.us/join/zoom/register/tZwkdu2rpz4tEt2GqRXr-Z68c4RqoFXkAyUA>

After registering, you will receive a confirmation email containing information about joining the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by Section 383.412(3) (a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: [carry.simons@flhealth.gov](mailto:carry.simons@flhealth.gov)

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: carry.simons@flhealth.gov. 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: carry.simons@flhealth.gov

**FISH AND WILDLIFE CONSERVATION COMMISSION**  
The Florida Fish and Wildlife Conservation Commission-Harmful Algal Bloom Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2024, 9:00 a.m.

PLACE: The meeting will be broadcast via YouTube. Meeting link: <https://www.youtube.com/fwcresearch>

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting of the Harmful Algal Bloom Task Force will discuss priority areas of HAB impacts in Florida.

A copy of the agenda may be obtained by contacting: MyFwc.com/research/redtide/taskforce/meeting/ or contact: Meghan Abbott, Meghan.Abbott@MyFWC.com; (727)502-4958.

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: Meghan Abbott, Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute, 100 8th Avenue SE, St. Petersburg, Florida 33701; Meghan.Abbott@MyFWC.com; (727)502-4958. 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: MyFwc.com/research/redtide/taskforce/meeting/ or contact: Meghan Abbott, Meghan.Abbott@MyFWC.com; (727)502-4958.

**MOFFITT CANCER CENTER & RESEARCH INSTITUTE**  
The Florida Cancer Control & Research Advisory Council (CCRAB) announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 3, 2024, 2:00 p.m.

PLACE: <https://moffitt.zoom.us/j/91684322060>

Phone: (305)224-1968

Meeting ID: 916 8432 2060

GENERAL SUBJECT MATTER TO BE CONSIDERED: CCRAB Leadership Team Meeting

Purpose: to discuss CCRAB business

A copy of the agenda may be obtained by contacting: Bobbie.McKee@Moffitt.org

For more information, you may contact: Bobbie.McKee@Moffitt.org

**SUNSHINE STATE ONE CALL OF FLORIDA**

The Sunshine State One Call of Florida, Inc., d/b/a Sunshine 811 announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2024, 12:00 Noon - 1:30 p.m.

PLACES: This meeting will be held in-person and virtually. In Person – registration required due to limited space Tampa Bay Regional Damage Prevention Council, GeoPoint Survey, 10210 Highland Manor Drive, Suite 150, Tampa, FL 33610

Register to attend in person here: <https://app.coursettra.com/4iq/publicseminar/TBDPC20241204>

Virtual

Register to attend virtually here: <https://attendee.gotowebinar.com/register/6811627809412920409>

Audio and video quality are not assured. In-person attendance is recommended.

After registering, you will receive a confirmation email containing information about joining the webinar.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Brief update from Sunshine 811, issues within the 811-system brought forth by attendees for discussion and collaboration.

Agenda

- Introductions
- Sunshine 811 Update
- Open Discussion of one-call system and Sunshine 811 issues
- Closing Statements

A copy of the agenda may be obtained by contacting: Brian Dean, Safety Education Liaison, brian.dean@sunshine811.com

For more information, you may contact: Brian Dean, Safety Education Liaison, brian.dean@sunshine811.com

**INFINITE SOURCE COMMUNICATIONS GROUP, LLC**

The Florida Department of Transportation (FDOT) announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, December 10, 2024, 6:30 p.m.

PLACE: FDOT District Four, Rick Chesser Auditorium, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309

Visit: [www.fdot.gov/wpph/district4](http://www.fdot.gov/wpph/district4) for more information on District Four's Draft Tentative Five-Year Work Program.

VIRTUAL: To attend from your computer, tablet or smartphone please register using the link below: <https://tinyurl.com/FDOTD4WP2024>

Participants can also use their phone by dialing +1(562)247-8422; Access code: 664-721-860

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Broward, Palm Beach, Martin, St. Lucie, and Indian River Counties Work Program Public Hearing will be held in-person and virtually in order to present District Four's 2026-2030 Draft Tentative Five-Year Work Program and allow the public to ask questions or make comments about the plan in general, as well as specific projects included in the plan.

The Hearing will consist of a formal presentation, a comment period, and an open discussion. The presentation will be followed by a live question and answer session. Staff will be available to answer questions and provide assistance. In-person audience members can approach the microphone and ask questions or make comments. Online viewers can submit questions and comments prior to the Hearing by emailing mark.madgar@dot.state.fl.us or submitting comments via the GoToWebinar chat box. Questions and comments will be responded to in a timely manner. Persons wishing to submit statements, in place of or in addition to oral statements, may do so by sending them to the email or the Work Program website provided above or handing to staff at the hearing. All statements postmarked on or before December 20, 2024, will become part of the Public Hearing record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Mark Madgar at (954)777-4624 or in writing at the Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421 or by email at: mark.madgar@dot.state.fl.us at least seven days prior to the Hearing.

A copy of the agenda may be obtained by contacting: Mark Madgar, at (954)777-4624 or via email at mark.madgar@dot.state.fl.us. You can also visit www.fdot.gov/wpph/district4.

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: Mark Madgar, at (954)777-4624 or via email at mark.madgar@dot.state.fl.us. You can also visit www.fdot.gov/wpph/district4. 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: Mark Madgar, at (954)777-4624 or via email at mark.madgar@dot.state.fl.us. You can also visit www.fdot.gov/wpph/district4.

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

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

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

**CITY OF BOCA RATON**

**Unsolicited Proposal Notice**

Please take note that the City of Boca Raton ("City") has received two (2) Unsolicited Proposals for a public private partnership (P3) for the redevelopment of the Boca Raton Governmental Campus. The Unsolicited Proposals were submitted by Related Ross, on October 23, 2024, and Boca

Raton City Center, LLC, a joint venture between the Terra Group and the Frisbie Group, on October 24, 2024.

The City will accept Competitive Proposals from qualified development firms in accordance with its Administrative Policy for Managing Unsolicited Public-Private Partnership (P3) Proposals, which is based upon Section 255.065, Florida Statutes, for the same project on or before 5:00 p.m., Thursday, January 9, 2025. Proposals must be delivered to the following address:

City Manager, c/o City Clerk’s Office, Room 360, 201 West Palmetto Park Road, Boca Raton, Florida 33432

The Boca Raton Governmental Campus Project is a once-in-a-lifetime, generational opportunity to partner with the City to redevelop and transform the City’s +/- 30 acre governmental campus into a vibrant transit-oriented community to beautiful downtown Boca Raton. The City is open to all innovative proposals that will create an authentic sense of place with beautiful open spaces and attractive gathering locations that have been curated to be pedestrian-friendly, evoke a feeling of community and encourage civic engagement. This transformative project aims to enhance urban connectivity and foster functional integration with key City facilities and the broader Downtown Boca Raton area, leveraging its strategic location near a major transportation hub. The City and CRA are eager to partner with the private sector to extend the city center beyond government uses by creating a community centered on mobility with a rich mix of market-supported uses such as civic, recreation, housing, restaurants, retail, office and hospitality.

An Offering Memorandum will be located at <https://www.BocaRatonRedevelopmentOpportunity.com>. This posting will explain the competitive selection process, including the proposal requirements, timelines, submittal process, and evaluation process. Interested parties should monitor this site for updated information.

Questions about the project may be directed to Lee Ann Korst, SE Regional Manager and Vice President, CBRE at [leeann.korst@cbre.com](mailto:leeann.korst@cbre.com).

**CITY OF LAKE WORTH BEACH**

Proceeding with Unsolicited Proposal for the K Street Parking Garage

Notice of Bid/Request for Proposal

**OTHER AGENCIES AND ORGANIZATIONS**

Report on City of Lake Worth Beach

Proceeding with Unsolicited Proposal for the K Street Parking Garage

Pursuant to Section 255.065(3)(d), Florida Statutes

On September 30, 2024, the City of Lake Worth Beach (City) received a public/private partnership (P3) unsolicited proposal from Sunshine Lake Worth Development, LLC (SLWD), to develop a public parking garage at K Street in the City’s

downtown area. SLWD submitted the unsolicited proposal as part of the overall proposed project for the Wiener Museum of Decorative Arts (WMODA), which proposed project is memorialized in a Development Agreement entered by the City with the Lake Worth Beach Community Redevelopment Agency (CRA) and SLWD on October 15, 2024 (WMODA Project).

On October 15, 2024, the City Commission held the first duly noticed public meeting pursuant to section 255.065(3)(c), Florida Statutes, wherein the City presented and heard public comment regarding SLWD’s unsolicited proposal for the K Street Parking Garage. After hearing public comment, the City Commission voted 4 to 1 in favor of moving the unsolicited proposal to its second publicly noticed meeting for the City Commission to determine if the unsolicited proposal is in the public’s interest.

On October 29, 2024, the City Commission conducted its second duly noticed public meeting on the SLWD’s unsolicited proposal pursuant to section 255.065(3)(c), Florida Statutes. The City’s attorney provided an overview of the process required under section 255.065(3)(c), Florida Statutes, including the five (5) factors the City Commission must consider for its determination of the public’s interest; the proposed Resolution 46-2024 for the City Commission’s consideration; and, that if the unsolicited proposal is determined to be in the public interest’s, the process that will commence with City staff, the CRA, and SLWD to prepare a comprehensive agreement for the K Street Parking Garage. The comprehensive agreement will need to comply with the requirements of section 255.065, Florida Statutes. The City Commission then heard public comment from the public at the meeting and public comments sent to the City Clerk’s Office, which were all read at the meeting. The City Commission engaged in a discussion regarding SLWD’s unsolicited proposal after hearing all public comments. The City Commission passed Resolution No. 46-2024 finding the SLWD’s unsolicited proposal for the K Street Parking Garage was in the public’s interest in a vote of 4 to 1.

In making its decision, the City considered all public comments, and the Mayor and Commissioners specifically made comments in response supporting their decisions.

SLWD’s unsolicited proposal, the Development Agreement for the WMODA Project, and the City Commission’s October 15, 2024 and October 29, 2024 duly noticed public meetings (including the agenda memos, back-up documents, and public comments received) are all available at: <https://lakeworthbeachfl.gov/government/commission-agendas-and-minutes//>, and which are all incorporated into this report by reference.

**RESOLUTION NO. 46-2024 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, DETERMINING PURSUANT**

TO SECTION 255.065, FLORIDA STATUTES, THAT THE UNSOLICITED PROPOSAL FROM SUNSHINE LAKE WORTH DEVELOPMENT, LLC, FOR THE DESIGN AND CONSTRUCTION OF THE K STREET PARKING GARAGE IS IN THE PUBLIC'S INTEREST; PROVIDING DIRECTIONS TO THE CITY CLERK TO ADVERTISE THE SAME IN THE FLORIDA REGISTRY AS REQUIRED BY STATUTE; AND, PROVIDING FOR REPEAL OF CONFLICTS AND AN EFFECTIVE DATE

WHEREAS, at the October 15, 2024 City Commission meeting, pursuant to section 255.065, Florida Statutes (entitled, "Public-Private Partnerships") (P3), the City presented and heard public comment regarding Sunshine Lake Worth Development, LLC's (SLWD), unsolicited proposal to construct a parking garage on property at K Street in downtown Lake Worth Beach; and

WHEREAS, the unsolicited proposal was presented as a companion item to the Development Agreement with the Lake Worth Beach Community Redevelopment Agency (CRA) and SLWD for the Wiener Museum of Decorative Arts (WMODA) Project ("WMODA Development Agreement"); and

WHEREAS, the City Commission approved the WMODA Development Agreement; however, said approval is contingent upon the City Commission determining that the SLWD unsolicited proposal is in the public's interest and moving to the next step in the P3 process; and

WHEREAS, if the City Commission determines that SLWD's unsolicited proposal is in the public's interest, the City, CRA, and SLWD will then commence preparing the agreements necessary to implement the actual design and construction of the K Street Parking Garage along with the other components of the WMODA Project; and

WHEREAS, under section 255.065, Florida Statutes, the determination as to whether SLWD's unsolicited proposal for the K Street Parking Garage is in the public's interest, is based on the City Commission's consideration of the following five (5) factors:

1. The benefits to the public.
2. The financial structure of and the economic efficiencies achieved by the proposal.
3. The qualifications and experience of the private entity that submitted the proposal and such entity's ability to perform the project.
4. The project's compatibility with regional infrastructure plans.

WHEREAS, specifically, under section 255.065, Florida Statutes, the City and SLWD will commence preparing a comprehensive agreement for the design and construction of the K Street Parking Garage, which will include, but not be limited to, the rights and responsibilities of SLWD and the City; requirements for insurance and bonding; design preparation and

reviews standards; financing; fees to be charged; and cost savings; and

5. Public comments submitted at the meeting.

WHEREAS, the real property at issue under the SLWD unsolicited proposal for construction of the K Street Parking Garage is owned by the City (with a small parcel owned by the CRA) and is generally located at 13 South K Street, 19 South K Street, and 25 South K Street (with PCNs: 38-43-44-21-15-019-0220, 38-43-44-21-15-019-0230, and 38-43-44-21-15-019-0290); and

WHEREAS, the City Commission voted 4 – 1 at the first publicly noticed meeting on October 15, 2024 to move the unsolicited proposal to its second publicly noticed meeting; and WHEREAS, the City Commission determines that based on the findings stated herein and the findings stated on the record at the City Commission's October 29, 2024 publicly noticed meeting, SLWD's unsolicited proposal is in the public's interest and the City should move forward with preparing a comprehensive agreement for the design and construction of the K Street Parking Garage with SLWD.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1. The foregoing recitals are adopted by reference as true and correct findings of the City Commission.

Section 2. SLWD's unsolicited proposal (consisting of 20 pages and dated September 30, 2024) and the WMODA Development Agreement are incorporated into this Resolution by reference.

Section 3. The City Commission hereby makes the following findings based on its review of SLWD's unsolicited proposal for the K Street Parking Garage and after having heard public comment on the same at the City Commission's October 15, 2024 and October 29, 2024 publicly noticed meetings:

1. The benefit to the public. As stated in SLWD's proposal and the WMODA Development Agreement, the WMODA Project will provide the City with a mixed-use cultural arts campus including a 33,000 square foot museum, 102 market rate residential apartment units, eight (8) artist lofts with artist workspace dedicated at 80%-120% of adjusted median income for 15 years, 117 parking space subterranean parking structure to support residential uses, the K Street Parking Garage, an arts alley between L and M Street, relocation of four (4) contributing structures, together with related amenities and utilities. The development proposed in the WMODA Project will remove sixty-five centrally located public parking spaces which are heavily utilized for downtown parking. The K Street parking garage is proposed as a multi-story, structured parking garage in accordance with the City's 2024 WGI Lake Worth Beach Parking Study Update to not only replace the removed parking spaces but to also add further public parking for the

downtown and in support of the WMODA museum component. The WMODA Project improvements are estimated to provide the City of Lake Worth Beach with \$56M in economic output during construction (first two (2) years), increase visitors to the City of Lake Worth Beach and its downtown, increase jobs, increase downtown business revenues, provide an increase in property taxes over 10 years, and provide additional residential units and eight (8) affordable live/work artist units. All of these public benefits flowing from the WMODA Project will also cause an increase in public parking needs downtown, which parking needs are currently over 100% at peak times (with a well-documented need for at least an additional 250 parking spaces). Accordingly, the proposed K Street Parking Garage is a crucial component of WMODA Project and is therefore in the public's interest.

2. The financial structure of and the economic efficiencies achieved by the proposal. As stated in the SLWD proposal and the WMODA Development Agreement, the estimated cost of the parking garage is \$8.5M based on City's 2024 WGI Lake Worth Beach Parking Study Update. The financial structure to cover this cost includes the initial contributions as follow: \$1M from SLWD; \$1.5M from the CRA; and, \$2.5M from the City. SLWD will provide a low interest loan of \$3.5M for the remainder of the cost to be financed. The low interest loan will be repaid with revenue from the City's new parking system (including the K Street Parking Garage) and as further stated in the 2024 WGI Lake Worth Beach Parking Study Update. As can be seen from SLWD's unsolicited proposal, this financial structure should result in the City saving over \$2M in constructing the K Street Parking Garage compared to the City designing, financing, and constructing the parking garage on its own.

3. The qualifications and experience of the private entity that submitted the proposal and such entity's ability to perform the project. As stated in SLWD's proposal and shown through successful past developments, SLWD (and its president Arthur Weiner) has the qualifications and experience to timely and efficiently complete the K Street Parking Garage. United Management Corporation is a renowned family-owned business with over 80 years of expertise in multifamily real estate holdings, whose key principal is Arthur Weiner. United Management has engaged HE2PD, Inc., a full-service owner's representative firm specializing in construction to develop the WMODA Project including the K Street Parking Garage. SLWD proposes to utilize the Construction Manager at Risk contract methodology to have the parking garage constructed. This methodology helps to ensure the project is completed on time and within budget.

4. The project's compatibility with regional infrastructure plans. The WMODA Project is compatible with the regional

infrastructure and the City's comprehensive plan. The K Street Parking Garage will address the City's long-standing and well-documented need for more public parking downtown. As stated in SLWD's proposal, the K Street Parking Garage also satisfies several key policies of the City's comprehensive plan including, but not limited to, pursuing proactive development strategies and redevelopment opportunities. The overall improvements to be made by the WMODA Project, including the K Street Parking Garage, will also assist the City in making some necessary and sustainable improvements to its downtown area.

5. Public comments submitted at the meeting. At the October 15, 2024 first publicly noticed meeting on SLWD's unsolicited proposal, a majority of the public comments were in favor of pursuing the K Street Parking Garage via SLWD's unsolicited proposal. Other comments addressed some issues that may arise as the City, CRA, and SLWD commence preparing the agreements for the K Street Parking Garage and the other components of the WMODA Project. It is anticipated that the public comments at the October 29, 2024 (second publicly noticed meeting) will be similar in nature. Since the City Commission and the public will have further opportunities to review, consider, and comment upon the comprehensive agreement for the K Street Parking Garage and the other components of the WMODA Project, the City believes the comments made will be sufficiently addressed in the forthcoming agreements.

Section 4. The City Clerk is directed to publish in the Florida Administrative Register a report that includes this Resolution and makes publicly available the WMODA Development Agreement and SLWD's unsolicited proposal.

Section 5. All resolutions or parts of resolutions are hereby amended to the extent that they are in conflict with this Resolution.

Section 6. This Resolution shall become effective immediately upon adoption.

The passage of this resolution was moved by Vice Mayor Sarah Malega seconded by Commissioner Mimi May, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch Yes  
 Vice Mayor Sarah Malega Yes  
 Commissioner Christopher McVoy No  
 Commissioner Reinaldo Diaz Yes  
 Commissioner Mimi May Yes

The Mayor thereupon declared this resolution duly passed and adopted on the 29th day of October 2024.

LAKE WORTH BEACH CITY COMMISSION

Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk

**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., Thursday, November 14, 2024, and 3:00 p.m., Wednesday, November 20, 2024.

Rule No.	File Date	Effective Date
5A-19.001	11/15/2024	12/5/2024
5C-3.001	11/15/2024	12/5/2024
5C-3.005	11/15/2024	12/5/2024
5C-4.0016	11/18/2024	12/8/2024
5C-4.0017	11/18/2024	12/8/2024
5C-4.002	11/18/2024	12/8/2024
5C-4.004	11/18/2024	12/8/2024
5C-4.005	11/18/2024	12/8/2024
5C-4.008	11/18/2024	12/8/2024
61K1-3.004	11/15/2024	12/5/2024
61K1-3.005	11/15/2024	12/5/2024
61K1-3.006	11/15/2024	12/5/2024
61K1-3.007	11/15/2024	12/5/2024
61K1-3.011	11/15/2024	12/5/2024
61K1-3.013	11/15/2024	12/5/2024
61K1-3.016	11/15/2024	12/5/2024
61K1-3.020	11/15/2024	12/5/2024
61K1-3.021	11/15/2024	12/5/2024
61K1-3.026	11/15/2024	12/5/2024
62-621.300	11/19/2024	12/9/2024
64B7-25.004	11/20/2024	12/10/2024
64B9-8.006	11/14/2024	12/4/2024
64B16-26.2033	11/15/2024	12/5/2024
64B16-26.350	11/15/2024	12/5/2024
65CER22-1	11/20/2024	11/23/2024
69B-221.003	11/19/2024	12/9/2024
69B-221.005	11/19/2024	12/9/2024
69B-221.065	11/19/2024	12/9/2024
69B-221.070	11/19/2024	12/9/2024
69B-221.085	11/19/2024	12/9/2024
69B-221.100	11/19/2024	12/9/2024

69B-221.105	11/19/2024	12/9/2024
69B-221.110	11/19/2024	12/9/2024
69B-221.135	11/19/2024	12/9/2024
69C-2.001	11/19/2024	12/9/2024
69C-2.002	11/19/2024	12/9/2024
69C-2.004	11/19/2024	12/9/2024
69C-2.005	11/19/2024	12/9/2024
69C-2.0051	11/19/2024	12/9/2024
69C-2.006	11/19/2024	12/9/2024
69C-2.0061	11/19/2024	12/9/2024
69C-2.007	11/19/2024	12/9/2024
69C-2.009	11/19/2024	12/9/2024
69C-2.0095	11/19/2024	12/9/2024
69C-2.010	11/19/2024	12/9/2024
69C-2.011	11/19/2024	12/9/2024
69C-2.016	11/19/2024	12/9/2024
69C-2.021	11/19/2024	12/9/2024
69C-2.022	11/19/2024	12/9/2024
69C-2.023	11/19/2024	12/9/2024
69C-2.024	11/19/2024	12/9/2024
69C-2.025	11/19/2024	12/9/2024
69C-2.026	11/19/2024	12/9/2024
69C-2.027	11/19/2024	12/9/2024
69C-2.028	11/19/2024	12/9/2024
69C-2.029	11/19/2024	12/9/2024
69C-2.030	11/19/2024	12/9/2024
69C-2.031	11/19/2024	12/9/2024
69C-2.032	11/19/2024	12/9/2024
69C-2.034	11/19/2024	12/9/2024

**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	**/**/****
65C-9.004	3/31/2022	**/**/****

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid**

**State Plan Amendment**

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan for personal care



services. This amendment includes technical and editorial changes. This amendment will not have a federal fiscal impact. The effective date for this amendment will be December 1, 2024.

For further information, interested parties may contact: Christine Pawelczyk, Program Administrator, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407; telephone: (850)412-4239, or email: Christine.Pawelczyk@ahca.myflorida.com.

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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.

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