

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Drugs, Devices and Cosmetics

RULE NO.: RULE TITLE:
61N-2.033 Application for Certification as a Designated
 Representative

PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to incorporate an updated version of the Application for Certification as a Designated Representative.

SUBJECT AREA TO BE ADDRESSED: This rule describes the procedure to apply for certification as a designated representative for prescription drug wholesale distributors.

RULEMAKING AUTHORITY: 499.01, 499.012, 499.0121, 499.04, 499.041, 499.05, F.S.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.04, 499.041, 499.05, 559.79, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Swartz, Assistant General Counsel, Office of the General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-2212, (850)717-1252.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: RULE TITLE:
64B12-9.016 Eligibility of Individuals Licensed in
 Another State

PURPOSE AND EFFECT: Changes to the rule reflect the new requirements in s. 456.0145, F.S., regarding licensure by endorsement. A person desiring to obtain licensure by endorsement as an optician will now be required to apply to the Department of Health using a new form incorporated in the rule titled Mobile Opportunity by Interstate Licensure Endorsement (MOBILE). The new incorporated form will replace the current incorporated form and previous endorsement requirements are removed from the rule.

SUBJECT AREA TO BE ADDRESSED: Changes to the rule reflect the new requirements in s. 456.0145, F.S., regarding

licensure by endorsement. A person desiring to obtain licensure by endorsement as an optician will now be required to apply to the Department of Health using a new form incorporated in the rule titled Mobile Opportunity by Interstate Licensure Endorsement (MOBILE). The new incorporated form will replace the current incorporated form and previous endorsement requirements are removed from the rule.

RULEMAKING AUTHORITY: 484.005 FS.

LAW IMPLEMENTED: 484.007(3), FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ashleigh Irving, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

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

Section II

Proposed Rules

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

RULE NO.: RULE TITLE:
61-31.101 License Requirements

PURPOSE AND EFFECT: The proposed amendment will revise existing language and incorporate an amended application form for mold-related licensure containing the option to obtain licensure by endorsement pursuant to the changes to 468.8414, F.S., by HB 869 (2023).

SUMMARY: The proposed amendment will allow people to obtain mold-related licenses via endorsement with 10 years of experience.

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 economic review conducted by the agency

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

RULEMAKING AUTHORITY: 455.2035, 468.8413(5), 468.8424, F.S.

LAW IMPLEMENTED: 455.213, 559.79, 468.841, 468.8411, 468.8413, 468.8414, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Swartz, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1252.

THE FULL TEXT OF THE PROPOSED RULE IS:

61-31.101 License Requirements.

(1) No change.

(2) The Department shall issue a license to an applicant who complies with subsection (3) or (4) and complies with the following:

(a) No change.

(b) Submits a completed form DBPR MRS 0701, "Application for Licensure," effective ~~July 2023~~ ~~April 2013~~, adopted and incorporated herein by reference, which may be obtained by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, or at <http://www.flrules.org/Gateway/Reference.asp?No=Ref-XXXXX 03679>.

(c) through (d) No change.

(3) through (6) No change.

Rulemaking Authority 455.2035, 468.8413(5), 468.8424 FS. Law Implemented 455.213, 559.79, 468.841, 468.8411, 468.8413, 468.8414 FS. History—New 1-30-14, Amended 7-8-14, 12-20-21, —

NAME OF PERSON ORIGINATING PROPOSED RULE: Kimberly Marshall, Rules Attorney, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1074.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melanie S. Griffin, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 01, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 7/6/2023 (Vol. 49/130)

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-9.017
 RULE TITLE: Eligibility of Individuals Practicing in a State in Which Licensure is Not Required.

PURPOSE AND EFFECT: The rule is repealed because its provisions are no longer applicable due to new statutory requirements in s. 456.0145, F.S., regarding licensure by endorsement. Any person desiring to obtain licensure by endorsement as an optician will now be required to apply to the Department of Health using a new form incorporated in rule 64B12-9.016, titled Mobile Opportunity by Interstate Licensure Endorsement (MOBILE).

SUMMARY: The rule is repealed because its provisions are no longer applicable due to new statutory requirements in s. 456.0145, F.S., regarding licensure by endorsement. Any person desiring to obtain licensure by endorsement as an optician will now be required to apply to the Department of Health using a new form incorporated in rule 64B12-9.016, titled Mobile Opportunity by Interstate Licensure Endorsement (MOBILE).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 484.005 FS.

LAW IMPLEMENTED: 484.007(1)(d)3. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashleigh Irving, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

The following rule is being repealed:

64B12-9.017 Eligibility of Individuals Practicing in a State in Which Licensure is Not Required.

Specific Authority 484.005 FS. Law Implemented 484.007(1)(d)3. FS. History—New 7-5-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 20, 2024

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NOS.:	RULE TITLES:
65D-30.002	Definitions
65D-30.003	Department Licensing and Regulatory Standards
65D-30.0031	Certifications and Recognitions Required by Statute
65D-30.0032	Display of Licenses
65D-30.0033	License Types
65D-30.0034	Change in Status of License
65D-30.0036	Licensure Application and Renewal
65D-30.0037	Department Licensing Procedures

PURPOSE AND EFFECT: Amendments update the licensure process to issue a license by site pursuant to Chapter Law 2024-176. Amendments also clarify and update the rules.

SUMMARY: Amendments include but are not limited to: (1) include, remove, and update definitions, (2) update licensure process to issue a license by site, (3) updates Departments website, (4) updates procedures to display licenses, (5) updates and clarifies license types, (6) clarifies and removes language, (7) amends form CF-MH 4024, (8) updates licensing procedures regarding the application process and inspections.

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.

A SERC has not been prepared.

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 Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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: 397.321(5) FS.

LAW IMPLEMENTED: 397.311, 397.321, 397.4014, 397.403, 397.407, 397.410, 397.411, 397.417, 397.4871 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elizabeth Floyd. Elizabeth can be reached at Elizabeth.Floyd@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65D-30.002 Definitions.

(1) through (43) No change.

(44) “Mobile Medication Assisted Treatment Unit” means a vehicle lawfully used at a location other than the providers site which behavioral health services are provided.

(44) through (74) are redesignated (45) through (75) No change.

(76) “Site” means a physical location with multiple buildings, units, or structures on the same property where licensed service components are provided.

~~(77)(75) “Stabilization” as defined in Section 397.311, F.S.~~

~~(76) “Substantial Compliance” means an applicant for a new license that is in the initial stages of developing services, has demonstrated the ability to implement the requirements of these rules through operating procedures, and is thereby eligible for a probationary license.~~

~~(78)(77) “Substantial Noncompliance” means an applicant or licensee that has not met all requirements as outlined in statute or Chapter 65D-30, and has not corrected all cited violations, that a provider operating on a regular license has significant violations, or a pattern of violations, which affects the health, safety, or welfare of individuals and, because of~~

~~those violations, is issued an interim license or is subject to other sanctions as provided for in Section 397.415, F.S.~~

(78) through (86) are redesignated (79) through (87) No change.

Rulemaking Authority 397.321(5) FS. Law Implemented 397.311, 397.321(1), 397.410 FS. History—New 5-25-00, Amended 4-3-03, 12-12-05, 8-29-19, 6-19-23. Amended _____.

65D-30.003 Department Licensing and Regulatory Standards.

(1) Licensing.

(a) License Required. All substance use abuse components, as defined in ~~Rule subsection 65D-30.002(17)~~, F.A.C., must be provided by persons or entities that are licensed by the Department pursuant to section 397.401, F.S., unless otherwise exempt from licensing under section 397.4012, F.S., prior to initiating the provision of services.

(b) Licenses Issued by ~~Site Component~~. The Department shall electronically issue one license for ~~all each~~ service ~~components component~~ offered by a provider at ~~each site~~. ~~A separate license is not required for the same component.~~ A license is valid only for the specific service ~~component(s) component~~ listed for ~~the each~~ specific ~~site location~~ identified on the license. Each ~~site location~~ listed on the license shall reflect the license ~~status type~~ for that ~~site component~~. The provider shall print the most recent version of the license and display a copy in ~~the each~~ facility ~~providing the licensed service component~~. One (1) license is required where all facilities are maintained on the same premises and operated under the same management. ~~If there are multiple buildings on the same premises, the buildings must appear as part of one (1) entity.~~

For the purposes of paragraph (b), living arrangements utilized for individuals of day or night treatment with community housing do not constitute facilities or separate premises.

(2) Mandatory Accreditation.

(a) In accordance with section 397.403(3), F.S., providers shall achieve accreditation by an accrediting organization recognized by the Department, as discussed in rule 65D-30.0031, F.A.C. Accreditation is required ~~for~~ ~~or~~ all clinical treatment services and for each location services are offered. Accreditation cannot be attained without a Department issued license for substance abuse treatment services.

(b) No change.

Rulemaking Authority 397.321(5) FS. Law Implemented 397.321(6), 397.403, 397.410 FS. History—New 5-25-00, Amended 4-3-03, 12-12-05, 8-29-19. Amended _____.

65D-30.0031 Certifications and Recognitions Required by Statute.

(1) Department Recognition of Accrediting Organizations.

(a) The Department shall recognize one (1) or more professional credentialing entities as an accrediting organization for persons providing substance use treatment, prevention, and recovery support services. A list of Department recognized accrediting organizations can be found at the following link:

<https://www.myflfamilies.com/services/licensing/samh>

~~http://www.myflfamilies.com/service_programs/substance-abuse~~.

(b) Accrediting organizations that desire Department recognition shall submit a request in writing to ~~Department the Director for the Office of Substance Abuse and Mental Health~~. The ~~Department Director for the Office of Substance Abuse and Mental Health~~ shall respond in writing to the organization's chief executive officer denying or granting recognition. An organization must meet the following criteria in order to be granted recognition by the Department.

1. through 3. No change.

4. For the purposes of this rule, a service provider must hold a valid license for each service component type prior to seeking accreditation for substance use treatment services, as defined in ~~Rule subsection 65D-30.002(18)~~, F.A.C.

5. No change.

(2) Department Recognition of Credentialing Entities.

(a) The Department shall recognize one (1) or more professional credentialing entities as a certifying organization for addiction professionals. A list of Department recognized credentialing organizations can be found at the following link:

<https://www.myflfamilies.com/services/licensing/samh>

~~http://www.myflfamilies.com/service_programs/substance-abuse/licensure-regulation~~. An organization that desires recognition by the Department as a certifying organization for addiction professionals shall request such approval in writing from the Department. Organizations seeking approval shall be:

1. through 7. No change.

(b) The Department shall recognize one (1) or more credentialing entities as a certifying organization for recovery residences who meets all requirements of Section 397.487, F.S. A list of Department recognized credentialing entities can be found at the following link:

<https://www.myflfamilies.com/services/licensing/samh>

~~http://www.myflfamilies.com/service_programs/samh/recovery-residence~~. An organization that desires recognition by the Department as a certifying organization for recovery residences shall request such approval in writing from the Department.

(c) The Department shall recognize one (1) or more credentialing entities as a certifying organization for peer specialists, in accordance with Section 397.417, F.S. A list of Department recognized credentialing organizations for peer specialists can be found at the following link:

~~<https://www.myflfamilies.com/services/licensing/samh>
<http://www.myflfamilies.com/service-programs/licensing/samh/>. An organization that desires recognition by the Department as a certifying organization for peer specialists shall request such approval in writing from the Department. Organizations seeking approval must demonstrate compliance with the following nationally recognized standards for developing and administering professional certification programs to certify peer specialists:~~

~~1. through 8. No change.~~

~~Rulemaking Authority 397.321(5) FS. Law Implemented 397.321(6), (15), 397.403, 397.417, 397.4871 FS. History—New 8-29-19, Amended 3-30-23. Amended _____.~~

65D-30.0032 Display of Licenses.

(1) Display of Licenses. ~~The most recent version of the provider’s license~~ Licenses shall be displayed in a conspicuous, publicly accessible place within each facility.

~~(2) through (3) No change.~~

(4) Marketing or advertising materials shall use the legal entity’s name registered with the Division of Corporations, and any reference to a service component must use the name of the licensed service component as defined in subsection 397.311(26), F.S. and Rule subsection 65D-30.002(17), F.A.C.

~~(5) Special Information Displayed on Licenses. In the case of addictions receiving facilities, inpatient detoxification, intensive inpatient treatment, and residential treatment, each license shall include the licensed bed capacity. The Department shall identify on the license all component(s) accredited by an accrediting organization recognized by the Department, which may be found at the following link: <http://www.myflfamilies.com/service-programs/substance-abuse/licensure-regulation>. In the case of providers or components of providers that are accredited, licenses shall also include the following statement, “THIS LICENSE WAS ISSUED BASED, IN PART, ON THE SURVEY REPORT OF A DEPARTMENT RECOGNIZED ACCREDITING ORGANIZATION.” This statement will not be included on the license when issuance is also based on the results of the Department’s licensing inspections.~~

~~(6) All licenses, certifications, or recognitions of any entity pursuant to this chapter shall also include the following statement, “The issuance of a license, certification, or recognition pursuant to chapter 65D 30, F.A.C., neither guarantees, expresses, nor implies an outcome. A license, certification, or recognition represents attainment of the minimum standards to conduct business as a substance use disorder treatment or prevention provider in the state of Florida.”~~

~~(7) Failure to properly display a license is a Class IV violation as defined in rule 65D 30.0038, F.A.C., and must be corrected within five (5) calendar days.~~

~~Rulemaking Authority 397.321(5) FS. Law Implemented 397.321(6), 397.407, 397.410 FS. History—New 8-29-19. Amended _____.~~

65D-30.0033 License Types.

(1) Probationary License.

(a) Conditions Permitting Issuance. A probationary license is issued to a new applicant upon completion of all applicable requirements. For providers with existing licensed component(s), an amended license will be issued to the provider with the newly added service component under a probationary status. ~~licensed for the same component at multiple locations, the license will display which service component locations are probationary and which provider locations have a current regular license for that service component.~~

(b) If all licensure requirements are not met after issuing of a probationary status license, a regular status license will not be issued. ~~If the applicant continues to pursue licensure, a new application including the applicable fees must be submitted.~~

(c) Special Requirements Regarding Probationary Status Licenses. The following special requirements apply regarding new applicants:

1. A new applicant shall refrain from providing non-exempt services until a probationary status license is issued;

2. No change.

3. In instances where an applicant fails to admit individuals for services during the initial probationary period, the Department shall not issue a regular status license, even where other standards have been met. If an applicant continues to pursue licensure, the applicant must reapply and pay the associated fees.

4. ~~The Department shall not issue a probationary license when doing so would place the health, safety, or welfare of individuals at risk.~~

(d) No change.

(e) Methadone Medication Assisted Treatment for Opioid Use Disorder Addiction Provider Components Licenses. A methadone medication assisted treatment for opioid use disorder for addiction provider shall not initiate methadone medication assisted treatment during the probationary period, until SAMHSA provisional certification and DEA registration has been issued.

(2) Regular License.

(a) A regular status license is valid for a period of 12 months from the date of issuance.

(b) If a regular status license replaces a probationary status license, the regular status license shall be valid for a period of

12 months from the date the probationary status license was issued if there are no other licenses issued to the provider.

(c) When a provider has an existing regular status license, the regular status license replacing a probationary status license will carry the same expiration date as the provider's existing license.

(d) When a regular status license replaces an interim status license, the anniversary date of the regular status license shall not change.

(3) Interim License.

(a) Conditions Permitting Issuance. An interim status license will replace a regular status license for a period not to exceed 90 days, where the Department finds that any one (1) of the following conditions exist.

1. ~~The A facility or component of the provider is in substantial noncompliance with licensing standards. A provider is considered in substantial noncompliance if it is in compliance with less than 80 percent of the licensing standards.~~

2. through 3. No change.

~~All components within a facility that are affected shall be listed on the interim license.~~

(b) Reissuing an Interim Status License. The Department may reissue an interim status license for an additional 90 days at the end of the initial 90-day period in the case of extreme hardship. Extreme hardship is defined as an inability to reach full compliance that cannot be attributed to the provider.

Rulemaking Authority 397.321(5) FS. Law Implemented 397.321(6), 397.407, 397.410 FS. History—New 8-29-19, Amended 11-22-22. Amended _____.

65D-30.0034 Change in Status of License.

(1) Changing the Status of Licenses. Changes to a provider's license shall be permitted under the following circumstances:

(a) If adding a new component site to an existing licensed site component, the Department will issue an amended a license which shall indicate a probationary status license type for the specific location and component. Once the provider has satisfied the requirements for a regular status license, the Department shall reissue a an amended license to reflect the newly added component. license type as regular. ~~The provider will print the most recent version of the license and display it in a conspicuous, publicly accessible place within each facility;~~

(b) ~~If a component operating under a regular license is found to be in substantial noncompliance, the Department will amend the license to reflect an interim type at that site. Once the provider has satisfied the requirements of a regular status license for that component at the specific site, the Department will reissue a license to reflect a regular status license type for that location. For each time the license is issued or reissued by the Department, the provider will print the most recent version~~

~~of the license and display it in a conspicuous place, publicly accessible within each facility;~~

(c) A provider's current license shall be amended when a component at a specific site is discontinued. In such cases, the provider shall destroy its current license only after receipt of an amended license. ~~Locations not affected by this provision shall be permitted to continue operation;~~

(d) Whenever there is a change in a provider's licensed bed capacity ~~equal to or greater than 10 percent~~, the provider shall notify the Department within 24 hours of the change. The Department shall issue an amended license to the provider, ~~within 30 business days of receipt of notice;~~

(e) When there is a change in a provider's status regarding accreditation, the provider shall notify the Department in writing within two five (5) business days of such change. ~~In instances, where the change in status will adversely affect the provider's license or requires other sanctions, the Department shall notify the provider within 30 business days of receipt of the notice of the Department's pending action; and~~

(f) Any change in the name of a facility that remains under the same ownership and management shall be submitted in writing to the Department regional office within 30 days prior to the effective date of the change. Upon receipt of the notification, the Department regional office will issue a letter confirming receipt of the notification along with a replacement license listing the correct facility name. ~~Following failure to provide such notification to the regional office, the Department shall issue the administrative penalty as established in subsection 65D-30.0038(6), F.A.C.~~

(2) License Non-transferable. In addition to section 397.407(6), F.S., an acquisition of a majority of ownership shall require the submission of a new application for each site component affected. A change in ownership of less than a majority of the ownership interest in a licensed entity only requires submittal of a ~~local and~~ Level 2 background check. All owners shall be screened according to the level 2 screening requirements of chapter 435, F.S.

(a) Licenses are not transferable:

1. No change.

2. Where a provider relocates ~~or a component of a provider is relocated~~ or the address where services are rendered changes.

(b) Submitting Applications. A completed "Application for Licensing Licensure to Provide Substance Abuse Treatment Use Services," CF-MH Form 4024, July 2019, incorporated by reference in Rule 65D-30.0036, F.A.C. and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10903>, shall be submitted to the Department at least 30 days prior to acquisition or relocation. In lieu of the paper "Application for Licensure to Provide Substance Use Services," the applicant may complete an on-line process through the Department's statewide electronic system specific to licensure, which can be

accessed at <http://www.myflfamilies.com/service-programs/substance-abuse/licensure-regulation>. The online application, CF-MH Form 4024a, July 2019, is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10902>. The "Treatment Resource Attestation," CF MH 4055, July 2019, which is referenced in form CF-MH 4024, is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10905>.

1. Acquisition. An entity shall submit an Application for Licensing to Provide Substance Abuse Treatment Services to the Department 30 days prior to a change in controlling ownership as defined in this rule of the licensed provider or of the contractual management entity. Failure to register the provider and submit an application 30 days prior to a change will result in the invalidation of the provider's license or site, provided that the change in ownership occurs, effective the date of the action changing the control of ownership or management. In addition to the application, online application or CF-MH C&F SA Form 4024, Nov 2017, the applicant shall be required to submit all items as required in ~~Rule subsection~~ 65D-30.0036(4), F.A.C. When the application is considered complete, the Department shall issue a probationary license.

2. Relocation. In addition to an Application for Licensing to Provide Substance Abuse Treatment Services, if there is no change in the provider's services, the provider shall only be required to provide proof of general liability insurance coverage and compliance with local fire and safety standards established by the State Fire Marshal, health codes, appropriate zoning, and occupational license/business tax receipt. If there is a change in the provider's services, the provider shall be required to submit all items as required in ~~Rule subsection~~ 65D-30.0036(4), F.A.C. In this latter case, when the Department determines the application to be complete, the Department shall issue a probationary license. A regular license will not be issued if relocating during a probationary period, and the applicant must re-apply.

3. Temporary Relocation. A provider may temporarily relocate services when an evacuation is necessary in order to protect the health, safety, and welfare of individual's being served.

a. No change.

b. The provider must notify the ~~Department Regional Substance Abuse and Mental Health Office~~ by phone or electronic mail within ~~two~~ five (5) business days of relocation.

c. If the temporary relocation exceeds 30 business days, prior approval is required by the ~~Department Regional Substance Abuse and Mental Health Program Office~~. The provider shall submit a written request to the Department, including justification for the temporary relocation, the beginning and ending dates of the temporary relocation, and a

plan for the transfer of any individuals to other providers. The regional office shall approve written requests containing the required information. The regional office shall send a written approval or denial to the provider.

d. No change.

Rulemaking Authority 397.321(5) FS. Law Implemented 397.321(6), 397.403, 397.407, 397.410 FS. History—New 8-29-19. Amended

65D-30.0036 Licensure Application and Renewal.

(1) Application for Licensing. Applications for any license described in this rule chapter shall be submitted initially and annually thereafter to the Department along with the required licensing fee. A renewal application is subject to the provisions of s. 397.407(8). Applications for renewal submitted less than 60, but more than 30 calendar days, prior to the expiration of the regular license, will be processed. Late fees will be applied to all renewal applications submitted after 60 days. If the application for renewal is not received by the Department prior to the expiration of the regular license, the application will be returned to the applicant, including any fees. In addition to requirements pursuant to Section 397.403, F.S., and unless otherwise specified, all applications for licensure shall include the following:

(a) A standard application for licensing, using CF-MH Form 4024, ~~(insert date)~~ (December 2023), titled "Application for Licensing to Provide Substance Abuse Treatment Services," which is incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX> ~~https://www.flrules.org/Gateway/reference.asp?No=Ref-16219~~. In lieu of a standard application, the applicant may complete an online process through the Department's statewide electronic system specific to licensure, which can be accessed at <https://www.myflfamilies.com/services/licensing/samh>.

(b) through (h) No change.

(2) through (7) No change.

Rulemaking Authority 397.321(5), 397.4014 FS. Law Implemented 397.321(6), 397.4014, 397.403, 397.407, 397.410, 397.4014, 397.411 FS. History—New 8-29-19, Amended 11-22-22, 1-1-24. Amended

65D-30.0037 Department Licensing Procedures.

(1) Department Licensing Procedures. ~~The regional offices shall be responsible for licensing providers operating within their geographic boundaries but are not prohibited from reviewing applications or conducting audits of service providers outside the boundary.~~

(a) Application Process. The ~~Department regional offices~~ shall process all new and renewal applications for licensing and shall notify both new and renewal applicants in writing within 30 business days of receipt of the application that it is complete or incomplete. Where an application is incomplete, the

~~Department regional office~~ shall specify in writing to the applicant the items that are needed to complete the application. Following receipt of the ~~Department's regional office's~~ response, the applicant shall have 10 business days to submit the required information to the ~~Department regional office~~. If the applicant needs additional time to submit the required information, it may request such additional time within five ~~(5)~~ business days of the deadline for submitting the information. Within five ~~(5)~~ business days of receipt of the request, the ~~Department regional office~~ shall approve the request for up to an additional 30 business days. Any renewal applicant that fails to meet these deadlines shall be assessed an additional fee equal to the late fee provided for in subsection 397.407(3), F.S., \$100 per licensed component for each specific location. If the applicant is seeking a new license and fails to meet these deadlines, the application, ~~excluding~~ and all fees, shall be returned to the applicant unprocessed.

(b) Licensing Inspection. The ~~Department regional office~~ may conduct announced or unannounced on-site licensing inspections pursuant to section 397.411, F.S. ~~Prior to any scheduled inspection, the regional office shall notify the applicant of its intent to conduct an on-site licensing inspection or electronic file review and of the proposed date of the inspection. The regional office shall include the name(s) of the authorized agents who will conduct the inspection and the specific components and facilities to be inspected. This notification, however, shall not prohibit the regional office from inspecting other components or facilities maintained by a provider at the time of the review.~~

~~(c) Licensing Determination. A performance-based rating system shall be used to evaluate a provider's compliance with licensing standards. Providers shall attain at least 80 percent compliance overall on each component reviewed. This means that each set of standards within each facility operated by a provider is subject to the 80 percent compliance requirement. If any set of standards within a facility falls below 80 percent compliance, an interim license will be issued for that component. In addition, there may be instances where a component is rated at an 80 percent level of compliance overall but is in substantial noncompliance with standards related to health, safety, and welfare of individuals or staff. This includes significant or chronic violations regarding standards that do not involve direct services to individuals. In such cases, the regional office shall issue an interim license to the provider or take other regulatory action as permitted in section 397.415, F.S.~~

~~(c)(d)~~ Notifying Providers Regarding Disposition on Licensing. In the case of new and renewal applications, the ~~Department regional office~~ shall give written notice to the applicant as required in section 120.60(3), F.S., that the ~~Department regional office~~ has granted or denied its application for a license. In the case of new applicants, this shall occur

within the 90-day period following receipt of the completed application. In the case of renewal applicants, this shall occur prior to expiration of the current license.

~~(e) Reports of Licensing Inspections. The regional offices shall prepare and distribute to providers a report of licensing inspections that shall include:~~

- ~~1. The name and address of the facility;~~
- ~~2. The names and titles of principal provider staff interviewed;~~
- ~~3. An overview of the components and facilities inspected and a brief description of the provider;~~
- ~~4. A summary of findings from each component and facility inspected;~~
- ~~5. A list of noncompliance issues, if any, with rule or statutory references and a request that the provider submit a plan for corrective action, including required completion dates;~~
- ~~6. Recommendations for issuing a probationary, a regular, or an interim license and recommendations regarding other actions permitted under chapter 397, F.S.; and~~
- ~~7. The name and title of each authorized agent of the Department.~~
- ~~8. If the criteria established for a licensable component are not met, deficiencies must be classified according to the nature and scope of the deficiency and cited as isolated, patterned, or widespread. The type must be identified on the licensing inspection.~~

~~(d)(f)~~ Distribution of Licenses and Notices. For new and renewal applications, ~~the Department regional offices~~ shall send providers a written, signed license along with the written notice as described in subparagraph 4 of this section. Additionally, any adverse action by ~~the Department regional offices~~ (e.g., issuance of an interim license, license suspension, denial, revocation, fine or moratorium) shall be accompanied by notice of the right of appeal as required by chapter 120, F.S.

~~(g) Content of Licensing Records. The regional offices shall maintain current electronic licensing files on each provider licensed under chapter 397, F.S. The contents of the files shall include those items submitted to the Department, as required in subsections 65D 30.0036(1) (3), F.A.C., as appropriate, and subparagraph 65D 30.0037(1)(a)5., F.A.C. All documentation and updates will be entered into the Department approved database within 35 business days of changes to the applicant or provider status to ensure contents of licensing records are current.~~

~~(h) Listing of Licensed Providers. The regional offices shall maintain a current listing of all licensed providers by components, with license expiration dates as required by section 397.6774, F.S.~~

~~(i) Complaint Log. The regional offices shall electronically document all complaints regarding providers in the data system approved by the Department. Documentation shall include the~~

~~date the complaint was received, dates review was initiated and completed, and all findings, penalties imposed, fines collected, reports to other licensing or credentialing entities, and other information relevant to the complaint.~~

~~(j) Publishing Provider Information. A list of licensed providers shall be published to the Department's website. The list shall include provider name(s), address(es), contact information, number of beds for inpatient services, inspection score, and other information the Department deems useful to the public.~~

(2) Closing a Licensed Provider. Pursuant to chapter 120, F.S., providers shall notify the Department in writing at least 90 30 days prior to ceasing operation. The provider, with the Department's assistance, shall attempt to place all individuals being served in need of care with other providers along with their clinical records and files. The provider shall notify the Department where the clinical records and files of previously discharged individuals are and where they will be stored for the legally required period. A service provider may not engage in patient brokering as established in section 397.55(2), F.S.

(3) through (4) No change.

Rulemaking Authority 397.321(5) FS. Law Implemented 397.321(6), 397.4014, 397.403, 397.407, 397.410 FS. History—New 8-29-19. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hilary Crow and Courtney Smith
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2024
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 27, 2024

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:
69A-72.001 Florida Firefighter Direct Support Organization

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 50 No. 162, August 19, 2024 issue of the Florida Administrative Register has been withdrawn.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on August 27, 2024, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: St. Tropez Community Association, Inc.,
File Tracking No. 24-4398

Date Petition Filed: June 10, 2024

Rule No.: Fla. Admin. Code R. 40D-22.201

Nature of the rule for which variance or waiver was sought:
Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register:
June 12, 2024.

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Lynn Biddlecomb, 7601 US Highway 301, Tampa, Florida 33637, 1(813)445-8023, water.variances@watermatters.org. (T2024023)

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

The Florida Housing Finance Corporation hereby gives notice: On August 26, 2024, the Florida Housing Finance Corporation issued an order granting the waiver from paragraphs 67-48.004(3)(c), 67-21.003(8)(c), subsection 67-21.003(11) Florida Administrative Code (2023) and paragraph 67-60.006(1)(f), Florida Administrative Code (2022) for Pine Island Park, LLC, allowing Petitioner to withdraw from the MMRB program funding without withdrawing from the SAIL, ELI, NHTF and 4HC funding program funding from RFA 2023-205 and is not found nonresponsive for not providing HFA Bond information at application. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The

petition was filed on August 7, 2024, and notice of the receipt of petition was published on August 8, 2024, in Vol. 50, Number 155 F.A.R.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

The Florida Housing Finance Corporation hereby gives notice: On August 26, 2024, the Florida Housing Finance Corporation issued an order granting the waiver from paragraph 67-48.004(3)(j), 67-21.003(8)(c). Florida Administrative Code (2023) for Timshel Multifamily 2, LLC, allowing Petitioner to increase the number of units to 84 and allowing Petitioner to reduce its Total Set-Aside Percentage to 97.6%. This approval is conditioned upon receipt and review of the Appraisal and a positive recommendation in the credit underwriting report. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on July 31, 2024, and notice of the receipt of petition was published on August 2, 2024, in Vol. 50, Number 151 F.A.R.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

The Florida Housing Finance Corporation hereby gives notice: On August 26, 2024, the Florida Housing Finance Corporation issued an order granting the waiver from subsection 67-48.002(96), Florida Administrative Code (2022) and Certain Parts of the 2022 Qualified Allocation Plan for Roseland Gardens, LLP, allowing Petitioner to return its 2023 housing credit allocation prior to the second quarter of 2025 and receive an allocation of 2024 or later housing credits. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on July 30, 2024, and notice of the receipt of petition was published on August 1, 2024, in Vol. 50, Number 150 F.A.R.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

The Florida Housing Finance Corporation hereby gives notice: On August 26, 2024, the Florida Housing Finance Corporation issued an order granting the waiver from subsection 67-48.002(96), Florida Administrative Code (2022) for HFH Fox Pointe, LLC, allowing Petitioner to exchange its present allocation of housing credits for an allocation of 2024 or later housing credits.. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on July 30, 2024, and notice of the receipt of petition was published on July 31, 2024, in Vol. 50, Number 149 F.A.R.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:RULE TITLES:

67-21.014 MMRB Credit Underwriting Procedures

67-21.026 HC Credit Underwriting Procedures

The Florida Housing Finance Corporation hereby gives notice: On August 26, 2024, the Florida Housing Finance Corporation issued an order granting the waiver from paragraphs 67-21.026(13)(g), 67-21.014(2)(r)(8) and 67-48.0072(17)(h), Florida Administrative Code (2018) for Solimar Associates, Ltd., allowing the General Contractor to subcontract to the affiliated entity, the de minis amount of work in the Petition. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on July 25, 2024, and notice of the receipt of petition was published on July 26, 2024, in Vol. 50, Number 146 F.A.R.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.026 HC Credit Underwriting Procedures

The Florida Housing Finance Corporation hereby gives notice: On August 26, 2024, the Florida Housing Finance Corporation issued an order granting the waiver from paragraph 67-21.026(13)(h), Florida Administrative Code (2020) for WRDG T3D, LP, allowing Petitioner's General Contractor to subcontract to an entity affiliated with the General Contractor on the condition that no General Contractor Fee will be taken on the costs subcontracted to its affiliated entity. Florida Housing determined that the Petitioner had demonstrated that it

would suffer a substantial hardship if the waiver was not granted. The petition was filed on July 24, 2024, and notice of the receipt of petition was published on July 25, 2024, in Vol. 50, Number 145 F.A.R.

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Division of Vocational Rehabilitation

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

DATE AND TIME: October 29, 2024, 8:30 a.m. - 4:00 p.m., EST (or until complete)

PLACE: The in-person meeting will be held at the University of South Florida, 3720 Spectrum Blvd., Tampa. You may also attend virtually at:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_Zjc4OGQ1ZGMtMDUxNy00MDQxLTkzNTctZWl0MWQ3MWU0ZGYw%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%2261f02920-7175-4b3f-8c98-31c02c8b6ef9%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council - Quarterly Meeting: General Business

Please note: a Rehabilitation Engineering presentation and tour will be conducted on October 30, 2024, 8:30 a.m. - 12:00 noon. No business will be conducted this day.

A copy of the agenda may be obtained by contacting: FRC staff at FRCCustomers@vr.fldoe.org or (850)245-3397.

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: FRC staff at FRCCustomers@vr.fldoe.org or (850)245-3397. 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: FRC staff at FRCCustomers@vr.fldoe.org or (850)245-3397.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Recreational Trails Program announces a public meeting to which all persons are invited.

DATE AND TIME: September 03, 2024, 9:00 a.m., EDT

PLACE: GoTo Webinar at: <https://attendee.gotowebinar.com/register/8367380685318332503>, Webinar ID Number: 405-408-507. After registering, you will receive a confirmation email containing information about joining the webinar.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The RTP Trails Advisory Committee will meet to review applications received during the FY2024-2025 RTP Application Cycle, establish the draft FY2024-2025 Applicant Priority List, review available funding, and discuss any other business deemed necessary.

A copy of the agenda may be obtained by contacting: Lauren Cruz, Florida Department of Environmental Protection, Division of State Lands, Land and Recreation Grants Program, 3900 Commonwealth Blvd., Mail Station 585, Tallahassee, Florida 32399, (850)245-2681, Lauren.Cruz@FloridaDEP.gov, or at

<https://floridadep.gov/lands/land-and-recreation-grants/content/recreational-trails-program>

Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap, or marital status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact DEP's Limited English Proficiency Coordinator at (850)245-2118 or LEP@FloridaDEP.gov at least forty-eight (48) hours before the meeting. If you have a hearing or speech impairment, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 5, 2024, 2:00 p.m., ET.

PLACE: 1(888)585-9008 (US)

1(888)299-2873 (Canada)

Participation Code: 275-112-502

GENERAL SUBJECT MATTER TO BE CONSIDERED: Credentials/Education Meeting (Licensure Applicants)

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/upcoming-meetings/>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: (850)245-4125. If you are hearing or speech

impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Department of Health/ Division of Children's Medical Services/ Early Steps Program announces a public meeting to which all persons are invited.

DATES AND TIMES: September 11, 2024, 10:00 a.m. - 5:00 p.m.; September 12, 2024, 9:00 a.m. - 12:00 noon

PLACE: Hyatt Place Tampa Wesley Chapel, 26000 Sierra Center Blvd., Lutz, FL 33559 ;

Register via the following link to receive the virtual webinar link:

<https://event.gotowebinar.com/event/e2be1a90-0450-4b4d-a98e-6199ae3b7499>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Interagency Coordinating Council for Infants and Toddlers is conducting their quarterly meeting to assist and advise the Early Steps Program.

A copy of the agenda may be obtained by contacting: FICCIT@flhealth.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: FICCIT@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FICCIT@flhealth.gov

FLORIDA GAMING CONTROL COMMISSION

The FLORIDA GAMING CONTROL COMMISSION announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 5, 2024, 9:30 a.m.

PLACE: Room 152 in the Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

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

The public meeting agenda, related documents, and Florida Gaming Control Commission contact information are available by contacting Dixie Parker at dixie.parker@flgaming.gov or (850)880-3433.

If any person decides to appeal any decision made by the Commission 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.

If you want to make public comment at this meeting, please contact Dixie Parker no less than 24 hours before the start of the meeting at dixie.parker@flgaming.gov.

A copy of the agenda may be obtained by contacting: dixie.parker@flgaming.gov.

AREA AGENCY ON AGING OF CENTRAL FLORIDA, INC. DBA SENIOR RESOURCE ALLIANCE

The Area Agency on Aging of Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: September 3, 2024, 3:00 p.m.

PLACE: 3319 Maguire Blvd., Suite 100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Gathering community input through a needs assessment survey to identify and prioritize local services and resources.

A copy of the agenda may be obtained by contacting: Christian Steiner, (407)514-1805

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: Christian Steiner, (407)514-1805. 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: Christian Steiner, (407)514-1805

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Claims Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 12, 2024, 1:00 p.m., EDT

PLACE: Please visit our website to join via Zoom Webinar: <https://www.citizensfla.com/public-meetings> or attend via phone: (786)635-1003; Meeting ID: 985 9321 6531#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Claims Committee

A copy of the agenda may be obtained by contacting: Barbara Walker, (850)513-3744, 2101 Maryland Circle, Tallahassee, FL 32303

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: Barbara Walker, (850)513-3744, 2101 Maryland Circle, Tallahassee, FL 32303. 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: Barbara Walker, (850)513-3744, 2101 Maryland Circle, Tallahassee, FL 32303

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

BBICMINC
 HS24501 Graham Residence Hall Sprinkler System
 BBI Construction Management, Inc. will be accepting bids for subcontractor participation on the HS24501 Graham Residence Hall Elevator Modernization – Phase 2 Sprinkler System,

University of Florida, Gainesville, Florida for the following trades:

02 Selective Demolition, 02A Final Cleaning, 03 Concrete, 04 Masonry, 07 Fireproofing, 08 Doors, Frames & Hardware, 09A Gypsum Board Assemblies, 09B Painting, 09C Acoustical Ceilings, 21 Fire Sprinkler, 23 HVAC, 26 Electrical

PRE-BID MEETING: will be held Thursday, September 5, 2024 at 2:00 p.m. at the University of Florida Graham Hall (Bldg. #0589), 716 Gale Lemerand Dr., Gainesville, FL 32612. Please meet on the North side of Graham Hall, at the parking lot behind the Graham Area Office. Trades must have experience with projects of a similar scope, equal size, complexity, and timeframe. Pre-bid questions are due by 5:00 p.m. on Tuesday, September 10, 2024.

Parking- on-site parking is limited. Additional parking information for surface lots and parking garages can be found at <https://taps.ufl.edu/> or by calling (352)392-7275. Please plan in advance.

To obtain documents, pre-qualification information, and directions, please email Parker Ross at p.ross@bbi-cm.com ((703)585-6241) or Jeremy Criscione at criscionej@bbi-cm.com ((352)317-1378).

Bids exceeding \$150,000 must be sealed and either MAILED or HAND DELIVERED to: BBI Construction Management, Inc., 4639 NW 53rd Avenue, Gainesville, Florida 32653. ALL BIDS DUE NO LATER THAN THURSDAY, SEPTEMBER 26 at 2:00 p.m. Construction will begin at the end of the UF spring semester (early May 2025) and conclude in mid-July, 2025.

The University of Florida and BBI are committed to Small/HUB Zone/Minority/Small Disadvantaged/Veteran/Service-Disabled Veteran/& Women-Owned businesses and encourages their participation. The University of Florida and BBI Construction Management, Inc. reserves the right to reject or accept any bid if considered to be in best interest of the project.

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., Wednesday, August 21, 2024, and 3:00 p.m., Tuesday, August 27, 2024.

Rule No.	File Date	Effective Date
5MER24-9	8/21/2024	8/21/2024
53ER24-36	8/22/2024	8/29/2024

65CER22-1	8/23/2024	8/25/2024
64B2-12.022	8/21/2024	9/10/2024
64B2-13.0045	8/21/2024	9/10/2024
64B8-9.009	8/27/2024	9/16/2024
64B13-6.001	8/21/2024	9/10/2024
64B15-14.007	8/27/2024	9/16/2024
64B16-31.010	8/22/2024	9/11/2024
64B16-31.011	8/22/2024	9/11/2024
64B16-31.012	8/22/2024	9/11/2024
68D-21.001	8/21/2024	9/10/2024
68D-21.002	8/21/2024	9/10/2024
68D-21.003	8/21/2024	9/10/2024
68D-21.004	8/21/2024	9/10/2024
68D-21.005	8/21/2024	9/10/2024
69C-6.003	8/21/2024	9/10/2024
69OER24-2	8/21/2024	8/21/2024
69O-137.002	8/27/2024	9/16/2024
69O-137.015	8/27/2024	9/16/2024
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

Applicant/Facility/Project: Abode Hospice of Florida, LLC
d/b/a Haven Hospice – Establish a new hospice program
County: Marion District: 3B
Date Filed: 8/23/2024 LOI #: H2408002
Applicant/Facility/Project: AccentCare Hospice & Palliative
Care of North Central Florida, LLC – Establish a new hospice
program
County: Marion District: 3B
Date Filed: 8/26/2024 LOI #: H2408003
Applicant/Facility/Project: Affinity Care of Marion County
LLC – Establish a new hospice program
County: Marion District: 3B
Date Filed: 8/19/2024 LOI #: H2408004
Applicant/Facility/Project: Arc Hospice of Florida, LLC –
Establish a new hospice program
County: Marion District: 3B
Date Filed: 8/26/2024 LOI #: H2408005
Applicant/Facility/Project: Bristol Hospice – Marion County,
LLC – Establish a new hospice program
County: Marion District: 3B
Date Filed: 8/22/2024 LOI #: H2408006
Applicant/Facility/Project: Charis Healthcare Holdings, LLC –
Establish a new hospice program
County: Marion District: 3B
Date Filed: 8/23/2024 LOI #: H2408007
Applicant/Facility/Project: Community Hospice of Northeast
Florida, Inc. – Establish a new hospice program
County: Marion District: 3B
Date Filed: 8/23/2024 LOI #: H2408008
Applicant/Facility/Project: VITAS Healthcare Corporation of
Florida – Establish a new hospice program
County: Brevard District: 7A
Date Filed: 8/26/2024 LOI #: H2408009
Applicant/Facility/Project: Arc Hospice of Florida, LLC –
Establish a new hospice program
County: Orange District: 7B
Date Filed: 8/26/2024 LOI #: H2408010
Applicant/Facility/Project: Arc Hospice of Florida, LLC –
Establish a new hospice program
County: Seminole District: 7C
Date Filed: 8/26/2024 LOI #: H2408011
Applicant/Facility/Project: Arc Hospice of Florida, LLC –
Establish a new hospice program
County: Sarasota District: 8D
Date Filed: 8/26/2024 LOI #: H2408012
Applicant/Facility/Project: Hospice of Florida, LLC –
Establish a new hospice program
County: Palm Beach District: 9C
Date Filed: 8/26/2024 LOI #: H2408013
Applicant/Facility/Project: Affinity Care of Palm Beach
County LLC – Establish a new hospice program

REGIONAL UTILITY AUTHORITIES

Withlacoochee Regional Water Supply Authority
Notice of Publication of 2024-2025 Regulatory Plan
NOTICE IS HEREBY GIVEN that on August 28, 2024, the
Withlacoochee Regional Water Supply Authority published its
2024-2025 Regulatory Plan on the Authority's website:
<https://wrwsa.org/downloads/6c%20Exh%202024-25%20Reg%20Plan%20Exhibit.pdf>

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need
LETTERS OF INTENT
The Agency for Health Care Administration received and
accepted the following letters of intent for the
September 25, 2024 application filing date for the Hospice
batching cycle:
County: Marion District: 3B
Date Filed: 8/23/2024 LOI #: H2408001

County: Palm Beach District: 9C
 Date Filed: 8/26/2024 LOI #: H2408014
 Applicant/Facility/Project: Safe Harbor Hospice, LLC – Establish a new hospice program
 County: Miami-Dade District: 11
 Date Filed: 8/23/2024 LOI #: H2408015
 Applicant/Facility/Project: AMOR Hospice Care, LLC – Establish a new hospice program
 County: Miami-Dade District: 11
 Date Filed: 8/19/2024 LOI #: H2408016
 Applicant/Facility/Project: Arc Hospice of Florida, LLC – Establish a new hospice program
 County: Miami-Dade District: 11
 Date Filed: 8/23/2024 LOI #: H2408017
 Applicant/Facility/Project: Heart’n Soul Hospice of Miami, LLC – Establish a new hospice program
 County: Miami-Dade District: 11
 Date Filed: 8/26/2024 LOI #: H2408018
 Applicant/Facility/Project: ILS HHA of Region 11, LLC d/b/a Independent Living Medical Supplies – Establish a new hospice program
 County: Miami-Dade District: 11
 Date Filed: 8/19/2024 LOI #: H2408019
 Applicant/Facility/Project: Lifecare Hospice LLC – Establish a new hospice program
 County: Miami-Dade District: 11
 Date Filed: 8/26/2024 LOI #: H2408020
 Applicant/Facility/Project: Safe Harbor Hospice, LLC – Establish a new hospice program
 If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after October 23, 2024, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on October 2, 2024.

AGENCY FOR HEALTH CARE ADMINISTRATION
 Certificate of Need
 DECISION ON EXPEDITED APPLICATION
 The Agency for Health Care Administration made the following decision on Certificate of Need application for expedited review:
 County: Orange District: 7-2
 CON #10805 Decision Date: 8/27/2024 Decision: Approved
 Applicant/Facility/Project: Orange County SNF OPCO II LLC
 Project Description: Transfer CON #10730 from Orange County SNF OPCO LLC to the applicant to establish a new 120-bed community nursing home
 A request for administrative hearing, if any, must be made in writing and must be actually received by the Agency within 21 days of the first day of publication of this notice in the Florida

Administrative Register pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

DEPARTMENT OF CHILDREN AND FAMILIES
 Agency for Persons with Disabilities
 Correction
 RULE NOS.:RULE TITLES:
 65G-2.001 Definitions
 65G-2.002 License Application and Renewal Procedures
 65G-2.003 Length of Licenses
 65G-2.004 License Violations
 65G-2.0041 License Violations - Disciplinary Actions
 65G-2.005 License Denial, Suspension or Revocation
 65G-2.0074 Adult Day Training Program Standards
 The Agency included the date for a workshop in its Notice of Rule Development for September 9, 2024, posted in Vol 50/167. The Notice mistakenly stated "Friday" instead of "Monday".

FLORIDA HOUSING FINANCE CORPORATION
 Order Denying Petition for Declaratory Statement
 On August 26, 2024, the Florida Housing Finance Corporation issued an order denying the petition for declaratory statement filed by IMF Doral, LLC. The petition was filed on June 18, 2024, and notice of the receipt of petition was published on June 21, 2024, in Vol. 50, Number 122 F.A.R.
 A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

CITY OF CAPE CORAL
 Resolution 209-24 Unsolicited P3 for the Jaycee Park Improvement approved
 RESOLUTION 209 - 24
 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, DETERMINING THAT THE UNSOLICITED PUBLIC-PRIVATE PARTNERSHIP PROPOSAL RECEIVED FROM FORTRESS SECURED, LLC FOR THE JAYCEE PARK IMPROVEMENT PROJECT IS IN THE PUBLIC’S INTEREST; APPROVING THE COMPREHENSIVE AGREEMENT BETWEEN THE CITY OF CAPE CORAL AND FORTRESS SECURED, LLC, AND THE CONCESSIONAIRE’S AGREEMENT BETWEEN THE CITY OF CAPE CORAL AND THE REEF CAPE CORAL LLC; AUTHORIZING THE CITY MANAGER OR THEIR DESIGNEE TO EXECUTE BOTH AGREEMENTS; PROVIDING FOR AN EFFECTIVE DATE.
 WHEREAS, the City of Cape Coral, Florida (the “City”) issued a Request for Proposals for design services for improvements to Jaycee Park in March of 2022, and in May of 2022, the City

Administration identified Pennoni Associates, Inc. for the conceptual design of the Jaycee Park improvements; and WHEREAS, the Mayor and City Council were presented the initial concept plan for the improvements to Jaycee Park during the Winter Retreat in January of 2023; and WHEREAS, the Mayor and City Council adopted Resolution 93-23 on May 3, 2023, which awarded the contract for the final design services to Pennoni Associates, Inc. for the Jaycee Park Improvement Project, pending those public meetings to acknowledge resident issues and concerns; and WHEREAS, the City proceeded to engage the public through in-person meetings during the months of August and September, which included open house(s) and an online community survey in order to address those concerns voiced by the surrounding residents; and WHEREAS, the Mayor and City Council received direct public feedback regarding those improvements to Jaycee Park at the September 13, 2023 Committee of the Whole meeting; and WHEREAS, the Mayor and City Council directed the City Administration to make certain modifications to the concept plan for the Jaycee Park final design at the October 11, 2023 Committee of the Whole meeting; and WHEREAS, the Mayor and City Council adopted Resolution 288-23 on October 18, 2023, which approved the updated concept plan for the Jaycee Park improvements, and directly authorized Pennoni Associates, Inc. to commence Final Design Services for the Jaycee Park Improvement Project utilizing the updated concept plan; and WHEREAS, the City received an unsolicited Public-Private Partnership Proposal for the Jaycee Park Improvement Project from Fortress Secured, LLC on November 17, 2023 (the "Unsolicited Proposal"); and WHEREAS, the Unsolicited Proposal was deemed a "qualified" proposal in accordance with those statutory requirements set forth and identified within Section 255.065 of the Florida Statutes; and WHEREAS, in accordance with the requirements of Section 255.065, which existed at the time the Unsolicited Proposal was received by the City, the City published a Notice of Receipt of an Unsolicited P3 Proposal for Jaycee Park Improvements on January 3, 2024 and January 10, 2024 in the News-Press, and placed the proper legal notice in the Florida Administrative Register on January 2, 2024 and January 9, 2024; and WHEREAS, the City did not receive any responsive, competing proposals prior to the January 26, 2024 submittal deadline; and WHEREAS, the City Administration had a "kick-off" meeting with the Fortress Secured P3 Team on February 15, 2024; and WHEREAS, the Fortress Secured P3 Team members began participating in weekly update meetings with the City Administration and Pennoni Associates, Inc. in order to address

those negotiations that are statutorily required to reach a Comprehensive Agreement; and

WHEREAS, Wharton-Smith, the contractor that would have been responsible for the project, withdrew from the Fortress Secured P3 Team, and Fortress Secured determined that an equivalent contractor to replace Wharton-Smith was Florida Premier Contractors from Punta Gorda, Florida; and

WHEREAS, the Florida Legislature amended Section 255.065, which required the City to hold a duly noticed public meeting at which the P3 proposal is presented and affected public entities and members of the public are able to provide comment, and a second duly noticed public meeting, at which the City determines that the proposal would be in the public's interest; and

WHEREAS, the City conducted the required duly noticed public meetings on July 24, 2024 and August 21, 2024; and

WHEREAS, the City must consider certain statutory factors in making the determination that the proposal is in the public's interest pursuant to those requirements set forth in Section 255.065 of the Florida Statutes:

1. The benefits to the public.

Based on the 2016 Parks Master Plan and ULI Report in 2022, the City of Cape Coral has determined that Jaycee Park is currently being underutilized. The proposed enhancements will allow for greater access to the park and will provide expanded scenic views of the waterfront for the citizenry to enjoy. Additional amenities will be provided that are commonly located at premier waterfront parks, such as an entertainment bandshell, a food truck court, a refreshment hub, a playground and splash pad, and covered pavilions and boardwalk. Improvements to ingress and egress will be made, providing for a safer environment for both vehicle traffic and pedestrians. Environmental enhancements will also be provided including, but not limited to, the removal of invasive exotic trees and installation of rip rap and native plants to restore the natural ecosystem of the shoreline.

2. The financial structure of and the economic efficiencies achieved by the proposal.

Fortress Secured, LLC ("Fortress") submitted an unsolicited proposal to the City to design and construct the Jaycee Park Improvements, in accordance with Section 265.065 of the Florida Statutes, commonly known as the Public/Private Partnership Statute or the "P3 Statute." The Fortress proposal and the resulting Comprehensive Agreement offer the City a path forward for completing the Jaycee Park Improvements at a lower cost and with reduced risk to the City. Fortress is proposing to deliver the Project on a not to exceed basis, which shifts risks for cost overruns and construction delays from the City to Fortress. In addition, transferring construction management and administration responsibilities to the Fortress team will reduce the impact to the City staff and related

resources, and the specialized experience that the Fortress team has in developing government facilities and coordinating design and construction services will enable the City to complete the Project efficiently and timely, without compromising quality or safety. Significantly, the City published notice of its receipt of the Fortress Proposal and solicited competing offers for the Project, and no other proposals were received.

3. The qualifications and experience of the private entity that submitted the proposal and such entity's ability to perform the project.

The Fortress proposal outlines the breadth and quality of its experience, including highlights of the various park projects currently underway and summaries of the facilities that have been delivered to various governmental entities by the Fortress Team including, but not limited to, improvements to Laishley Park & Marina (Punta Gorda), South County Regional Park (Punta Gorda), Ann & Chuck Dever Regional Park (Charlotte County), Sunseeker Resort (seawall and riverwalk), Maury's Steakhouse, Stretto Coastal Italian Cuisine (Sunseeker Resort), Waterside Grille (Sunseeker Resort), Crest Lake Park (City of Clearwater), Hercules Park (City of Zephyrhills), and Rowena Park (Plant City). The experience of the Fortress Team includes the development of other types of governmental facilities as well, including the Southwest Water Reclamation Facility Operations / Maintenance Building (City of Cape Coral), Fire Station No. 83 (Fort Myers Shores), and Naples Classical Academy (Naples). These project highlights demonstrate the qualifications and experience of the Fortress Team which consist of Florida Premier Contractors (FPC) and Nest Construction, companies have a combined 50 plus years of experience and expertise in waterfront park enhancements.

4. The project's compatibility with regional infrastructure plans.

Over the past several years, the City of Cape Coral has conducted numerous assessments of its park system and the park systems in the Southwest region of Florida. Through these assessments and discussions, the City has concluded the Jaycee Park Improvements constitute a qualified project that is consistent with other regional projects and regional infrastructure plans.

5. Public comments submitted at the meeting.

Over the past two years, there has been much discussion about the future of Jaycee Park. During City workshops and strategic planning sessions, Jaycee Park was an underutilized amenity in need of sitewide improvements. The plan was to redesign the park to celebrate Jaycee Park's majestic waterfront views and enhance the amenities to appeal to all Cape Coral citizens. The City hired a consultant to develop a concept for the park and hosted two community meetings. The City solicited public feedback via surveys, emails and regular input at the weekly Council meetings.

There were several recurring comments from the public, ranging from "do nothing" and "leave our park alone" to some that focused on specific amenities. Many of these comments have been addressed publicly and/or individually to the commentor via email. However, the City has specifically addressed the majority of the comments by the action taken to make modifications to the design. These modifications include: Shade at Park: The City and design team have gone to great lengths to ensure that not only will there ultimately be more tree shade than currently at the park but several of the amenities will have shade features added to them.

Bar/Bandshell: The P3 group is fully behind the City's vision of creating a Family Park. As such, the P3 group reduced the footprint of the initial structures and downsized both to accommodate the vision of the community.

Sale and Consumption of Alcohol: The City and Concessionaire agreed to a designated concession area with an established perimeter where the sale and consumption of alcohol is permitted at the park.

Food Trucks: The City and P3 team agreed to reduce the number of permanent food truck by one-third and ensure all applicable City policies, ordinances and procedures are followed.

Family Friendly: The community wanted a family-friendly park accessible year-round. The design team added a splash pad and a playground with innovative Sun Shade technology.

Pet Friendly: The community asked for pet friendly components. The design team included pet hydration drinking fountains and misting stations.

WHEREAS, the Mayor and City Council have considered the factors required by Section 255.065 of the Florida Statutes, and have determined that the unsolicited Public-Private Partnership Proposal for the Jaycee Park Improvement Project from Fortress Secured, LLC, is in the public's interest; and

WHEREAS, the Mayor and City Council desire to enter into a Comprehensive Agreement with Fortress Secured, LLC, and Concessionaire's Agreement with The Reef Cape Coral LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA:

Section 1. The Mayor and City Council hereby formally make the determination that the unsolicited Public-Private Partnership Proposal for the Jaycee Park Improvement Project from Fortress Secured, LLC, is in the public's interest, in accordance with the requirements set forth and identified in Section 255.065 of the Florida Statutes.

Section 2. The Mayor and City Council hereby approve the Comprehensive Agreement between the City of Cape Coral, Florida and Fortress Secured, LLC, regarding the Unsolicited Public-Private Partnership for the Jaycee Park Improvement Project, and authorize the City Manager or their designee to

execute the Comprehensive Agreement. A copy of the Agreement is attached hereto as Exhibit 1.

Section 3. The Mayor and City Council hereby approve the Concessionaire’s Agreement between the City of Cape Coral, Florida and The Reef Cape Coral LLC, regarding the management and operation of the Jaycee Park Concession Area and Food Truck Court, and authorize the City Manager or their designee to execute the Concessionaire’s Agreement. A copy of the Agreement is attached hereto as Exhibit 2.

Section 4. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CAPE CORAL AT THEIR REGULAR COUNCIL SESSION THIS _____ DAY OF _____, 2024.

JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER _____ CARR _____

STEINKE _____ WELSH _____

SHEPPARD _____ LONG _____

HAYDEN _____ COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2024.

KIMBERLY BRUNS, CITY CLERK

APPROVED AS TO FORM:

ALEKSANDR BOKSNER, CITY ATTORNEY

res/Unsolicited Proposal-Jaycee Park

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.