

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Issues pertaining to Florida’s public community colleges.  
A copy of the agenda may be obtained by contacting: Tina  
Ingramm at (850)222-3222.  
For more information, you may contact: Michael Brawer at  
(850)222-3222.

Petitioner asks whether M2301.2.3, Florida Building Code,  
Residential Volume (2007), allows the installation of a  
pressure relief valve in the solar loop portion of an active direct  
solar water heating system?  
A copy of the Petition for Declaratory Statement may be  
obtained by contacting: Paula P. Ford, Commission Clerk,  
Department of Community Affairs, Tallahassee, Florida  
32399-2100.

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of  
Agriculture and Consumer Services, Division of Consumer  
Services, Board of Professional Surveyors and Mappers has  
issued an order disposing of the petition for declaratory  
statement filed by Florida Surveying and Mapping Society,  
Inc. and Mr. James H. Humphrey, an individual, on January  
15, 2010. The following is a summary of the agency’s  
disposition of the petition:

The Petition was granted. The Declaratory Statement states  
that the services requested in a specific request for proposals  
do constitute surveying and mapping within the meaning of  
Chapter 472, Florida Statutes. In addition, photogrammetry  
services, similar to those offered in the request for proposals,  
may be provided in Florida only by Florida licensed  
professional surveyors and mappers. So long as they are  
Florida licensed surveyors and mappers, the Petitioners are not  
aiders and assisters of unlicensed practice merely by  
responding to a request for proposals. The Petitioners have an  
obligation under Section 472.0351(1)(n), Florida Statutes, to  
report to the Board any aiding and assisting of unlicensed  
practice.

A copy of the Order Disposing of the Petition for Declaratory  
Statement may be obtained by contacting: Bennett M. Miller,  
Board Counsel, Board of Professional Surveyors and Mappers,  
Division of Consumer Services, Department of Agriculture and  
Consumer Services, 2005 Apalachee Parkway, Tallahassee,  
Florida 32399-6500, (850)410-3834.

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**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN THAT the Florida Building  
Commission has received the petition for declaratory statement  
from C.W. Bentley, LeverEdge (DCA10-DEC-034) on March  
9, 2010. The petition seeks the agency’s opinion as to the  
applicability of Section M2301.2.3, Florida Building Code,  
Residential Volume (2007), as it applies to the petitioner.

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NOTICE IS HEREBY GIVEN THAT the Florida Building  
Commission has received the petition for declaratory statement  
from Robert O. Covington (DCA10-DEC-037) on February  
22, 2010. The petition seeks the agency’s opinion as to the  
applicability of unspecified portion(s) of the Florida Building  
Code as it applies to the petitioner.

The petitioner asks what rating is required for power panels in  
a 645 square foot swimming pool equipment room with  
constant forced air cross ventilation located in a sports facility.  
A copy of the Petition for Declaratory Statement may be  
obtained by contacting: Paula P. Ford, Commission Clerk,  
Department of Community Affairs, 2555 Shumard Oak  
Boulevard, Tallahassee, FL 32399.

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NOTICE IS HEREBY GIVEN THAT the Florida Building  
Commission has received the petition for declaratory statement  
from Gillette Generators (DCA10-DEC-038). The petition  
seeks the agency’s opinion as to the applicability of Section  
202, Florida Building Code, Building Volume (2007, with  
2009 supplement), and a previously issued declaratory  
statement, DCA09-DEC-060, as it applies to the petitioner.

Petitioner asks if its electrical generator enclosures, whether or  
not designed to be occupied, are “buildings,” as defined in  
Section 202, Florida Building Code, Building Volume, and if  
so, petitioner seeks instructions on how to make its structures  
compliant with the Code.

A copy of the Petition for Declaratory Statement may be  
obtained by contacting: Paula P. Ford, Commission Clerk,  
Department of Community Affairs, 2555 Shumard Oak  
Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building  
Commission has received the petition for declaratory statement  
from QiTec LLC (DCA10-DEC-042). The petition seeks the  
agency’s opinion as to the applicability of the Florida Building  
Commission’s opinion as to the applicability of Chapter  
9B-72, F.A.C., as it applies to the petitioner.

The petitioner asks whether its product, a reflective  
fluoropolymer surface coating for roofs, is within the scope of  
Chapter 9B-72, F.A.C.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from George Merlin Associates, Inc. (DCA10-DEC-045). The petition seeks the agency's opinion as to the applicability of sections 3109.1.1, 3109.3, and 3109.4, Florida Building Code, Special Construction Volume (2007, with 2009 supplement) as it applies to the petitioner.

The Petitioner asks if proposed modifications to single family dwellings located seaward of the FDEP/FBC coastal construction control line (the CCCL zone) are exempt from CCCL design standards under section 3109.1.1, F.B.C., where the work is classified as a substantial improvement per Section 161.54(12), F.S., but is built over and within the limits of the existing foundation. The Petitioner also asks if proposed modifications to single family dwellings located seaward of the CCCL are exempt from CCCL design standards under sections 3109.3 and 3109.4, F.B.C., where the work is classified as a substantial improvement per Section 161.54(12), F.S., and is built outside the limits of the existing foundation, but doesn't advance farther than the seaward limits of the existing structure and doesn't cost more than 50% of the market values of the existing structure.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Thomas H. Ford, R.A., of Bhamani, Ford and Associates, Inc. (DCA09-DEC-269) on July 22, 2009. The following is a summary of the agency's disposition of the petition:

The Commission determined that Chapter 13, Florida Building Code, Building Volume (2007), limits voltage drop for feeders and customer-owned service conductors to 2 percent at design load, notwithstanding the more permissive recommendation contained in the National Electrical Code as referenced in the Florida Building Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Alan C. Plante, Orange County

Building and Safety (DCA09-DEC-309) on November 16, 2009. The following is a summary of the agency's disposition of the petition:

The Commission determined that the Florida Building Code, Existing Building Volume (2007) applies to the renovation of an existing swimming pool.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has declined to rule on the petition for declaratory statement filed by George Merlin, President of George Merlin Associates, Inc. (DCA09-DEC-347) on October 28, 2009. The following is a summary of the agency's declination of the petition:

The Commission determined that; a) Where proposed renovations to a single story single family dwelling, which include a second story addition, are all within the footprint perimeter of the existing foundation, and the existing foundation has been proven to be adequate to support the proposed renovations, the project is not required to be redesigned to resist the predicted forces associated with a 100-year storm event; and; b) Where proposed renovations to a single story single family dwelling, which include a second story addition, are all within the footprint perimeter of the existing foundation, and the existing foundation has been proven to be adequate to support the proposed renovations without modifying the existing foundation in any way, the project is not required to be redesigned to resist the predicted forces associated with a 100-year storm event as long as the level of work does not advance the seaward limits and constitute rebuilding of the existing structure. The petition is denied to the extent that it seeks an interpretation of local floodplain management ordinances and a determination supremacy between the Florida Building Code and such ordinances.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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#### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Michael Venezia, Petitioner/Unit Owner, In Re: Hallmark of Hollywood Condominium Association, Inc., Docket No.: 2010018869. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d), (8), Florida Statutes, as it applies to the petitioner.

Whether the board of the Hallmark of Hollywood Condominium Association, Inc. violated Section 718.112(2)(d), (8), Florida Statutes, in filling a vacancy.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Terry Back, Petitioner/Unit Owner, In Re: Harbour Pointe Condominium Association, Inc., Docket No. 2010019019. The petition seeks the agency's opinion as to the applicability of Section 718.110(4), Florida Statutes, as it applies to the petitioner.

Whether the board of Harbour Pointe Condominium Association, Inc.'s blocking of unit owner ingress by closing the north gate entrance violates Section 718.110(4), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT on April 5, 2010, the Electrical Contractors' Licensing Board has received the petition for declaratory statement from Richard B. Szyrka. The petition seeks the agency's opinion as to the applicability of Section 489.505(12), F.S. as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 489.505(12), F.S. as to whether directional boring, auger boring, jacking and boring, trenchless technology operations, and conduit installation within public rights-of-way and easements is included in the scope of work of "Florida licensed electrical contractors" or "Florida licensed unlimited electrical contractors" as defined in Chapter 489, Part II, of the Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on March 16, 2010, the Board of Physical Therapy Practice has received the petition for declaratory statement from Holly Hester. The petition seeks the agency's opinion as to the applicability of Rule 64B17-6.007, F.A.C. as it applies to the petitioner.

The petition requests the Board to issue a declaratory statement regarding the applicability of Rule 64B17-6.007, F.A.C., and what tasks can be delegated to unlicensed personnel.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)488-0595.

Please refer all comments to: the Board of Physical Therapy Practice/MQA within 14 days of publication of this notice.

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The Board of Physical Therapy Practice hereby gives notice that on April 6, 2010, it has received a Petition for Declaratory Statement from Cecille Riggs. The petition requests the Board to issue a declaratory statement addressing whether staple removal is within the scope of practice.

Comments on this petition should be filed with: Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact Allen Hall, Executive Director, Board of Physical Therapy Practice, at the above address or telephone (850)488-0595.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has declined to rule on the petition for declaratory statement filed by Stephen M. Hodge on March 16, 2010. The following is a summary of the agency’s declination of the petition:

The Petition asks for an interpretation of the Florida Building Code, Section 553.73(9)(i), Florida Statutes, and National Fire Protection Association (“NFPA”) Standard 1-10.1.3. However, the Department’s interpretation of the NFPA standard is dependent on the Florida Building Code’s interpretation of Section 553.73(0)(i), Florida Statutes. According to Section 120.565, Florida Statutes, an agency can only interpret and apply its own statutes, rules and orders in a declaratory statement. Since the Department cannot opine on Chapter 553, Florida Statutes, the questions in the Petition cannot be answered and the Petition for a Declaratory Statement is denied.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238; Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to: Lesley.Mendelson@myfloridacfo.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services has received the petition for declaratory statement from Safety-Net Hospital Alternative Risk Pool, LLC on March 12, 2010. The petition seeks the agency’s opinion as to the applicability of Sections 626.932 and 626.9325, Florida Statutes, as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Regina Keenan, Division of Legal Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4236.

**Section VIII  
Notices 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 have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

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

**NONE**

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

**NONE**

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**INVITATION TO BID**

As a Contractor, you are invited to submit a bid to the Florida Department of Agriculture and Consumer Services, Division of Forestry, hereinafter referred to as Owner, for the construction of building facilities at the Sebring Forestry Station, 8036 CR 17 South, Sebring, Florida. The Project Budget is estimated to be \$425,000.00.

The Department is seeking a Contractor for the construction of building facilities for the Sebring Forestry Station. The contractor shall provide all materials, labor, equipment and