

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-1.004 Definitions

PURPOSE AND EFFECT: The purpose of the rule amendment is to revise the definitions for bird sanctuary and restricted hunting area consistent with other proposed changes to the regulations governing the establishment of these areas. The effect will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule amendment would revise the definitions for bird sanctuary and restricted hunting area consistent with other proposed changes to the regulations governing the establishment of these areas.

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.

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

DATE AND TIME: During the Commission’s regularly-scheduled meeting May 12-13, 2021, 8:30 a.m. to 5:00 p.m., each day.

PLACE: Live broadcast via Adobe Connect and the Florida Channel. The Adobe Connect link will be available in advance of the hearing at <https://myfwc.com/about/commission/commission-meetings/may-2021/>. The public will be able to provide testimony or comment via phone number provided during the hearing.

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: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) through (13) No change.

(14) Bird sanctuary – An area established prior to January 1, 2021 for the protection of birds and other wildlife in which hunting is prohibited in developed areas in the interest of safety, unless otherwise provided by specific regulation of the Commission.

(15) through (69) No change.

(70) Restricted hunting area – An area established by the Commission in which the taking of wildlife with guns is restricted, unless otherwise provided by specific regulation of the Commission ~~hunting is prohibited in developed areas in the interest of safety unless otherwise provided by specific permit.~~

(71) through (94) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, 5-

26-05, 7-1-06, 4-1-07, 7-1-08, 10-23-08, 7-1-10, 11-8-10, 1-1-11, 4-9-13, 7-29-15, 5-11-16, 7-1-18, _____.

PROPOSED EFFECTIVE DATE: As soon as possible after approval by the Commission.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 25, 2021

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-14.001 RULE TITLE: Establishment Orders

PURPOSE AND EFFECT: The purpose of the rule amendment is to eliminate reference to restricted hunting areas in support of other proposed changes to the regulations governing the establishment of these areas. The effect will be consistency of rules related to restricted hunting areas.

SUMMARY: The proposed rule amendment would eliminate reference to restricted hunting areas in support of other proposed changes to the regulations governing the establishment of these areas.

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

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

DATE AND TIME: During the Commission’s regular meeting May 12-13, 2021, 8:30 a.m. to 5:00 p.m., each day

PLACE: Live broadcast via Adobe Connect and the Florida Channel. The Adobe Connect link will be available in advance of the hearing at <https://myfwc.com/about/commission/commission-meetings/may-2021/>. The public will be able to provide testimony or comment via phone number provided during the hearing.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-14.001 Establishment Orders.

Whenever the Commission establishes an area to be a wildlife management area; a wildlife and environmental area; a wildlife refuge; a bird sanctuary; ~~a restricted hunting area~~; a critical wildlife area; a fish management area; or a miscellaneous area, it shall do so by an establishment order.

(1) through (6) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-21-82, Formerly 39-14.01, Amended 10-28-97, 6-30-99, Formerly 39-14.001, Amended 12-20-99, 7-18-00, 5-1-03, 7-1-06, 7-1-08, 3-1-10, 10-9-12, _____.

PROPOSED EFFECTIVE DATE: As soon as possible after approval by the Commission.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:
George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 16, 2020

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-19.002
RULE TITLE: Establishment of Restricted Hunting Areas, and Bird Sanctuaries, Procedure

PURPOSE AND EFFECT: The purpose of the rule amendment is to provide clear, objective criteria for the establishment of restricted hunting areas, and to eliminate rule language related to establishment of bird sanctuaries. The effect will be increased efficiency in evaluating requests for restricted hunting areas.

SUMMARY: The proposed rule amendment would provide clear, objective criteria for the establishment of restricted hunting areas, and to eliminate rule language related to establishment of bird sanctuaries.

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

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

DATE AND TIME: During the Commission’s regular meeting May 12-13, 2021, 8:30 a.m. to 5:00 p.m., each day.

PLACE: Live broadcast via Adobe Connect and the Florida Channel. The Adobe Connect link will be available in advance of the hearing at <https://myfwc.com/about/commission/commission-meetings/may-2021/>. The public will be able to provide testimony or comment via phone number provided during the hearing.

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: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-19.002 ~~Establishment of Restricted Hunting Areas Permits, and Bird Sanctuaries, Procedure.~~

(1) A restricted hunting area prohibiting the taking of game with a firearm, when the individual or the game is within 300 feet of a dwelling, shall be permitted by the Commission upon receipt of a complete application that is compliant with this rule and which is received from a local governmental body having jurisdiction over the proposed restricted hunting area. A complete application shall include:

(a) A resolution passed by the local governmental body having jurisdiction over the area for which the restricted hunting area is being sought which clearly states that the governing body is seeking a restricted hunting area, and that they agree to assume the responsibility for enforcement of regulations which apply to such areas, including posting the area boundary with signs per subsection (6) below.

(b) Detailed maps and legal descriptions of the proposed restricted hunting area.

(c) Documentation that the proposed restricted hunting area has an average dwelling density of not less than 1 dwelling per acre.

(d) A statement that all residents in the proposed restricted hunting area have been contacted and invited to at least one public meeting discussing the resolution.

(e) A list of the local law enforcement agency(ies) that have agreed to enforce the ordinance adopted by the local government body pursuant to this Rule.

(2) Upon receipt of a complete application compliant with this Rule, the Executive Director or his or her designee shall issue a permit establishing the restricted hunting area and authorizing the local government to enact an ordinance in accordance with subsection (3).

(3) Upon receipt of the permit, the local government shall, in cooperation with Commission staff, enact a local ordinance in accordance with the permit and this Rule. The ordinance shall provide an exemption allowing a dwelling owner to take game with a firearm when the owner or game is within 300 feet of his or her own dwelling as well as for individuals in possession of written permission from the dwelling owner to do so.

(4) Restricted hunting areas shall not include any areas established pursuant to Rule 68A-14.0011, F.A.C., or any federally- owned or managed lands.

(5) Local law enforcement shall have sole responsibility for enforcing restricted hunting areas.

(6) The local government shall be responsible for posting the restricted hunting area boundary with signs with pink backgrounds which read: "RESTRICTED HUNTING AREA, Taking Game by Firearm Restricted within 300 Feet of any Dwelling" in black lettering not less than 2 inches in height, and shall include the controlling ordinance number on the sign in the same size lettering. The signs shall be placed at intervals of no more than 500 feet and must be easily visible from any point of ingress or egress. A restricted hunting area is not enforceable if it is not posted in accordance with this paragraph.

(7) For the purposes of this chapter, the term "dwelling" means a shelter built on land in which people live; a house, apartment, or other land-based place of residence.

~~(1) The Commission may establish bird sanctuaries for the protection of all birds and other wildlife and restricted hunting areas within any developed area upon the written request of the local governmental body having jurisdiction over such areas. In requesting establishment of such restricted hunting areas or bird sanctuaries, the governing body shall, by proper resolution or ordinance, officially agree to assume the responsibility for enforcement of regulations of the Commission which apply to such areas, including posting the area boundary with signs bearing the words "RESTRICTED HUNTING AREA, Hunting by Special Permit Only" or "BIRD SANCTUARY, No Hunting" established by Rule 68A-19.002, F.A.C., which shall be placed at intervals of no more than 500 feet, be easily visible from any point of ingress or egress and provide other necessary notice of such area to the public. Said governing body shall agree to instruct its duly authorized law enforcement personnel to enforce said regulations within the area.~~

~~(2) Following receipt of the request of the governing body the Commission shall, through its staff, investigate to ensure that the tract under consideration is sufficiently developed as to preclude recreational hunting in the interest of safety and that its closure will not result in a denial of reasonable and lawful hunting opportunity.~~

~~(3) Action by the Commission for the establishment of restricted hunting areas or bird sanctuaries as recommended by its staff shall be taken at its July and January meetings.~~

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-21-82, Formerly 39-19.02, Amended 5-10-87, 11-23-97, Formerly 39-19.002, Amended _____.

PROPOSED EFFECTIVE DATE: As soon as possible after approval by the Commission.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 21, 2020

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-19.004
RULE TITLE: Regulations in Bird Sanctuaries

PURPOSE AND EFFECT: The purpose of this rule development effort is to provide clear regulations for existing bird sanctuaries. The effect will be increased understanding of the requirements necessary for enforcement of bird sanctuary regulations.

SUMMARY: The proposed rule amendment would provide clear regulations for existing bird sanctuaries.

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.

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

DATE AND TIME: During the Commission’s regular meeting May 12-13, 2021, 8:30 a.m. to 5:00 p.m., each day.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-19.004 Regulations in Bird Sanctuaries.

(1) Bird sanctuaries created prior to January 1, 2021, by Commission executive order and through proper resolution or ordinance by the local governmental body shall be posted by the local governmental body. Signs shall bear the words “BIRD

SANCTUARY, No Hunting” and shall be placed at intervals of no more than 500 feet, be easily visible from any point of ingress or egress and provide other necessary notice of such area to the public. Said governing body shall agree to instruct its duly authorized law enforcement personnel to enforce said regulations within the area.

(2) No person shall take any wildlife in any bird sanctuary using a gun unless such taking is authorized by specific rule relating to such sanctuary.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 120.53 FS. History—New 8-1-79, Formerly 39-19.04, Amended 4-14-92, 9-7-97, 11-23-97, Formerly 39-19.004, Amended _____.

PROPOSED EFFECTIVE DATE: As soon as possible after approval by the Commission.

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NAME OF PERSON ORIGINATING PROPOSED RULE: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 21, 2020

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: **RULE TITLE:**

68A-19.006 Taking Game in Restricted Hunting Areas

PURPOSE AND EFFECT: The purpose of the rule amendment is to provide rule language consistent with amendments to other rules related to restricted hunting areas. The effect will increase clarity and understanding of regulations relevant to newly established restricted hunting areas

SUMMARY: The proposed rule amendment would provide rule language consistent with amendments to other rules related to restricted hunting areas.

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.

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RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

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

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

DATE AND TIME: During the Commission’s regular meeting May 12-13, 2021, 8:30 a.m. to 5:00 p.m., each day.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-19.006 Taking Wildlife Game in Restricted Hunting Areas.

(1) Restricted hunting areas created prior to January 1, 2021 by Commission executive order and through proper resolution or ordinance by the local governing body shall be

posted by the local governmental body. Signs shall read: “RESTRICTED HUNTING AREA, Hunting by Special Permit Only” and shall be placed at intervals of no more than 500 feet, be easily visible from any point of ingress or egress and provide other necessary notice of such area to the public. Said governing body shall agree to instruct its duly authorized law enforcement personnel to enforce said regulations within the area.

(2) No person shall take any wildlife using a gun in any restricted hunting area established prior to January 1, 2021, using a gun unless such taking is authorized by a permit issued by the executive director or his or her designee. Such permits may be issued on an annual basis upon application by a landowner or lessee under the following conditions:

(a)(1) The taking of wildlife by the use of a gun would not endanger the safety of the public.

(b)(2) The taking of wildlife is subject to all applicable Commission regulations governing hunting such as bag limits, possession limits and hours of shooting.

(c)(3) At all times while hunting, the permit to take wildlife shall be in the possession of the landowner, lessee or their guests and invitees.

(d)(4) The executive director or his or her designee shall consult with the appropriate unit of local government prior to taking action on the request for permit.

(3) No person shall take any game with a firearm in any restricted hunting area established on or after January 1, 2021, except as provided in Rule 68A-19.002 or a permit issued pursuant to the Rule.

(4) Restricted hunting areas established on or after January 1, 2021, shall be created and enforced pursuant to Rule 68A-19.002, F.A.C.

Rulemaking Authority Art. IV, Sec. 9, Fla Const. Law Implemented Art. IV, Sec. 9, Fla Const. History—New 11-4-97, Formerly 39-19.006, Amended _____.

PROPOSED EFFECTIVE DATE: As soon as possible after approval by the Commission.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R

NAME OF PERSON ORIGINATING PROPOSED RULE: George Warthen, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 2021
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 21, 2020

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: RULE TITLE:
 64D-4.002 Definitions

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 47 No. 5, January 8, 2021 issue of the Florida Administrative Register.

64D-4.002 Definitions.

For the purpose of this chapter, the words and phrases below are defined as follows:

- (1) No change.
- (2) “Federal Poverty Level” – the poverty income guidelines (effective January ~~2021~~ 2020) as published by the U.S. Department of Health and Human Services, which is incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(3) through (6) No change.

Rulemaking Authority 381.0011(2), 381.003(2) FS. Law Implemented 381.0011, 381.003(1)(b) FS. History—New 1-23-07, Amended 8-31-07, 3-21-08, 10-27-08, 3-30-09, 7-4-16 ____.

Section IV Emergency Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: RULE TITLE:
 5KER21-1 Training and Certification

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Rule 5K-4.002, F.A.C., adopts provisions of the 2017 version of the FDA Food Code as the nationwide standard for food safety and mitigation of foodborne illness in public food establishment settings. Section 2-102 of the code addresses the knowledge demonstration requirements for

certain employees of organizations based on the risk associated with the food operation. Section 2-102.11, of the code requires, in part, that a person in charge of a food establishment “demonstrate knowledge of foodborne disease prevention, application of the hazard analysis and critical control point principles, and the requirements of this code. the person in charge shall demonstrate this knowledge by: (a) complying with this code by having no violations of priority items during the current inspection; or (b) being a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program or (c) responding correctly to the inspector's questions as they relate to the specific food operation.” additionally, the department has adopted language consistent with the requirements of Section 2-102.12 of the 2017 Food Code, in Rule 5K-4.021, F.A.C., requiring that “All Retail Food Establishments shall have a certified food protection manager that is certified by a food protection manager certification program that is evaluated and listed by a Conference for food Protection-recognized accrediting agency as conforming to the Conference for food Protection Standards for Accreditation of food Protection Manager Certification Programs except for the following: (a) Food Establishments that are not required to obtain a food permit in accordance with Sections 500.12(1)(a)1.-4., F.S.; (b) Food Establishments that store, and/or sell only pre-packaged, non-potentially hazardous foods that arrive at the Food Establishment in a pre-packaged state and that are not opened or otherwise further processed by the Food Establishment; (c) Tomato packing houses. (d) Limited poultry and egg farm operation.”

Finally, Section 2-102.20 of the 2017 Food Code provides that “(a) a person in charge who demonstrates knowledge by being a food protection manager that is certified by a food protection manager certification program that is evaluated and listed by a conference for food protection-recognized accrediting agency as conforming to the conference for food protection standards for accreditation of food protection Manager Certification Programs is deemed to comply with s. 2-102.11(B).” and “(b) A food establishment that has a person in charge that is certified by a food protection manager certification program that is evaluated and listed by a Conference for Food Protection-recognized accrediting agency as conforming to the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs is deemed to comply with s. 2-102.12.”

In order to provide maximum social distancing efforts to combat the transmission of SARS-CoV-2 in Florida and to be responsive to industry’s inability to attend in-person training for food protection managers to achieve the required certification, the department has suspend, by emergency order, the requirement for certification as required in Rule 5K-4.021,

F.A.C. Increases in food establishment patronage with both warmer seasonal weather and the risk of “COVID fatigue” give rise to the increased threat of exposure to foodborne illness causing pathogens. Food Establishments using or continuing to use untrained and uncertified food protection managers to manage medium and high food operations further increases the potential for foodborne illness causing pathogens to be present and transmitted to unsuspecting patrons. Given the current availability of virtual food protection manager certification training at this time and the 2017 Food Code requirements as adopted which pertain directly to mitigation of food borne disease, an emergency rule providing a path to certification instead of a blanket waiver by emergency order is in the best interests of the health, welfare and public safety of the citizens of Florida.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: As a result of the COVID-19 pandemic, the ability to acquire or maintain training as a certified food protection manager in Florida, as required by Rule 5K-4.021, F.A.C., was greatly inhibited. At the onset of the pandemic, training classes were only offered by in-person training and proctored examinations for successful completion of the course were required. Due to the social distancing requirements necessary to mitigate transmission of SARS-CoV-2, in-person training programs were discontinued or otherwise temporarily unavailable. As a result of the unavailability, certified food protection training manager programs that complied with the Conference for Food Protection Standards, the department by Emergency Order 2020-012, and subsequent extensions, set aside requirements in Rule 5K-4.021, F.A.C., requiring recertification and completion of the course. Virtual training programs that comply with the Conference for Food Protection Standards for Accreditation of Food Protection Managers have now become widely available to retail food establishments with the costs of programs very similar to in-person offerings. Given the availability of virtual certification programs at costs similar to in-person programs available before the pandemic, the department is providing an established timeframe for affected food establishments to recertify former food protection managers or certify new food protection managers without fear of regulatory action for non-compliance.

SUMMARY: This emergency rule provides required retail food establishments 30-days to designate and enroll food protection managers in a certified food protection management course that is compliant with Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs. Enrollees in the food protection management course will then have 60-days after enrollment to complete the course and obtain subsequent certification.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Chris Hilliard, Chief, Bureau of Food Inspection, 3125 Conner Blvd., MS C-18, Tallahassee, FL 32399, (850)245-5541.

THE FULL TEXT OF THE EMERGENCY RULE IS:

5KER21-1 – Training and Certification

Within thirty (30) days of the effective date of this emergency rule, all Retail Food Establishments required by Rule 5K-4.021(1), F.A.C., to have a certified food protection manager, shall either have a person certified as a food protection manager pursuant to the standards adopted in Rule 5K-4.021(1), F.A.C., or have a person who is enrolled in a food protection manager certification program compliant with the standards outlined in Rule 5K-4.021(1), F.A.C. Those enrolled in a certification program must complete it and attain certification as a food protection manager within sixty (60) days of enrollment. Rulemaking Authority 500.12(6), 570.07(23) FS. Law Implemented 500.12(6) FS. History–New 3-4-21.

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: March 4, 2021

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:

61DER21-2 Testing Methodologies; Measurement Uncertainties; Screening Limits

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:

The Division of Pari-Mutuel Wagering (“Division”) must supervise and regulate the welfare of racing animals in this state’s pari-mutuel facilities. § 550.0251(11), Fla. Stat. (2020). As part of its supervision, the Division routinely tests for and prosecutes the use of prohibited levels of permitted medications and prohibited substances that can cause injury or death to racing horses. Racing horses with prohibited levels of permitted medications, prohibited substances, or any combination thereof also compromises the integrity of the races conducted. On February 25, 2021, the Division received a 30-day notice alleging that an unadopted rule challenge would be filed for the Division’s alleged failure to promulgate testing methodologies and measurement uncertainties for the testing of biological specimens collected from racing horses. Although the Division rejects the allegation that it has failed to comply with statute, the Division believes that the immediate promulgation of an emergency rule that provides clarification as to the University

of Florida Racing Laboratory’s testing methodologies and measurement uncertainties is necessary to ensure the continued safety of racing horses and the integrity of the racing industry. The ordinary rulemaking process would not address this emergency. Thousands of horses will be racing in the near future. At this time, there are 59 performances scheduled in the month of March, 57 performances scheduled in April, and 42 performances scheduled in May. Without this emergency rule, there would be an immediate danger to the wagering public and the integrity of pari-mutuel horse racing caused by a potential disruption in the Division’s ability to detect and prosecute the use of prohibited levels of permitted medications, prohibited substances, or any combination thereof, in thousands of racing horses. Only this emergency rule can ensure that horse races occurring during the pendency of any existing or imminent legal challenges are conducted under safe conditions. The persons who may be affected by the emergency rule therefore have long been on actual or constructive notice of the testing methodologies and measurement uncertainties now memorialized in the emergency rule, rendering the use of emergency rulemaking procedures fair under the circumstances.

Based on the hundreds of races scheduled, the Division fears an immediate danger to the health, safety, and welfare of racing animals, the wagering public, and the integrity of racing as a whole will exist without this emergency rule.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:

The procedure used to adopt this emergency rule is fair under the circumstances. Thousands of racing horses will be participating in over a hundred and fifty performances in the coming months alone. The safety of these racing horses and the integrity of the races must be safeguarded. The Division has determined that this emergency rule will not have an adverse impact on small business and is not likely to directly or indirectly increase regulatory costs. Furthermore, the procedure used to adopt this emergency rule provides at least the procedural protection given by other statutes, the State Constitution, or the United States Constitution. The testing methodologies set forth in the emergency rule have been utilized by the University of Florida Racing Laboratory and the Division since 2015. While scientific advances throughout the years have resulted in slight improvements to the measurement uncertainties for some of the substances, the measurement uncertainties in this emergency rule are substantially similar to the measurement uncertainties that have been used by the University of Florida Racing Laboratory and the Division since 2015. Additionally, these measurement uncertainties have been published repeatedly in the form of drug positive reports and administrative complaints during that time.

This emergency rule addresses the specific concerns identified by members of the horseracing industry. As such, the Division is only taking action necessary to protect the public under the procedure used to adopt this emergency rule.

SUMMARY: Emergency Rule 61DER21-2, F.A.C., prescribes the testing methodologies, measurement uncertainties, and screening limits applicable to the testing of biological specimens sent to the University of Florida Racing Laboratory for analysis as well as clarifying when these testing methodologies and measurement uncertainties apply. These changes address specific concerns identified by the pari-mutuel industry and are a valid exercise of delegated legislative authority.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

THE FULL TEXT OF THE EMERGENCY RULE IS:

61DER21-2 Testing Methodologies; Measurement Uncertainties; Screening Limits

In addition to the rules that exist under Rule 61D-6.008, Florida Administrative Code, the following procedures are promulgated on an emergency basis:

(1) Testing Methodologies: Methodologies used to screen for and confirm the administration of medications, drugs, and naturally occurring substances in horses shall be limited to the following: Immunoassay, Liquid Chromatography Mass Spectrometry (LCMS), Gas Chromatography Mass Spectrometry (GCMS), and/or Specific Gravity.

(2) Measurement Uncertainties: The established levels utilized by the division laboratory are as follows:

<u>SUBSTANCE</u>	<u>MEASUREMENT UNCERTAINTY</u>
<u>(a) acepromazine [2-(1-hydroxyethyl) promazine sulfoxide]</u>	<u>No greater than +/- 1 ng/ml (urine)</u> <u>No greater than +/- 0.05 ng/ml (urine)</u>
<u>(b) albuterol</u>	<u>No greater than +/- 6 pg/ml (serum)</u>
<u>(c) betamethasone</u>	<u>No greater than +/- 12 pg/ml (serum)</u>
<u>(d) butorphanol</u>	<u>No greater than +/- 0.4 ng/ml (serum)</u>
<u>(e) clenbuterol</u>	<u>No greater than +/- 30 pg/ml (urine)</u>
<u>(f) dantrolene (5-hydroxydantrolene)</u>	<u>No greater than +/- 3.2 pg/ml (serum)</u>
<u>(g) detomidine (carboxydetomidine)</u>	<u>No greater than +/- 12 pg/ml (serum)</u>
<u>(h) dexamethasone</u>	<u>No greater than +/- 2.9 pg/ml (urine)</u>
<u>(i) diclofenac</u>	
<u>(j) dimethyl sulfoxide (DMSO)</u>	

<u>(k) firocoxib</u>	<u>No greater than +/- 5</u>
<u>(l) furosemide</u>	<u>pg/ml (serum)</u>
<u>(m) glycopyrrolate</u>	<u>No greater than +/- 0.4</u>
<u>(n) isoflupredone</u>	<u>ng/ml (serum)</u>
<u>(o) lidocaine (OH-lidocaine)</u>	<u>No greater than +/- 1</u>
<u>(p) mepivacaine (hydroxymepivacaine)</u>	<u>ug/ml (serum)</u>
<u>(q) methocarbamol</u>	<u>No greater than +/- 2.1</u>
<u>(r) methylprednisolone</u>	<u>ng/ml (serum)</u>
<u>(s) omeprazole</u>	<u>No greater than +/- 4.4</u>
<u>(t) prednisolone</u>	<u>ng/ml (serum)</u>
<u>(u) procaine penicillin</u>	<u>No greater than +/- 0.6</u>
<u>(v) triamcinolone acetonide</u>	<u>pg/ml (serum)</u>
<u>(w) xylazine</u>	<u>No greater than +/- 27</u>
<u>(x) ketoprofen</u>	<u>pg/ml (serum)</u>
<u>(z) phenylbutazone</u>	<u>No greater than +/- 1.8</u>
<u>(aa) flunixin</u>	<u>pg/ml (serum)</u>
<u>(ab) boldenone</u>	<u>No greater than +/- 1.5</u>
<u>(ac) testosterone</u>	<u>ng/ml (urine)</u>
<u>(ad) nandrolone (5α-oestrane-3β,17α-diol)</u>	<u>No greater than +/- 0.2</u>
<u>(ae) stanozolol, 16β-hydroxystanozolol</u>	<u>ng/ml (serum)</u>
	<u>No greater than +/- 10</u>
	<u>ng/ml (serum)</u>
	<u>No greater than +/- 20</u>
	<u>pg/ml (serum)</u>
	<u>No greater than +/- 1.6</u>
	<u>pg/ml (serum)</u>
	<u>No greater than +/- 0.21</u>
	<u>ng/ml (primary; serum)</u>
	<u>No greater than +/- 0.15</u>
	<u>ng/ml (secondary; serum)</u>
	<u>No greater than +/- 0.3</u>
	<u>ug/ml (primary; serum)</u>
	<u>No greater than +/- 0.025</u>
	<u>ug/ml (secondary; serum)</u>
	<u>No greater than +/- 1.9</u>
	<u>ng/ml (primary; serum)</u>
	<u>No greater than +/- 0.13</u>
	<u>ng/ml (secondary; serum)</u>
	<u>No greater than +/- 2.5</u>
	<u>ng/ml (urine; male horses)</u>
	<u>No greater than +/- 11</u>
	<u>ng/ml (urine)</u>
	<u>No greater than +/- 2.2</u>
	<u>ng/ml (urine; male horses)</u>

	<u>No greater than +/- 0.17</u>
	<u>ng/ml (urine)</u>

If a sample is diluted for testing, the measurement uncertainty is multiplied by the factor of dilution.

(3) Screening Limit for Prohibited Substances in Horses: Any and all findings above zero that are over the limit of detection, under any condition of use, for prohibited substances shall be considered a violation of Section 550.2415, F.S. Rulemaking Authority 550.0251(3), (11) 550.2415 (12) FS. Law Implemented 550.0251, 550.2415 FS. History- New 03-04-21;

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: March 4, 2021

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

NONE

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, March 16, 2021, 5:00 p.m. – 6:00 p.m.

PLACE: Online GoTo Webinar – Must Pre-Register Register here:

<https://attendee.gotowebinar.com/register/2962123221483029007>

GENERAL SUBJECT MATTER TO BE CONSIDERED: This virtual public meeting will take place on Tuesday, March 16, 2021, 5:00 p.m. – 6:00 p.m. Please pre-register by visiting <https://attendee.gotowebinar.com/register/2962123221483029007>. Meeting attendees will view a presentation about the study and will be able to make comments and ask the study team questions. The goal of this study is to evaluate the feasibility of implementing bus rapid transit (BRT) and transit-oriented development (TOD) in the US 98 corridor. The vision for the corridor is to provide premium transit service that improves mobility to meet current and future travel needs, connects users with job centers and key destinations, attracts new riders, improves safety, and supports economic growth and transit-oriented development (TOD) in the corridor. Comments and questions will be taken electronically by email to Charlene

Ross, FDOT Project Manager, charlene.ross@dot.state.fl.us, through the website, and by mail to FDOT, 801 N. Broadway Avenue, Bartow, FL 33830. Citizens may also call 1(863)519-2390 to discuss the project with a project team member. Comments received and responses provided will be posted on the project website following the end of the comment period. The final day for comments to be submitted is March 26, 2021. A copy of the agenda may be obtained by contacting: Charlene Ross, Phone: 1(863)519-2390, E-mail: charlene.ross@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Cynthia Sykes, District One Title VI Coordinator, at 1(863)519-2287, or email at Cynthia.Sykes@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Charlene Ross, Phone: 1(863)519-2390, E-mail: charlene.ross@dot.state.fl.us.

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces its Internal Affairs Meeting, to which all interested persons are invited.

DATE AND TIME: Tuesday, March 16, 2021, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters affecting Commission operations. Internal Affairs Agendas and FPSC contact information is available at www.floridapsc.com. SPECIAL COVID-19 CONSIDERATIONS: Due to the COVID-19 Pandemic, the Commission must limit the manner in which the public may participate or view the meeting. As always, the public may view a live stream of the meeting online using the link available at <http://www.floridapsc.com/Conferences/AudioVideoEventCoverage>.

Due to these extraordinary circumstances, however, no member of the public may attend in person. Any interested person who would like to participate telephonically on any item on the agenda should contact the Office of the Executive Director at (850)413-6053 no later than 12:00 Noon on March 15, 2021.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-

6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD).

EMERGENCY CANCELLATION OF MEETING: If a named storm or some other state of emergency requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (www.floridapsc.com) under the Hot Topics link on the home page.

Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Faith-Based and Community-Based Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 23, 2021, 12:30 p.m. – 3:00 p.m.

PLACE: Zoom meeting: <https://zoom.us/j/93171236365>, Conference Number: (636)558-8656, Meeting ID: 931 7123 6365

GENERAL SUBJECT MATTER TO BE CONSIDERED: FBCB Business

A copy of the agenda may be obtained by contacting: Savannah Vickery, Governor's Office of Adoption and Child Protection, (850)717-9261 or savannah.vickery@eog.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Savannah Vickery, Governor's Office of Adoption and Child Protection, (850)717-9261 or savannah.vickery@eog.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).

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: Savannah Vickery, Governor's Office of Adoption and Child Protection, (850)717-9261 or savannah.vickery@eog.myflorida.com.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Tuesday, March 16, 2021, 9:30 a.m., Lake Belt Mitigation Committee Meeting

PLACE: This meeting will be held via teleconference.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of the Lake Belt Mitigation Committee

(LBMC), created pursuant to Section 373.41492, Florida Statutes. Meeting content will include information regarding the 2020 LBMC Annual Report, Abiaki Prairie construction status, and monitoring updates for the Dade-Broward Levee and L-31N Phase 2 projects.

All members of the public and stakeholders are invited to participate and provide comment to the Lake Belt Mitigation Committee.

Teleconference information: 6800 (Internal Number), (561)682-6800 (WPB Local Number), 1(855)682-6800 (Toll Free Nationwide), Access Code: 998 309 768

A copy of the agenda may be obtained by contacting: Lourdes Elias, (561)682-2706, lelias@sfwmd.gov, or online at [SFWMD.gov/our-work/lake-belt-committee](https://www.sfwmd.gov/our-work/lake-belt-committee), seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Rosie Byrd at rbyrd@sfwmd.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: Lourdes Elias, (561)682-2706, lelias@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Monday, March 15, 2021, 5:00 p.m., SFWMD Recreational Public Forum

PLACE: This meeting will be conducted via Zoom, a media technology free for the public to use.

https://zoom.us/webinar/register/WN_Z-MrzAHsShWE1a2FJfsqQw

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

The public and stakeholders are invited to participate and will have an opportunity to view and comment during the meeting by utilizing the following link: https://zoom.us/webinar/register/WN_Z-MrzAHsShWE1a2FJfsqQw

This link can also be found on the District's website at www.SFWMD.gov/meetings, and will go live at approximately 5:00 p.m. on March 15, 2021.

All of this meeting will be conducted via media technology.

One or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting. No Governing Board action will be taken.

A copy of the agenda may be obtained by contacting: Yvette Bonilla at ybonilla@sfwmd.gov, or at <https://www.sfwmd.gov/news-events/meetings>, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Rosie Byrd, District Clerk, at rbyrd@sfwmd.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: Yvette Bonilla at ybonilla@sfwmd.gov.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water, a Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 24, 2021, 10:30 a.m.

PLACE: Tampa Bay Water Administrative Offices, 1st Floor, 2575 Enterprise Road, Clearwater, Florida 33763. Due to Covid-19 concerns this meeting will also be offered via GoToMeeting. Interested person(s) may participate using the following Dial in Number: 1(877)309-2073

and access code: 184-380-605. To join using a computer, laptop, or tablet, use the following link: <https://global.gotomeeting.com/join/184380605>

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for The Request for Proposals for EXECUTIVE SEARCH FIRM: GENERAL MANAGER, Contract No. 2021-042. As a part of the selection process, the Selection Committee will meet to review and discuss the responses and ranking of the firms, determine if interviews are needed and review potential interview questions. A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 13, 2021, 10:00 a.m.

PLACE: Telephone conference number: 1(888)585-9008, participant code: 564 952 647

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness Committee of the Board.

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, April 14, 2021, 12:00 Noon; Thursday, April 15, 2021, 8:30 a.m.; Friday, April 16, 2021, 8:30 a.m.

PLACE: Hilton Garden Inn Palm Beach Gardens, 3505 Kyoto Gardens Dr, Palm Beach Gardens, FL 33410, (561)694-5833

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business, disciplinary and committee meetings of the Board

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: March 15, 2021, 10:00 a.m. Tallahassee local time

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt notes by Florida Housing to provide additional financing for the acquisition, construction, or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Magnolia Oaks, a 110-unit multifamily residential rental development located at 821 E. Magnolia Drive, Tallahassee, Leon County, FL. The owner and operator of the development is MHP Magnolia Oaks, LLC, located at 601 Brickell Key Drive, Suite 700, Miami, FL 33131, or such successor in interest in which MHP Magnolia Oaks, LLC or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., located at 1022 West 23rd Street, Suite 300, Panama City, FL 32405. The tax-exempt note amount is not to exceed \$13,750,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential note issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), March 11, 2021, and should be addressed to the attention of Tim Kennedy, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local

hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tim Kennedy, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by contacting: NA
For more information, you may contact: Tim Kennedy, Assistant Director of Multifamily Programs

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: March 15, 2021, 10:30 a.m. Tallahassee local time

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction, or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

The Arbors fka Arbors at Lynn Haven Bluffs, a 138-unit multifamily residential rental development located at 235 15th Street West, Panama City, Bay County, FL. The owner and operator of the development is SP Bluffs LLC, located at 5403 West Gray Street, Tampa, FL 33609, or such successor in interest in which SP Bluffs LLC or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cambridge Management, Inc. d/b/a Cambridge Management of Washington, Inc., located at 5403 West Gray Street, Tampa, FL 33609. The tax-exempt bond amount is not to exceed \$18,700,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed.

Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), March 11, 2021, and should be addressed to the attention of Tim Kennedy, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tim Kennedy, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by contacting: NA
For more information, you may contact: Tim Kennedy, Assistant Director of Multifamily Programs.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: March 15, 2021, 11:00 a.m. Tallahassee local time

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction, or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Ambar Trail, a 210-unit multifamily residential rental development located at 27200 Old Dixie Highway, Homestead, Miami-Dade County, FL. The owner and operator of the development is Ambar Trail, Ltd., located at 13611 S Dixie Highway, Suite 374, Miami, FL 33176, or such successor in interest in which Ambar Trail, Ltd. or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed

development is Royal American Management, Inc., located at 1022 West 23rd Street, Suite 300, Panama City, FL 32405. The tax-exempt bond amount is not to exceed \$35,200,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), March 11, 2021, and should be addressed to the attention of Tim Kennedy, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tim Kennedy, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by contacting: NA

For more information, you may contact: Tim Kennedy, Assistant Director of Multifamily Programs.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: March 15, 2021, 11:30 a.m. Tallahassee local time

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction, or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Bridge Plaza Apartments, a 102-unit multifamily residential rental development located at 6916 Front Beach Road, Panama

City Beach, Bay County, FL. The owner and operator of the development is SP Bay LLC, located at 5403 West Gray Street, Tampa, FL 33609, or such successor in interest in which SP Bay LLC or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cambridge Management, Inc. d/b/a Cambridge Management of Washington, Inc., located at 5403 West Gray Street, Tampa, FL 33609. The tax-exempt bond amount is not to exceed \$14,300,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), March 11, 2021, and should be addressed to the attention of Tim Kennedy, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tim Kennedy, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by contacting: NA

For more information, you may contact: Tim Kennedy, Assistant Director of Multifamily Programs.

GULF CONSORTIUM

The Gulf Consortium Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 10, 2021, 3:30 p.m. ET

PLACE: his meeting will be conducted exclusively via teleconference. Interested persons may participate by telephone via the following: Dial in Number: (669)224-3217, Participant Passcode: 865-760-109

Interested persons who wish to participate may also contact Valerie Seidel at (407)629-2185 ext 104 or

vseidel@balmoralgroup.us at least three (3) days in advance of the meeting to arrange for access to be provided to the teleconference at the following location: The Balmoral Group, 165 Lincoln Avenue, Winter Park, FL 32789

Please note that in light of the current situation surrounding the COVID-19 virus and to limit public gatherings in accordance with Federal and State directives, interested persons who wish to participate are encouraged to do so remotely via telephone, utilizing the contact information described above.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee of the Gulf Consortium will meet to discuss the status of grant applications and grants, review financials, and conduct other business at the discretion of the committee

A copy of the agenda may be obtained by contacting: at www.gulfconsortium.org or by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: at www.gulfconsortium.org or by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: at www.gulfconsortium.org or by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

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

DATE AND TIME: March 18, 2021, 10:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

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

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

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

NOTICE IS HEREBY GIVEN that FLORIDA OFFICE OF INSURANCE REGULATION (“OFFICE”) has declined to rule on the petition for declaratory statement filed by Sirius America Insurance Company (“Petitioner”) on October 15, 2020. The following is a summary of the agency's declination of the petition: The Office denied the petition. The Office has issued a Declaratory Statement that states that upon reviewing the petition and subsection 627.659(5), Florida Statutes, the Office finds that Petitioner did not provide sufficient information for the Office to issue a declaratory statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Public Records Office, Office of Insurance Regulation, 200 E. Gaines Street, Larson Building, Tallahassee, FL 32399, Telephone: (850)413-4223, E-mail: PublicRecords@flor.com.

Please refer all comments to: Christina Jackson, Assistant General Counsel, Christina.Jackson@flor.com.

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

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

ALAFIA PRESERVE (MULBERRY) LLC & EAGLE RIDGE (MULBERRY) LLC, LDS DONALDSON KNOLL INVESTMENTS, LLC, Petitioners, vs. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, Respondent.; CASE NO.: 21-0798RP; RULE NO.: 62-41.300, 62-41.301, 62-41.302, 62-41.303, 62-41.304, 62-41.305

CITY OF ST. CLOUD, Petitioner, vs. STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION, Respondent. CASE NO.: 21-0802RP; RULE NO.: 62-41.300, 62-41.301, 62-41.302, 62-41.303, 62-41.304, 62-41.305

CITY OF WINTER HAVEN, FLORIDA, Petitioner, vs. STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION, Respondent. ASE NO.: 21-0803; RULE NO.: 62-41.300, 62-41.301, 62-41.302, 62-41.303, 62-41.304, 62-41.305

CITY OF FORT MEADE, FLORIDA, CITY OF EAGLE PARK, FLORIDA and CITY OF POLK CITY, FLORIDA, Petitioners, vs. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, Respondent. CASE NO.: 21-0804; RULE NO.: 62-41.300, 62-41.301, 62-41.302, 62-41.303, 62-41.304, 62-41.305

CITY OF MULBERRY, FLORIDA, Petitioner, vs. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, Respondent. CASE NO.: 21-0805; RULE NO.: 62-41.300, 62-41.301, 62-41.302, 62-41.303, 62-41.304, 62-41.305

CITY OF BARTOW, FLORIDA, Petitioner, vs. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, Respondent. CASE NO.: 21-0806; RULE NO.: 62-41.300, 62-41.301, 62-41.302, 62-41.303, 62-41.304, 62-41.305

CITY OF SANFORD, Petitioner, vs. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, Respondent. CASE NO.: 21-0807; RULE NO.: 62-41.300, 62-41.301, 62-41.302, 62-41.303, 62-41.304, 62-41.305

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION DISTRICT BOARD OF TRUSTEES MIAMI DADE COLLEGE 11011 S.W. 104th STREET MIAMI, FL 33176-3393

Responses to the Response for Proposal (RFP) listed below will be accepted ELECTRONICALLY, by 3:00 p.m. on April 6, 2021. Prospective proposers may obtain the RFP solicitation at the Miami Dade College BidNet Direct website, <https://www.bidnetdirect.com/florida/miamidadecollege>

BID NUMBER: 2017-RM1-08C, BID TITLE: Reissuance of Grant Evaluation Service Providers

Direct questions regarding this Bid to: Roman Martinez, MPA, CPPO, CPPB, FCCM, Group Director – Purchasing, Miami Dade College, e-mail: RMartin9@mdc.edu.

If a person decides to appeal any decision with respect to any matter considered at the above-cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained by writing to: Miami Dade College, Office of the Purchasing Director, 11011 S.W. 104 Street, Miami, FL 33176 or by calling (305)237-2402.

DEPARTMENT OF EDUCATION DISTRICT BOARD OF TRUSTEES MIAMI DADE COLLEGE 11011 S.W. 104th STREET MIAMI, FL 33176-3393

Responses to the Response for Proposal (RFP) listed below will be accepted ELECTRONICALLY, by 3:00 p.m. on April 8, 2021. Prospective proposers may obtain the RFP solicitation at the Miami Dade College BidNet Direct website, <https://www.bidnetdirect.com/florida/miamidadecollege>

BID NUMBER: 2019-RM1-38A, BID TITLE: Pre-Qualification – Grant Writing Services

Direct questions regarding this Bid to: Roman Martinez, MPA, CPPO, CPPB, FCCM, Group Director – Purchasing, Miami Dade College, e-mail: RMartin9@mdc.edu

If a person decides to appeal any decision with respect to any matter considered at the above-cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained

by writing to: Miami Dade College, Office of the Purchasing Director, 11011 S.W. 104 Street, Miami, FL 33176 or by calling (305)237-2402.

DEPARTMENT OF EDUCATION

Florida International University
FIU-CSC MEP Consultant 2021

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees announces that Professional Services in the discipline of MECHANICAL/ELECTRICAL ENGINEERING will be required for Continuing Services projects at FIU.

Project Location: Modesto A. Maidique Campus (MMC), Biscayne Bay Campus (BBC), Engineering Center (EC), and other properties in Florida managed by FIU.

Project Description: Continuing Services Projects are specific projects for Mechanical, Electrical and Plumbing for renovations, alterations, and additions that have a basic construction budget estimated to be \$4,000,000 or less, or studies for which the fee for professional services is \$500,000 or less.

Term of Contract: Any contract resulting from the selection of a professional consultant (or consultants) to provide these services shall require the consultant to be available on an as-needed basis for the Fiscal Year, July 1 – June 30. One contract will be awarded to one firm. This contract will be awarded for an initial period of one-year with Owner's option to renew the contract, at its sole discretion, for additional one-year periods, however, in no event to exceed a total of five successive years. Selection Process: Selection of finalists for interviews will be made on the basis of qualifications, including experience and ability; past experience; administrative ability, quality control capability and qualification of the firm's personnel and staff. The final ranking shall be determined based on oral presentations and references. The Selection Committee may reject all proposals and stop the selection process at any time.

Instructions:

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed "Florida International University Professional Qualifications Supplement (FIUPQS)." The latest version of official FIUPQS forms (FIUPQS_08_2015) must be downloaded from the FIU web site at <https://facilities.fiu.edu/projects/FIUMEPConsultant2021.htm>. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate Governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit Seven (7) bound copies of the required proposal data and one CD or USB flash drive or other clearly labeled electronic media) copy in Adobe Acrobat PDF format of the requested qualifications to: Selection Committee, Florida International University, Facilities Planning, Campus Support Complex, 11555 S.W. 17th St., Room CSC142, Modesto A. Maidique Campus, Miami, Florida 33199. Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent. The award of this contract is subject to availability of funds.

GENERAL REQUIREMENTS: Any plans and specifications prepared by the Design Professional are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of the threshold amount provided in Section 287.017, Florida Statutes for CATEGORY TWO in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

FIU HAS CREATED STANDARD CONTRACT FORMS AND STANDARD INSURANCE REQUIREMENTS APPLICABLE TO A/E'S FOR A/E SERVICES TO PROVIDE FOR AN EFFICIENT AND EFFECTIVE PROCESS. THESE FORMS ARE AVAILABLE FOR REVIEW AND CAN BE FOUND AT <http://facilities.fiu.edu/formsandstandards.htm>.

ALL APPLICANTS SHOULD REVIEW THE APPLICABLE FIU CONTRACT FORM AND STANDARD INSURANCE REQUIREMENTS CAREFULLY PRIOR TO MAKING A DECISION AS TO WHETHER OR NOT TO RESPOND TO THIS ADVERTISEMENT.

FIU's Standard Contracts for Continuing Services are being revised to (i) be consistent with the increased dollar amount limits for construction and studies per Section 287.055, Florida Statutes, enacted by the 2020 Florida Legislature and BOG Regulation 14.004, and (ii) incorporate the terms of Section 448.095, Florida Statutes, which became effective on January 1, 2021. The selected consultant must certify that it is registered with and uses the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the design consultant during the term of the contract. If the design consultant enters into a contract with a subcontractor to perform work or provide services pursuant to the contract, design consultant shall likewise require the subcontractor to comply with the requirements of Section

448.095, Fla. Stat., and the subcontractor shall provide to the design consultant an affidavit stating that the subcontractor does not employ, contract with or subcontract with an unauthorized alien. All applicants should review Section 448.095, Fla. Stat. carefully.

The Project Fact Sheet, describes the selection process schedule for this Project and additional information regarding the Project scope, and may be obtained from the project web site <https://facilities.fiu.edu/projects/FIUMEPConsultant2021.htm>. In order to minimize the possibility of unethical pressures or influences on the recommendations of the Selection Committee, direct contact with the committee members is not permitted. Requests for meetings by individual firms will not be granted. Committee members and selection schedule milestone dates can be found in the Project Fact Sheet.

Once the firm acquires and reviews the required forms including instructions, any question or explanation desired by an applicant regarding the project or any part of the process must be requested in writing to griffith@fiu.edu cc: angpaz@fiu.edu. Responses to questions and requests for information will be posted on the project web site. An effort will be made to respond to all applicant questions; however, the University is not obligated to and may choose not to answer every question. The last day questions or inquiries will be considered prior to final interviews for this project will be announced on the project web site once the date for interviews has been determined.

Should a change in schedule become necessary, updated information will be posted on the project web site <https://facilities.fiu.edu/projects/FIUMEPConsultant2021.htm>. All future notices will be posted on the web site. Applicants should check the web site daily.

SUBMIT QUALIFICATIONS TO: Selection Committee, Florida International University, Facilities Planning, Campus Support Complex, 11555 S.W. 17th St., Room #142, Modesto A. Maidique Campus, Miami, Florida 33199. Submittals must be received between 8:30 a.m. – 12:30 p.m. OR 1:30 p.m. – 4:00 p.m. local time, Friday, April 2, 2021. Facsimile (FAX) submittals are not acceptable and will not be considered.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD
REQUEST FOR STATEMENT OF QUALIFICATIONS for
ARCHITECTURAL AND ENGINEERING SERVICES**

PROJECT ANNOUNCEMENT: The Sarasota County Public Hospital District *d/b/a* Sarasota Memorial Hospital and Sarasota Memorial Health Care System and its governing board (collectively, “*the Hospital*”), located in Sarasota County, Florida, is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act, which is codified at Section 287.055, Florida Statutes.

PROJECT DESCRIPTION: The scope of work for this project includes architectural and engineering services for the development of the schematic level designs of a new 5-story, 72-bed, acute care in-patient bed tower expansion, shell space, associated support space, and a Central Energy Plant expansion located at the southwest corner of Laurel Road and Interstate 75, with an address of 2600 Laurel Road East, North Venice, Florida, within zip code 34275 (the “*New Bed Tower Expansion*”). The scope shall include a deliverable of a detailed, electronic presentation of all schematic design results to include design and total project costs. The presentation shall be utilized to inform the Sarasota County Public Hospital Board and Senior Leadership of proposed timelines and total project costs.

The New Bed Tower Expansion will include but is not limited to the following programming: Level One will include approximately 37,600 square feet of shelled space, and 6,400 square feet of support space. Level Two will include but is not limited to approximately 34,300 square feet of shell space, 3,500 square feet of clinical support space, and approximately 300 square feet of renovation space. Level Three is an interstitial floor and will include but is not limited to approximately 25,000 square feet of mechanical support space, 3,900 square feet of support space, and 400 square feet of renovation space. Level Four will include but is not limited to an approximately 24,700 square-foot, 36-bed in-patient acute care unit, 5,000 square feet of clinical support space, 4,000 square feet of shell space, and 500 square feet of renovation space. Level Five will include but is not limited to an approximately 24,700 square-foot, 36-bed in-patient acute care unit, 3,400 square feet clinical support space, 5,600 square feet of shell space, and approximately 400 square feet of renovation space. The Central Energy Plant expansion will include but is not limited to an approximately 1,500-square-foot expansion to accommodate additional emergency redundancy equipment. The architectural and engineering services will include, but are not limited to schematic level programming, schematic level site planning, forecast permitting of scope, schematic design of site work, and civil work aligned with future master planning. The site work infrastructure also includes, but is not limited to, schematic level coordination with public utilities, communications providers, mechanical, electrical, plumbing, fire protection and structural design work for the development of the New Bed Tower Expansion and the Central Energy Plant expansion. The scope of work may include consideration of additional buildings, roadways, and services whether contiguous to the hospital, or freestanding, and programming of their services.

PROPOSED SCHEDULE: The timelines to design and build these potential buildings and services will be determined by the results of a planning study and potential revisions to the master planning study as the New Bed Tower Expansion and Central

Energy Plant Expansion development progresses. In addition, the proposed schedule will be determined, and may be subject to change, based on the timing of regulatory and other necessary approvals. Project development, including professional services, is contingent upon availability of funds.

Firms interested in being considered as candidates are required to submit *five (5) bound statements of qualifications* that include at least the following data, *to be organized in the following order*:

1. A copy of Florida design licensure and corporate registration certificates.
2. Proof of insurance in the following categories: Commercial General Liability to include, each occurrence \$1,000,000; Damage to Rented Premises, \$300,000 each occurrence; Medical Expenses to any one person \$10,000; Personal Injury \$1,000,000; General Aggregate \$2,000,000; Umbrella Liability, \$5,000,000, each occurrence. Worker Compensation & Employee Liability insurance is minimum \$1,000,000 each occurrence, \$1,000,000 each accident, \$1,000,000 disease each employee, \$1,000,000 disease policy limit. The Firm's insurer(s) shall be rated A- (or better) by A.M. Best.
3. A separate statement as to whether the Firm is a certified Minority Business Enterprise. If your Firm claims MBE, WMBE status, a copy of your Firm's current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team to include individual resumes with relevant design experience as follows:
 - a. Master Planning of an acute care hospital campus;
 - b. Florida Acute Care Bed Tower Expansion;
 - c. Programming of an acute care hospital and required support services, preferably in the state of Florida;
 - d. Examples of a similarly completed design of a licensed acute care hospital campus project that include:
 - A licensed acute care hospital, future expansion capabilities, and agency required support services, preferably in the state of Florida;
 - Site development to include but not limited to: Roadways, Surface parking, Utilities, Lighting, Landscaping and Drainage.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified. Please ensure your references are updated and willing to reply. Reference responses are mandatory.
6. Design and permitting experience within the County of Sarasota, Florida, City of Venice, Florida and other applicable permitting agencies.
7. Location of the design Firm's main office, and proposed project team office location (if different from main).

8. An explanation of how the Firm intends to respond expeditiously on urgent project matters, and a summary of the Firm's approach to this particular project.

Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Applications on any other form may not be considered, and applications that do not comply with the above instructions may be disqualified. Submissions must be complete and on time. Incomplete or tardy submissions will be returned un-opened and the responding Firm disqualified. Submittals are part of the public record. Application materials will not be returned.

The basis for selection criteria for this project includes, but is not limited to:

1. The Firm's relevant design experience as it relates to the above referenced project;
2. The Firm's proposed team's design experience as it relates to the above referenced project;
3. The Firm's relevant experience with regulatory agencies with applicable jurisdictional authority, including, but not limited to, federal, state, and local agencies;
4. The Firm's depth of design team and the resources available for this assignment. This includes recent, current, and projected workloads of the Firm;
5. Status of professional registration and licensure of all individual team members being proposed for this project;
6. The location of the architect of record and main / corporate office;
7. The location of the engineer of record and main / corporate office;
8. The location of the project architect and main / corporate office;
9. The location of the project engineer and main / corporate office;
10. The location of the architect's support team for this project;
11. The location of the engineer's support team for this project;
12. The Firm's approach to this particular project;
13. The Firm's ability to respond quickly;
14. Whether or not the lead Firm is an MBE / WMBE (valid certificate from the Office of Supplier Diversity required); and
15. The volume of previously awarded projects to the Firm by the Hospital.

It is the Hospital's responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

All interested Firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The Hospital reserves the right to request additional information beyond the data set forth above.
3. Questions regarding submissions shall be directed only to Chris Warber, (941)400-9227. Submissions shall be titled: Statement of Qualifications for ARCHITECTURAL AND ENGINEERING SERVICES The Sarasota Memorial Hospital Health Care System SMH-VENICE Bed Tower Expansion Project
4. Submittals must be received by the Hospital no later than 3:30 PM, on Thursday, April 1, 2021. Submit statements to Chris Warber, Project Superintendent, Sarasota Memorial Hospital, Department of Architecture and Construction, 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
5. Only Chris Warber shall be contacted with regard to this Request. Requests for meetings by individual Firms will not be granted. No communication shall take place between the applicants and the Hospital's Selection Committee members, Board members, Administrators, or employees of the Hospital. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.
6. Interested persons should contact Chris Warber at (941)400-9227 with any project-related questions.
7. The selection committee will meet in a public meeting in Sarasota Memorial's first floor Waldemere Auditorium, located at 1700 S. Tamiami Trail, Sarasota, FL 34239 on Monday, April 12, 2021, 1:30 p.m. – 5:00 p.m., to hear presentations, discuss and announce the top three ranked Firms (unless fewer than three Firms deliver submittals) deemed to be the most highly qualified to perform the required services with whom the Hospital will subsequently engage in contract negotiations. If there are less than three (3) Firms responding, the Selection Committee shall also evaluate current statements of qualifications and performance data on file with the Hospital, in determining which Firm is the most highly qualified to perform the required services and announce the top three ranked Firms. All interested parties are invited to attend.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD
REQUEST FOR STATEMENTS OF QUALIFICATIONS FOR
PROFESSIONAL GENERAL CONTRACTING SERVICES
PROJECT ANNOUNCEMENT:** The Sarasota County Public Hospital District d/b/a Sarasota Memorial Hospital and Sarasota Memorial Health Care System and its governing board (collectively, "the Hospital"), located in Sarasota County, Florida, is accepting statements of qualifications from Professional General Contracting Consulting Firms under the

provisions of the Consultants' Competitive Negotiation Act, which is codified at Section 287.055, Florida Statutes.

PROJECT DESCRIPTION: The scope of work for this project includes schematic level professional general contracting services for the development of the schematic level cost models, constructability, scheduling, and conceptual phasing, of a new 5-story, 72-bed, acute care in-patient bed tower expansion, shell space, associated support space, and a Central Energy Plant expansion located at the southwest corner of Laurel Road and Interstate 75, with an address of 2600 East Laurel Road, North Venice, Florida, within zip code 34275 (the "New Bed Tower Expansion"). The scope shall include a deliverable of a detailed, electronic presentation of all schematic constructability results to include but not limited to phasing, scheduling and total project costs. The presentation shall be utilized to inform the Sarasota County Public Hospital Board and Senior Leadership of proposed timelines and total project costs.

The New Bed Tower Expansion will include but is not limited to the following programming: Level One will include approximately 37,600 square feet of shelled space, and 6,400 square feet of support space. Level Two will include but is not limited to approximately 34,300 square feet of shell space, 3,500 square feet of clinical support space, and approximately 300 square feet of renovation space. Level Three is an interstitial floor and will include but is not limited to approximately 25,000 square feet of mechanical support space, 3,900 square feet of support space, and 400 square feet of renovation space. Level Four will include but is not limited to an approximately 24,700-square-foot, 36-bed in-patient acute care unit, 5,000 square feet of clinical support space, 4,000 square feet of shell space, and 500 square feet of renovation space. Level Five will include but is not limited to an approximately 24,700-square-foot, 36-bed in-patient acute care unit, 5,000 square feet clinical support space, 4,000 square feet of shell space, and approximately 400 square feet of renovation space. The Central Energy Plant expansion will include but is not limited to an approximately 1,500-square-foot expansion to accommodate additional emergency redundancy equipment.

The scope of professional general contracting services includes but is not limited to schematic phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services, site work, parking and site work infrastructure. The site work infrastructure also includes, but is not limited to, public utilities, communications, mechanical, electrical, plumbing, fire protection and structural work for the development of the New Bed Tower Expansion, and the support services required for each proposed scope to allow for expansion capabilities. The scope of work may include consideration of additional buildings and services

whether contiguous to the hospital, or freestanding, and programming of their services aligned with future master planning on the campus.

PROPOSED SCHEDULE: The timelines to design and build these potential buildings and services will be determined by the results of the master planning study and potential revisions to the master planning study as the New Bed Tower Expansion development progresses. In addition, the proposed schedule will be determined, and may be subject to change, based on the timing of regulatory and other necessary approvals. Project development, including professional services is contingent upon availability of funds.

Firms interested in being considered as candidates are required to submit five (5) bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida current construction licensure and current corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement, latest edition.
3. Proof of general, automobile and workers' compensation liability insurance coverage.
4. A complete list of all the firm's relevant insurance coverage statements that provide minimum coverage limits that:
 - Provide proof that the minimum insurance coverage provided is sufficient to protect the Hospital for this project.
5. Proof of current bonding capacity and current usage of bonding capacity and available bonding capacity remaining.
6. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
7. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified. Please ensure your references are updated and willing to reply. Reference responses are mandatory.
8. Construction and permitting experience within the City of Venice, FL, and County of Sarasota, Florida and other applicable permitting agencies.
9. Resumes of key personnel that would be used on this project to include their project relevant experience.
10. The firm's experience in the construction of a new Florida Bed Tower Expansion, support areas, Central Energy Plant expansion project as described above.
11. Location of the firm's main office, and proposed project team office location (if different from main).
12. An explanation of how the Firm intends to respond expeditiously on urgent project matters and a summary of the Firm's approach to this particular project.

13. Site construction management experience to include but not limited to: Structure, Roadway Access, Surface Parking, Private Utilities, Public Utilities, Exterior Lighting, Landscaping and Drainage, and Retention.

Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Applications on any other form may not be considered, and applications that do not comply with the above instructions may be disqualified. Submissions must be complete and on time. Incomplete or tardy submissions will be returned un-opened and the responding Firm disqualified. Submittals are part of the public record. Application materials will not be returned.

The basis for selection criteria for this project includes, but is not limited to:

1. The Firm's relevant professional general contracting experience as it relates to the above referenced project;
2. The Firm's proposed individual team member's relevant experience as it relates to the above referenced project;
3. The Firm's relevant professional general contracting experience with regulatory agencies with applicable jurisdictional authority, including, but not limited to federal, state, and local agencies;
4. The Firm's depth of construction management team and the resources available for this assignment. This includes recent, current, and projected workloads of the Firm;
5. The location of the Professional General Contracting Firm's main / corporate office;
6. The Firm's approach to this particular project;
7. The Firm's ability to respond quickly;
8. Whether or not the lead Firm is an MBE / WMBE (valid certificate from the Office of Supplier Diversity required);
9. The volume of previously awarded projects to the Firm by the Hospital; and
10. The Firm's available bonding capacity for this project.

It is the Hospital's responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

All interested Firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The Hospital reserves the right to request additional information beyond the data set forth above.
3. Questions regarding submissions shall be directed only to Chris Warber (941) 400-9227. Submissions shall be titled: Statement of Qualifications for PROFESSIONAL GENERAL CONTRACTING SERVICES

The Sarasota Memorial Health Care System
SMH-VENICE Bed Tower Expansion Project

1. Submittals must be received by the Hospital no later than 3:30 PM, on Thursday, April 1, 2021. Submit statements to Chris Warber, Project Superintendent, Sarasota Memorial Hospital, Department of Architecture and Construction, 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

2. Only Chris Warber shall be contacted with regard to this Request. Requests for meetings by individual Firms will not be granted. No communication shall take place between the applicants and the Hospital’s Selection Committee members, Board members, Administrators, or employees of the Hospital. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

3. Interested persons should contact Chris Warber at (941) 400-9227 with any project-related questions.

4. The selection committee will meet in a public meeting in Sarasota Memorial’s first floor Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, on Monday, April 12, 2021, 8:00 a.m. – 12:00 Noon, to hear presentations, discuss and announce the top three ranked Firms (unless fewer than three Firms deliver submittals) deemed to be the most highly qualified to perform the required services with whom the Hospital will subsequently engage in contract negotiations. If there are less than three (3) Firms responding, the Selection Committee shall also evaluate current statements of qualifications and performance data on file with the Hospital, in determining which Firm is the most highly qualified to perform the required services, and announce the top three ranked Firms. All interested parties are invited to attend.

AMERICAN GUARANTY FUND GROUP, INC.
Audit & Accounting Services RFP

American Guaranty Fund Group (AGFG) is seeking proposals from firms interested in providing audit and accounting services. AGFG is a service company created to provide management and administrative services related to all post-insolvency claims filed with Florida Insurance Guaranty Association (FIGA) and Florida Workers’ Compensation Insurance Guaranty Association (FWCIGA). The selection of a successful respondent and the execution of an agreement will be accomplished in accordance with Part II and Part V of Chapter 631, Florida Statutes, and the entities’ Plan of Operations. Interested parties and questions related to the solicitation and submission of proposals should be addressed to: Elizabeth Frisbie, Controller, AGFG, P.O. Box 15159, Tallahassee, FL 32317, (850)523-1820, lfrisbie@agfgroup.org

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, February 26, 2021 and 3:00 p.m., Thursday, March 4, 2021.

Rule No.	File Date	Effective Date
40E-2.091	3/1/2021	3/21/2021
40E-10.071	3/1/2021	3/21/2021
61C-5.001	3/3/2021	3/23/2021
61E14-3.002	3/4/2021	3/24/2021
64B14-4.001	2/26/2021	3/18/2021
64B32-5.007	2/26/2021	3/18/2021
64DER21-3	3/2/2021	3/2/2021

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	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

CITY OF GULF BREEZE

NOTICE OF PROPOSED LEGISLATION

Telecommunications Ordinance

The Gulf Breeze City Council will hold the First Reading and Public Hearing at Gulf Breeze City Hall located at 1070 Shoreline Drive, Gulf Breeze, Florida, on Monday, March 15, 2021, at 5:30 PM when the City Council will hear:

ORDINANCE NO. 01-2021 AN ORDINANCE OF THE CITY OF GULF BREEZE, FLORIDA, AMENDING THE CITY’S LAND DEVELOPMENT CODE, PART II, SUBPART B, OF THE CITY’S CODE OF ORDINANCES, TO REVISE CERTAIN PROVISIONS IN ARTICLE V, SECTIONS 21-

307 AND 21-309, AND TO ADD NEW SECTIONS 21-309(20) AND 21-309(21), AND TO REPEAL SECTION 21-317, REGARDING THE LOCATING OF WIRELESS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

This Ordinance may be viewed in its entirety at the Office of the City Clerk during regular business hours at the address above. If a person decides to appeal any decision made by the City Council with respect to this matter, he or she must ensure that a verbatim record of the proceedings are made. The record should include the testimony and evidence upon which the appeal is to be based.

Residents planning to attend the meeting who need special assistance must notify the Office of the City Clerk at (850)934-5115 no less than 72 hours (3 business days) preceding the meeting.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

DEO Final Order No. DEO-21-008

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY CITY OF MARATHON
ORDINANCE NO. 2018-10

FINAL ORDER

APPROVING CITY OF MARATHON ORDINANCE NO. 2018-10

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Marathon, Florida, Ordinance No. 2018-10 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. The City of Marathon (“City”) is a local government within the Florida Keys Area.

2. The Ordinance was adopted by the City on October 23, 2018, and rendered to the Department on February 22, 2021.

3. The Ordinance amends several sections of the Land Development Code to modify the City’s existing Building Permit Allocation System (BPAS) to provide for additional permit allocations made available under the Workforce Affordable Housing Initiative. The Ordinance amends Chapters 104 and 107 of the Code to establish eligibility criteria, exemptions, and definitions for the additional BPAS allocations.

CONCLUSIONS OF LAW

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

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

6. The Ordinance is consistent with the City’s Comprehensive Plan as required by subsection 163.3177(1), Florida Statutes, generally, and is specifically consistent with Policies 1-4.1.1, 1-4.1.2, 1-4.1.3, 1-4.1.4, and 1-4.1.5 of the Plan.

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

8. The Ordinance is consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern as a whole, and is specifically consistent with the following principles:

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

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

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

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

WHEREFORE, IT IS ORDERED that the Department finds that the City of Marathon Ordinance No. 2018-10 is consistent with the City of Marathon Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern, and is hereby **APPROVED**.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/James D. Stansbury, James D. Stansbury, Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX: (850)921-3230,

AGENCY.CLERK@DEO.MYFLORIDA.COM.

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 4th day of March, 2021.

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

By U.S. Mail:

Steve Cook, Mayor, City of Marathon, City Council, 9805 Overseas Highway, Marathon, FL 33050

Diane Clavier, City Clerk, City of Marathon, City Clerk, 9805 Overseas Highway, Marathon, FL 33050

George Garrett, Planning Director, City of Marathon, Planning Department, 9805 Overseas Highway, Marathon, FL 33050

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.
