

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

Division of Early Learning

RULE NO.: RULE TITLE:
6M-8.604 Voluntary Prekindergarten (VPK)
Curriculum Approval Process

PURPOSE AND EFFECT: The rule amendment updates the requirements, policies, and procedures of the curriculum review and approval process for Voluntary Prekindergarten (VPK) program providers on probation. Revisions include updates to rule language to reflect new forms and amended statutory language.

SUBJECT AREA TO BE ADDRESSED: VPK curriculum review and approval process.

RULEMAKING AUTHORITY: 1001.02(2)(n), 1002.67(2)(c), 1002.79, F.S.

LAW IMPLEMENTED: 1002.67, F.S.

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

DATE AND TIME: September 23, 2024, 10:00 a.m. – 11:00 a.m. EDT or upon conclusion of business, whichever is earlier.

PLACE: GoToWebinar-
<https://attendee.gotowebinar.com/register/7723089962011504480>

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cassandra Jackson, 325 West Gaines Street, Tallahassee, FL 32399, (850)717-8614 or email: Cassandra.Jackson@del.fldoe.org.

To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact Chris Emerson, Director, Office of Executive Management, Christian.Emerson@fldoe.org.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-22.001 Continuing Education Requirements
PURPOSE AND EFFECT: The Board proposed an amendment to update, revise, and clarify the Advanced Building Code education course requirement.

SUBJECT AREA TO BE ADDRESSED: To update the rule language.

RULEMAKING AUTHORITY: 471.008, 471.017(3), 471.0195 FS.

LAW IMPLEMENTED: 471.017(3), 471.0195 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308; (850)521-0500 or by electronic mail, ZRaybon@fbpe.org.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.: RULE TITLES:
61G15-23.004 Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents
61G15-23.005 Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

PURPOSE AND EFFECT: The Board proposed an amendment to update and remove rule language that is now outdated and superseded.

SUBJECT AREA TO BE ADDRESSED: To update the rule language.

RULEMAKING AUTHORITY: 471.025(1), 471.033(2), 471.008 FS.

LAW IMPLEMENTED: 471.025, 471.033(1)(j), 668.003, 668.006 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: Zana Raybon, Executive Director, Board of Professional Engineers,

2400 Mahan Drive, Tallahassee, FL 32308; (850)521-0500 or by electronic mail, ZRaybon@fbpe.org.

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.009
 RULE TITLE: Endorsement

PURPOSE AND EFFECT: The Board proposes a new rule to clarify the language and application for endorsements.

SUBJECT AREA TO BE ADDRESSED: To implement the new endorsement statute.

RULEMAKING AUTHORITY: 456.0145, 456.025, 483.805(4) FS.

LAW IMPLEMENTED: 456.0145 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: Dayle Mooney, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C-07, Tallahassee, Florida 32399-3258, (850)488-0595, or by email: Dayle.Mooney@flhealth.gov.

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

FLORIDA GAMING CONTROL COMMISSION

RULE NO.: 75-15.002
 RULE TITLE: Patron Dispute Process

PURPOSE AND EFFECT: The purpose and effect of Rule 75-15.002 is to establish a process for the Florida Gaming Control Commission to review appeals of patron disputes involving gaming in facilities operated by the Seminole Tribe of Florida and/or participating in sports betting through sports books conducted and operated by the Seminole Tribe of Florida.

SUBJECT AREA TO BE ADDRESSED: The process for patrons gaming on the premises of facilities operated by the Seminole Tribe of Florida and/or sports betting through sports books conducted and operated by the Seminole Tribe of Florida to appeal a decision issued by the Seminole Tribal Gaming Commission in a dispute involving a claim for a prize.

RULEMAKING AUTHORITY: 16.712(2)(a), FS

LAW IMPLEMENTED: 16.712(1)(a), (f), 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: Melba Apellaniz, Clerk of the Commission, Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399. Tel: (850)794-8067. Email: clerk@flgaming.gov.

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

**Section II
 Proposed Rules**

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0150
 RULE TITLE: American Dental Licensing Exam Scores from Other Jurisdiction: Full-time Practice Requirements

PURPOSE AND EFFECT: The Board proposes the rule change to make the rule consistent with legislative changes related to SB 938 and to create a method to address a hardship when the applicant fails to meet the full-time practice requirement.

SUMMARY: To remove outdated language and make changes consistent with legislative changes related to SB 938 and to create a hardship for failure to meet the full-time practice requirement.

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: 466.004(4), 466.006(4)(b)3.e.(III) FS.

LAW IMPLEMENTED: 466.004, 466.006(6) 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: Kelly Rogers, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C04 Tallahassee, Florida 32399-3258; Kelly.Rogers@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0150 American Dental Licensing Exam Scores from Other Jurisdiction: Full-Time Practice Requirements.

The Florida dental clinical or practical examination is currently the American Dental Licensing Examination (ADLEX) developed by the American Board of Dental Examiners, Inc. ~~The examination shall be administered in Florida and shall be graded by dentists licensed in Florida.~~ An applicant for a dental license in Florida can submit ADLEX scores from a jurisdiction other than Florida if the examination was completed after October 1, 2011. If, however, the passing scores from the ADLEX are over 365 days old, the results will not be recognized unless all criteria below are met.

(1) Applicable Definitions:

(a) through (d) No Change.

~~(e) Verified — means the document shall be verified in compliance with Section 92.525, F.S.~~

(2) No Change.

(3) Mandatory Documentation: The applicant shall comply with providing the following mandatory documentation.

(a) Full-Time Practice Spreadsheet:

1. through 3. No Change.

~~4. The applicant shall verify the Full Time Practice Spreadsheet by placing at the end of the document, “Under penalties of perjury, I declare that I have read the foregoing History of Full Time Practice Spreadsheet and that the facts stated in it are true.” The applicant shall sign directly under the verification statement and date the document. Reference Section 92.525, F.S., concerning verification of documents.~~

~~5. Someone unrelated to the applicant shall verify the Full-Time Practice Spreadsheet, by signing the same document with the same verification clause or by submitting a document (affidavit) verified in compliance with Section 92.525, F.S. The verified document must attest that the applicant has been engaged in the Full-time Practice as indicated by the Full-time Practice Spreadsheet.~~

(b) Additional Verified Documents:

Each category of full-time practice claimed must be supported by the following documentation, which establishes or supports the spreadsheet submitted. There must be documentation submitted from subparagraph 1. and 2., below, if applicable.

1. Annual income tax return filed with the Internal Revenue Service as required by section 466.006(4)(b)2.e., F.S. A verified copy of financial or business record documents, reflecting the dates of employment that match the spreadsheet; a verified copy of a patient log or appointment schedule (names of patients shall be redacted to reflect the initials only). The Board will request verified financial billing documents to corroborate the patient log if the Board finds the patient log or appointment schedule lacking credibility.

2. through 3. No Change.

(4) The board may excuse applicants from the full-time practice requirement in the event of a demonstrated hardship. A hardship is defined as an absence from the practice of dentistry due to one of the following:

(a) The birth or care of a newborn child;

(b) The care of a spouse, child, or parent with a serious health condition;

(c) A serious health condition which prevented the dentist from working full-time.

(5) An applicant seeking an excusal of the full-time practice requirement must submit supporting documentation to the Board, which shall include a signed letter from the treating physician which identifies the reason for the hardship and the period of time the applicant was not able to work.

~~(6)(4) No Change.~~

Rulemaking Authority 466.004(4), 466.006(4)(b)3.e.(III) FS. Law Implemented 466.004, 466.006(6) FS. History—New 7-1-12,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 23, 2024

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:
61H1-38.004 Eligibility Criteria
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 50 No. 172, September 3, 2024 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
69O-189.003 Workers' Compensation: Application and
Audit Procedures
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. 50 No. 117, June 14, 2024 issue of the Florida Administrative Register.

69O-189.003 Workers' Compensation: Application and Audit Procedures.

(1)(a) through (3)(a) No Change

(4)(a) In order to ensure that the appropriate premium is charged for workers' compensation coverage, each employer and carrier shall comply with:

1. No Change

2. The current voluntary market audit requirements as set forth in the "NCCI Basic Manual (pages 120-125), Florida State Special Audit Rules", approved for use by the Office effective 1/24, and hereby incorporated by reference. The Office has determined that posting these incorporated materials would be a violation of federal copyright law. The "NCCI Basic Manual (pages 120-125), Florida State Special Audit Rules" is available from the National Council on Compensation Insurance (NCCI) 901 Peninsula Corporate Circle, Boca Raton, Florida 33487-1362 at <https://www.ncci.com/pages/default.aspx>, for inspection during regular business hours at the Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300, and for inspection during regular business hours at the Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250. National Council on Compensation Insurance's (NCCI) Basic Manual, Florida State Special Audit Rules,

~~approved for use by the Office, and hereby incorporated by reference.~~

(b) through (g) No Change

Rulemaking Authority 440.381, 624.308(1) FS. Law Implemented 440.105(4)(b)5., 440.381, 624.307, 624.424(1)(c) FS. History—New 8-1-91, Formerly 4-28.007, Amended 10-3-95, 10-10-96, 1-15-98, 11-21-00, 11-5-02, 9-22-03, Formerly 4-189.003, Amended 3-29-05, 3-10-10, 12-26-19, _____.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements
NOTICE IS HEREBY GIVEN that on September 06, 2024, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from Polar Shake Cordova 05 LLC. located in Pensacola. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and 3-compartment sinks.

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

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination
NOTICE IS HEREBY GIVEN that on September 06, 2024, the Board of Nursing, received a petition for variance or waiver filed by Octavia Hines. Although the petition does not state a

specific rule, it appears Petitioner is seeking a variance or waiver from subsection 64B9-3.002(3), F.A.C., which states in part, for an applicant writing the examination for practical nurses on the basis of practical nursing education equivalency, a completed Practical Nurse Equivalence (PNEQ) Application Letter or an official certified transcript which sets forth graduation from an approved professional program is required. A copy of the Petition for Variance or Waiver may be obtained by contacting: Amanda Gray, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252; MQA.Nursing@flhealth.gov. Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination

NOTICE IS HEREBY GIVEN that on September 06, 2024, the Board of Nursing, received a petition for variance or waiver filed by Marianne Madrigal. Although the petition does not state a specific rule, it appears Petitioner is seeking a variance or waiver from subsection 64B9-3.002(3), F.A.C., which states in part, for an applicant writing the examination for practical nurses on the basis of practical nursing education equivalency, a completed Practical Nurse Equivalence (PNEQ) Application Letter or an official certified transcript which sets forth graduation from an approved professional program is required. A copy of the Petition for Variance or Waiver may be obtained by contacting: Amanda Gray, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252; MQA.Nursing@flhealth.gov. Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of the Museums of Florida History, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 19, 2024, 11:00 a.m.

PLACE: Room 307, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business

A copy of the agenda may be obtained by contacting: Lisa Barton, Museum Director, (850)245-6349

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: Lisa Barton, Museum Director (850)245-6349. 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: Lisa Barton, Museum Director, (850)245-6349

STATE BOARD OF ADMINISTRATION

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

DATE AND TIME: Monday, September 16, 2024, 11:00 a.m. until completion of agenda.

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308; attendees should check in at reception desk, on-site parking available.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under s. 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Marissa Hicks, State Board of Administration, (850)413-1253 or marissa.hicks@sbafla.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 5 days before the workshop/meeting by contacting: Eddie McEwen, (850)413-1104, eddie.mcewen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marissa Hicks, State Board of Administration, (850)413-1030 or marissa.hicks@sbafla.com.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 23, 2024, 3:00 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop(s), Public Hearings, Committee Meetings, and/or Board Meeting. Consideration of Suwannee River Water Management District business. Information regarding viewing the meeting will be available on the District’s website at www.mysuwanneeriver.com. NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology. The Suwannee River Water Management District does not discriminate on the basis of race, color, national origin, sex, or disability in any of its activities or programs, including any activity or program receiving assistance from the Environmental Protection Agency or programs covered by section 13 of the Federal Water Pollution Control Act Amendments of 1972. The District has designated the following individual as its Civil Right Coordinator: Ben Glass, District Ombudsman, 9225 CR 49, Live Oak, FL 32060, Phone: (386)362-1001 Fax: (386)362-0418.

A copy of the agenda may be obtained by contacting: (386)362-1001 or 1(800)226-1066 (Florida only) or on the District’s website at www.mysuwanneeriver.com, when published.

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: (386)362-1001 or 1(800)226-1066 (Florida only). 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.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District announces a hearing to which all persons are invited.

DATE AND TIME: Monday, September 23, 2024, 5:05 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official presentation of the Fiscal Year 2024-2025 Final Millage Rate and Final Budget Public Hearing and opportunity to receive public comment prior to consideration and adoption by the Governing Board. Information regarding viewing the meeting will be available on the District’s website at www.mysuwanneeriver.com. NOTE: One or more Governing

Board members may attend and participate in the meetings by means of communications media technology. The Suwannee River Water Management District does not discriminate on the basis of race, color, national origin, sex, or disability in any of its activities or programs, including any activity or program receiving assistance from the Environmental Protection Agency or programs covered by section 13 of the Federal Water Pollution Control Act Amendments of 1972. The District has designated the following individual as its Civil Right Coordinator: Ben Glass, District Ombudsman, 9225 CR 49, Live Oak, FL 32060, Phone: (386)362-1001 Fax: (386)362-0418.

A copy of the agenda may be obtained by contacting: (386)362-1001 or 1(800)226-1066 (Florida only) or on the District’s website at www.mysuwanneeriver.com, when published.

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: (386)362-1001 or 1(800)226-1066 (Florida only). 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 Emergency Preparedness and Community Support
The Florida Department of Health/Florida Trauma System Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 30, 2024, 3:00 p.m., EST - until

PLACE: Join Virtually

Meeting ID: 244 219 349 828

Passcode: 8Gu7U2

Dial in by phone

+1(850)792-1375,,476160349# United States, Tallahassee

Find a local number

Phone conference ID: 476 160 349#

Join on a video conferencing device

Tenant key: teams@meetme.flhealth.gov

Video ID: 113 258 270 4

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Florida Trauma System Advisory Council in compliance with section 395.402, Florida Statute.

A copy of the agenda may be obtained by contacting: Gene Buerkle at (850)245-4054 or Gene.Buerkle@flhealth.gov
The information can also be found at the below link under the “Commons Hour” tab.

<https://www.floridahealth.gov/licensing-and-regulation/trauma-system/florida-trauma-systemadvisory-council.html>

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: Gene Buerkle at (850)245-4054 or Gene.Buerkle@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).

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: Gene Buerkle at (850)245-4054 or Gene.Buerkle@flhealth.gov

The information can also be found at the below link under the “Commons Hour” tab.

<https://www.floridahealth.gov/licensing-and-regulation/trauma-system/florida-trauma-systemadvisory-council.html>

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Florida Department of Health/Florida Trauma System Advisory Council announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, September 17, 2024, 3:00 p.m. - 4:00 p.m., EST; Wednesday, September 25, 2024, 3:00 p.m. - 4:00 p.m., EST; Thursday, October 3, 2024, 3:00 p.m. - 4:00 p.m., EST; Tuesday, October 8, 2024, 3:00 p.m. - 4:00 p.m., EST

PLACES: September 17, 2024 Virtual Attendance info.

Meeting ID: 252 517 146 346

Passcode: 6TqNEz

Dial in by phone

+1(850)792-1375,,983460395#

Phone conference ID: 983 460 395#

teams@meetme.flhealth.gov

Video ID: 119 911 884 4

September 25, 2024 Virtual Attendance info.

Meeting ID: 211 531 780 452

Passcode: jyiVqS

Dial in by phone

+1(850)792-1375,,286523015#

Phone conference ID: 286 523 015#

teams@meetme.flhealth.gov

Video ID: 116 742 667 6

October 3, 2024 Virtual Attendance info.

Meeting ID: 234 930 067 553

Passcode: zZ79gD

Dial in by phone

+1(850)792-1375,,212781575#

Phone conference ID: 212 781 575#

teams@meetme.flhealth.gov

Video ID: 115 494 658 7

October 8, 2024 Virtual Attendance info.

Meeting ID: 225 143 277 248

Passcode: VpM9gg

Dial in by phone

+1(850)792-1375,,594189001#

Phone conference ID: 594 189 001#

teams@meetme.flhealth.gov

Video ID: 116 359 210 3

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General business of the Florida Trauma System Advisory Council. The purpose of this meeting is to facilitate informal discussion between council members pursuant to Chapter 286, Florida Statutes, and Article I, Section 24, of the Florida Constitution. The Florida Trauma System Advisory Council will not vote or take any official action during the meeting.

A copy of the agenda may be obtained by contacting: Gene Buerkle at (850)245-4054 or Gene.Buerkle@flhealth.gov

The information can also be found at the below link under the “Commons Hour” tab.

<https://www.floridahealth.gov/licensing-and-regulation/trauma-system/florida-trauma-system-advisory-council.htm>

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: Gene Buerkle at (850)245-4054 or Gene.Buerkle@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).

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: Gene Buerkle at (850)245-4054 or Gene.Buerkle@flhealth.gov

The information can also be found at the below link under the “Commons Hour” tab.

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<https://www.floridahealth.gov/licensing-and-regulation/trauma-system/florida-trauma-system-advisory-council.htm>

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Orlando Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 9, 2024, 10:00 a.m. - 12:00 Noon

PLACE: Meeting will take place via the Microsoft Teams platform. Use the below link to connect to the meeting:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzI4OTA2NTYtNjliYy00YTc3LTk2ZTgtMzUyOTkNTU0YTFj%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22Oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Orlando Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: David Draper at (407)317-7335 or Rosa Chaves at (407)317-7336.

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: David Draper at (407)317-7335 or Rosa Chaves at (407)317-7336. 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: David Draper at (407)317-7335 or Rosa Chaves at (407)317-7336.

DEPARTMENT OF CHILDREN AND FAMILIES

Critical Incident Rapid Response Team

The Department of Children and Families - Office of Quality and Innovation announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2024, 9:00 a.m. -12:00 noon

PLACE: In-Person: DCF Centre of Tallahassee, 2415 North Monroe St., Tallahassee, FL 32303, Suite 400: Room-Auditorium C100

Virtual: Microsoft Teams meeting

Join on your computer, mobile app or room device

Click here to join the meeting

Meeting ID: 264 205 401 980

Passcode: 7RcTVB

Download Teams | Join on the web

Join with a video conferencing device

929981474@t.plcm.vc

Video Conference ID: 112 423 402 1

Alternate VTC instructions

Learn More | Meeting options

GENERAL SUBJECT MATTER TO BE CONSIDERED: Critical Incident Rapid Response Team (CIRRT) Advisory Committee

A copy of the agenda may be obtained by contacting: Lisa Rivera at Lisa.Rivera@myflfamilies.com or (850)294-4765

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: Lisa Rivera at Lisa.Rivera@myflfamilies.com or (850)294-4765. 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: Lisa Rivera at Lisa.Rivera@myflfamilies.com or (850)294-4765

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: September 18, 2024, 2:00 p.m.

PLACE: Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301. The meeting will also be available via webinar. The webinar registration and access information for the review committee meeting is posted to the following websites:

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2025/2025-103>

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2025/2025-106>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will provide an overview and solicit comments for upcoming 2025 Specialized Demographics RFAs 2025-103 and 2025-106.

A copy of the agenda may be obtained by contacting: Bryan A. Barber, (850)488-4197.

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: Bryan A. Barber, (850)488-4197. 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.

MID-FLORIDA AREA AGENCY ON AGING

The Mid-Florida Area Agency on Aging dba Elder Options announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2024, 11:00 a.m.

PLACE: Elder Options Conference Room A, 100 SW 75th Street, Suite 301, Gainesville, Florida 32607

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Scheduled meeting of the Elder Options Board of Directors Executive Committee. The Executive Committee will discuss and take action regarding the applications received by Elder Options for provision of programs provided under the Older Americans Act (OAA) and General Revenue Services (GR) beginning in January 2025 within Putnam County. Applications are to provide an array of OAA services including supportive, nutritional, and caregiver services. GR Services to be provided include: Community Care for the Elderly (CCE), Alzheimer’s Disease Initiative (ADI), and Home Care for the Elderly (HCE). A copy of the agenda may be obtained by contacting: Kathy Dorminey (352)692-5214, dormineyk@agingresources.org Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kathy Dorminey (352)692-5214, dormineyk@agingresources.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Kathy Dorminey (352)692-5214, dormineyk@agingresources.org

NORTHEAST FLORIDA AREA AGENCY ON AGING

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

DATE AND TIME: September 18, 2024, 12:00 Noon

PLACE: 10688 Old St Augustine Rd. Jacksonville, FL 32257

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General board business

A copy of the agenda may be obtained by contacting: adminsupport@myeldersource.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: adminsupport@myeldersource.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: adminsupport@myeldersource.org

QUINCY-GADSDEN AIRPORT AUTHORITY

The Quincy-Gadsden Airport Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 16, 2024, 5:30 p.m.

PLACE: Quincy Municipal Airport Terminal Conference Room, 1300 Airport Drive, Quincy, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Quincy-Gadsden Airport Authority

A copy of the agenda may be obtained by contacting: Janice Watson, QGAA, PO Box 1905, Quincy, FL 32353, quincyairport@tds.net, (850)643-7752

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.

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

The Central Florida Expressway Authority announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2024, 5:30 p.m.

PLACE: In-person Meeting: Millennium Middle School Cafeteria, 2330 East State Road 46, Sanford, FL 32771

Online/Virtual meeting:

Pre-register at <https://shorturl.at/oiQ35> (Link is case sensitive)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed SR 417 Sanford Airport Connector would provide direct access between SR 417 (Seminole Expressway) and the Orlando Sanford International Airport to meet growing air passenger and flight demands and help alleviate traffic on local roads.

This PD&E Study will consider, analyze, and evaluate the location of an approximately two-mile expressway connection from SR 417 to the entrance to the Orlando Sanford International Airport at or near Red Cleveland Boulevard. The study will also evaluate an elevated alternative along East Lake Mary Boulevard. This PD&E Study will build upon the conclusions and findings from the previous SR 417 to Orlando Sanford International Airport Connector Concept, Feasibility, and Mobility (CF&M) Study completed in August 2023.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

A copy of the agenda may be obtained by contacting: Nick Lulli by phone at (407)885-4743, or by email at ProjectStudies@CFXway.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 7 days before the workshop/meeting by contacting: Nick Lulli by phone at (407)885-4743, or by email at ProjectStudies@CFXway.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).

ATKINS - LAKE CITY

The Department of Transportation District 2 announces a public meeting to which all persons are invited.

DATES AND TIMES: September 16, 2024, 5:00 p.m. – 6:00 p.m. (virtual); September 17, 2024, 4:30 p.m. - 6:00 p.m. (in person)

PLACES: Virtual: nflroads.com/VPH

In person: FDOT Jacksonville Urban Office, 2198 Edison Avenue, Jacksonville, FL 32204

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will host a construction open house for the I-95 widening project from south of Emerson Street to Atlantic Boulevard (Financial Project Number 432259-2) along with a public meeting to discuss proposed modifications to the I-95 and Emerson Street (SR 126) interchange.

A virtual construction open house and public meeting will be held Monday, September 16, 2024. Staff and consultants will be available from 5:00 p.m. to 6:00 p.m. to answer questions and accept comments related to the I-95 widening project and the proposed interchange modifications. A formal presentation and public comment period regarding proposed interchange modifications will begin at 6 p.m. Registration information and project documents are available at NFLroads.com/VPH.

An in-person construction open house and public meeting will be held Tuesday, September 17, 2024 at the FDOT Jacksonville Urban Office, 2198 Edison Avenue, Jacksonville, FL 32204. Staff and consultants will be available from 4:30 p.m. to 6:00 p.m. to answer questions and accept comments related to the I-95 widening project and the proposed interchange modifications. A formal presentation and public comment period regarding proposed interchange modifications will begin at 6 p.m.

Both virtual and in-person participants will be given equal opportunity to ask questions and make oral statements for the project record. Written statements or other exhibits may be submitted in the comments section at nflroads.com/VPH or by directing them to Project Manager Will Lyons at Will.Lyons@dot.state.fl.us or 2198 Edison Avenue,

Jacksonville, FL 32204. All exhibits or statements postmarked by September 27, 2024 will become part of the project record.

A copy of the agenda may be obtained by contacting: Sara Pleasants, sara.pleasants@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: Sara Pleasants, sara.pleasants@dot.state.fl.us or (904)831-3368. 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).

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that The Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has declined to rule on the petition for declaratory statement filed by Prime Now LLC, on June 07, 2024. The following is a summary of the agency's declination of the petition:

On September 4, 2024, the Department issued a final order denying the petition because the petition sought a declaratory statement as applied to the conduct of a third party and of general applicability.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Patrick Hinson of the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 2601 Blair Stone Road, Tallahassee, Florida 32399 (850)717-1142 Patrick.Hinson@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has received the petition for declaratory statement from Elizabeth deChadenes, RN, BSN, on September 5, 2024. The petition seeks the agency's opinion as to the applicability of Section 464.003(2), F.S., as it applies to the petitioner.

The petition seeks the agency's opinion as to the applicability of Section 464.003(2), F.S., as it applies to the Petitioner. The Petitioner seeks a Declaratory Statement from the Board requesting clarification regarding the delegation of Botox and dermal filler administration from a licensed physician to Petitioner as a Florida Registered Nurse. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amanda Gray, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, MQA.Nursing@flhealth.gov, or by telephone at (850)245-4125.

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has received the petition for declaratory statement from Lisliet J. Rovira, RN, on September 5, 2024. The petition seeks the agency's opinion as to the applicability of Section 464.003(2), F.S., as it applies to the petitioner.

The Petitioner seeks a Declaratory Statement from the Board as to whether it is within the scope of practice for Petitioner as a Florida Registered Nurse, to perform aesthetic services under a medical doctor's supervision and task delegation to administer Botox Cosmetics, Dermal fillers, and laser treatments to patients. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amanda Gray, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, MQA.Nursing@flhealth.gov, or by telephone at (850)245-4125.

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has received the petition for declaratory statement from Katherine Forholt, MSN, FNP-C, APRN, on August 26, 2024. The petition seeks the agency's opinion as to the applicability of Section 464.003, F.S., as it applies to the petitioner.

The Petitioner seeks a Declaratory Statement from the Board seeking clarification as to whether or not it is within the scope of practice for an autonomous advanced practice registered nurse in Florida with proper training and experience to prescribe drugs to treat obesity. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amanda Gray, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, MQA.Nursing@flhealth.gov, or by telephone at (850)245-4125.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

CITY OF CAPE CORAL

Resolution 209-24 Unsolicited P3 for the Jaycee Park Improvement Adopted

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 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., Monday, September 2, 2024, and 3:00 p.m., Friday, September 6, 2024.

2A-3.004	9/3/2024	9/23/2024
5M-9.001	9/3/2024	9/23/2024
5M-9.003	9/3/2024	9/23/2024
5M-9.005	9/3/2024	9/23/2024
6A-1.09952	9/4/2024	9/24/2024
6A-6.03315	9/4/2024	9/24/2024
6A-6.0521	9/4/2024	9/24/2024
6A-6.0571	9/4/2024	9/24/2024
6A-6.0576	9/4/2024	9/24/2024
6A-6.0787	9/4/2024	9/24/2024
6A-6.0952	9/4/2024	9/24/2024
6A-6.0960	9/4/2024	9/24/2024
6A-7.0714	9/4/2024	9/24/2024
6A-7.0715	9/4/2024	9/24/2024
6M-8.622	9/4/2024	9/24/2024
6M-9.200	9/4/2024	9/24/2024
14-15.017	9/6/2024	9/26/2024
40D-8.624	9/6/2024	9/26/2024
53ER24-37	9/5/2024	9/5/2024
61G6-7.001	9/5/2024	9/25/2024
61G18-20.001	9/5/2024	9/25/2024
62-304.810	9/4/2024	9/24/2024
64B8-4.027	9/5/2024	9/25/2024
64B8-13.005	9/5/2024	9/25/2024
64B15-13.001	9/5/2024	9/25/2024
69O-137.011	9/6/2024	9/26/2024
69O-170.0135	9/6/2024	9/26/2024
69O-191.094	9/6/2024	9/26/2024
69O-199.005	9/6/2024	9/26/2024
69O-207.001	9/6/2024	9/26/2024
75-5.003	9/3/2024	9/23/2024
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	**/**/****

Rule No.	File Date	Effective Date
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DEPARTMENT OF LAW ENFORCEMENT
Division of Local Law Enforcement Assistance
NOTICE OF APPLICATION FOR FEDERAL FUNDS AND
FUNDING AVAILABILITY

The State of Florida, Department of Law Enforcement (FDLE), Office of Criminal Justice Grants will be submitting an application to the United States Department of Justice, Bureau of Justice Assistance, for Federal Fiscal Year 2024 funds made available under Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Section 500 as amended.

A copy of the application will be available for review and comment by the public at FDLE, Business Support Program, Office of Criminal Justice Grants, Tallahassee, Florida 32308. Interested parties should contact the Office of Criminal Justice Grants at (850)617-1250 to obtain a copy of the application for review.

If the Bureau of Justice Assistance approves this application, units of local government will be eligible to receive subawards from the Department of Law Enforcement. "Units of local government" means any city, county, town, township, borough, parish, village, or other general-purpose political subdivision of a State and includes Native American Tribes that perform law enforcement functions as determined by the Secretary of the Interior.

Chapter 11D-9, Florida Administrative Code, governs program administration and funding. Local governments should thoroughly review rule provisions before applying for subaward funds.

FDLE will provide a notice of funding availability to the chief official of each county and each city. The notice will state the amount of funds available to the county and include information about the application process.

Questions regarding FDLE's application and the funding process should be directed to Cody Menacof, Bureau Chief, Office of Criminal Justice Grants, FDLE, at (850)617-1250.

DEPARTMENT OF CITRUS

Notice of Publication of 2024-25 Regulatory Plan
NOTICE IS HEREBY GIVEN that on September 6, 2024, the Department of Citrus published its 2024-25 Regulatory Plan in accordance with Section 120.74(1), F.S., as amended by Ch. 2015-162, Laws of Florida. The Regulatory Plan is available on the Florida Department of Citrus website: www.fdocgrower.com, at <https://fdocgrower.box.com/s/316rouf05hd37zifqchgbw2mpkdedmws>.

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.
