

T H E C A B I N E T
S T A T E O F F L O R I D A

Representing:

FINANCIAL SERVICES COMMISSION, OFFICE OF
FINANCIAL REGULATION

DEPARTMENT OF VETERANS' AFFAIRS

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

BOARD OF TRUSTEES, INTERNAL IMPROVEMENT TRUST FUND

STATE BOARD OF ADMINISTRATION

The above agencies came to be heard before
THE FLORIDA CABINET, Honorable Governor Crist
presiding, in the Cabinet Meeting Room, LL-03,
The Capitol, Tallahassee, Florida, on Wednesday,
May 27, 2009, commencing at 9:05 a.m.

Reported by:
JO LANGSTON

Registered Professional Reporter

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APPEARANCES:

Representing the Florida Cabinet:

CHARLIE CRIST
Governor

CHARLES H. BRONSON
Commissioner of Agriculture

BILL McCOLLUM
Attorney General

ALEX SINK
Chief Financial Officer

* * *

1	INDEX		
2	FINANCIAL SERVICES COMMISSION, OFFICE		
3	OF FINANCIAL REGULATION		
4	(Presented by ALEX HAGER)		
	ITEM	ACTION	PAGE
5	1	Approved	9
6	2	Approved	10
7	DEPARTMENT OF VETERANS' AFFAIRS		
8	(Presented by EARL DANIELL)		
	ITEM	ACTION	PAGE
9	1	Approved	11
10	2	Approved	13
	3	Information Only	13
11			
12	DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES		
13	(Presented by ELECTRA BUSTLE)		
	ITEM	ACTION	PAGE
14	1	Approved	15
15	2	Approved	24
16	FLORIDA LAND AND WATER ADJUDICATORY COMMISSION		
17	(Presented by LISA SALIBA)		
	ITEM	ACTION	PAGE
18	1	Approved	25
19	2	Approved	25
20			
21			
22			
23			
24			
25			

ACCURATE STENOGRAPHY REPORTERS, INC.

1	INDEX (continued)		
2	BOARD OF TRUSTEES, INTERNAL IMPROVEMENT TRUST FUND		
	(Presented by MICHAEL SOLE)		
3			
	ITEM	ACTION	PAGE
4	1	Approved	26
	2	Approved	27
5	3	Approved	28
	4	Approved	33
6	5	Approved	61
	6	Approved	69
7	7	Approved	70
8			
9	STATE BOARD OF ADMINISTRATION		
	(Presented by ASH WILLIAMS)		
10			
	ITEM	ACTION	PAGE
11	1	Approved	77
	2	Approved	77
12	3	Approved	78
	4	Approved	78
13			
14			
15			
16			
17	CERTIFICATE OF REPORTER		79
18			
19			
20			
21			
22			
23			
24			
25			

ACCURATE STENOGRAPHY REPORTERS, INC.

1 P R O C E E D I N G S

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3 (Commenced at 9:25 a.m.)

4 GOVERNOR CRIST: In December of 2008 the
5 Cabinet members confirmed the appointment of Dave
6 Taylor as the Executive Director of the Agency for
7 Enterprise Information Technology. That's a
8 mouthful, isn't it? Given the absence of completed
9 confirmations this session, it is necessary for the
10 Cabinet members to address the vacancy that will
11 occur on June 22nd. Is there a motion to approve
12 the reappointment of David Taylor as the executive
13 director?

14 ATTORNEY GENERAL McCOLLUM: So moved.

15 CFO SINK: Second.

16 GOVERNOR CRIST: All in favor say aye.

17 ATTORNEY GENERAL McCOLLUM: Aye.

18 CFO SINK: Aye.

19 COMMISSIONER BRONSON: Aye.

20 GOVERNOR CRIST: Aye. It is unanimous.

21 Congratulations. Do you want to say something,
22 Dave? Please.

23 MR. TAYLOR: Governor, Cabinet members, thank
24 you for the opportunity to serve the citizens of
25 Florida for an additional year.

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1 GOVERNOR CRIST: Short and sweet. Thank you.
2 We need to select a person to serve as acting
3 commissioner, pending selection of a permanent
4 commissioner, to head the Office of Financial
5 Regulation. Is there a motion?

6 CFO SINK: Yes. I have a motion.

7 GOVERNOR CRIST: CFO.

8 CFO SINK: Governor, as we all know, Alex Hager
9 is leaving the Office of Financial Regulation on
10 June the 5th. And why don't we ask Alex and Linda
11 Charity to come up to the podium, please. Long,
12 long-time person at the Office of Financial
13 Regulation, and he's stepped up and has been serving
14 as our active director since October the 1st. And I
15 want to take this time to thank him for his long,
16 long and dedicated service to the State of Florida.

17 He's spent his entire career here, beginning
18 with the old comptroller's office back in 1974. So,
19 with his departure, though, we need to appoint
20 another interim director. And that's why I asked
21 Linda Charity to step up. She has been the director
22 and most respected director of the OFR's Division of
23 Financial Institutions. As I go around, I hear
24 nothing but just fantastic things about the close
25 job and the eagle eye that she has in our regulatory

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1 environment here.

2 She's been in the Department almost as long as
3 Alex, since 1979. And her effective date will be
4 June the 6th, and she will serve at such time as we
5 appoint the permanent director.

6 And I do want to just mention that, as all of
7 us know, filling this very important position is
8 taking a little longer than any of us would have
9 preferred, but the candidates -- there will be
10 candidates who are being interviewed next week, and
11 hopefully before our summer break we'll have the
12 opportunity to appoint a permanent director.

13 But I do want to express appreciation, of
14 course, to Alex, and to make the motion that we
15 appoint Linda Charity as the interim director of the
16 Office of Financial Regulation.

17 GOVERNOR CRIST: I'll second the motion. All
18 in favor say aye.

19 ATTORNEY GENERAL McCOLLUM: Aye.

20 CFO SINK: Aye.

21 COMMISSIONER BRONSON: Aye.

22 GOVERNOR CRIST: Aye. Unanimous again.

23 Congratulations. Would you like to speak?

24 MS. CHARITY: Governor, Cabinet, I'd like to
25 thank you very much for the honor of serving you and

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1 the citizens in this interim period. We have an
2 incredible -- incredibly important job to do, and we
3 have a fantastic team, and I look forward to working
4 with you.

5 GOVERNOR CRIST: Wonderful, thank you. Alex,
6 did you want to say anything?

7 MR. HAGER: Thirty-four years flies by. I
8 actually had hair when I started this job. And it's
9 been a pleasure and thank you for all your kind
10 comments.

11 GOVERNOR CRIST: Thank you so much for your
12 service. Look forward to yours, Linda, thank you,
13 continued service.

14 Our next Cabinet meeting will be Tuesday, June
15 9th, 2009.

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1 GOVERNOR CRIST: Financial Services Commission,
2 Office of Financial Regulation, Alex, please, sir.

3 MR. HAGER: Two items on the agenda today,
4 folks. First, the minutes from the April 14th, 2009
5 meeting, request your approval on that.

6 GOVERNOR CRIST: Is there a motion on the
7 minutes?

8 COMMISSIONER BRONSON: Motion on Item 1.

9 ATTORNEY GENERAL MCCOLLUM: Second.

10 GOVERNOR CRIST: Moved and seconded. Show it
11 approved without objection.

12 MR. HAGER: Second item, the Office requests
13 approval to file a Notice of Proposed Rule for Rule
14 69V-560.1012, Florida Administrative Code. The
15 money services business licensed under Part II of
16 Chapter 560, Florida Statutes, must maintain a
17 corporate surety bond or an alternative security
18 device in an amount set by rule. The amount of the
19 device may not be less than 50,000 nor greater than
20 2 million.

21 The proposed rule amends Form OFR-560-01,
22 Application for Licensure as a Money Services
23 Business, and also OFR-560-07, Security Device
24 Calculation Form, to factor the existence of cargo
25 insurance into the surety bond or alternative

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1 security device calculations for licensees whose
2 business is limited to physical transportation of
3 currency and other valuables via armored car.
4 Again, we request approval for publication.

5 COMMISSIONER BRONSON: Motion for approval on
6 Item 2.

7 ATTORNEY GENERAL McCOLLUM: Second.

8 GOVERNOR CRIST: Moved and seconded. Show Item
9 2 approved without objection. Thank you, sir,
10 appreciate it.

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1 GOVERNOR CRIST: Department of Veterans'
2 Affairs, Colonel Earl Daniell.

3 MR. DANIELL: Good morning, Governor, members
4 of the Cabinet. I bring you greetings from Admiral
5 Collins. He regrets he was unable to be here this
6 morning as a result of the Congressional forum,
7 where he's serving as a panelist at the Miami VA
8 Medical Center this morning. He would be here if he
9 could.

10 GOVERNOR CRIST: Yes, sir. We know.

11 MR. DANIELL: We have three items on today's
12 agenda. The first is the minutes of the Cabinet
13 meeting of March 10th. We respectfully recommend
14 approval.

15 ATTORNEY GENERAL McCOLLUM: So moved.

16 COMMISSIONER BRONSON: Second.

17 GOVERNOR CRIST: Show the minutes approved
18 without objection.

19 MR. DANIELL: Quarterly report for the period
20 ending March 31st, 2009. This report outlines the
21 status of the Department's activities in our three
22 divisions. It's quite pro forma. I'd like to draw
23 your attention to a couple of items.

24 In the chart on page eight, in our Benefits
25 Assistance section, note the increase in "Act as

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1 Representative at Hearings" is up to 205 from 110
2 during the same period the previous year. It's an
3 indicator of significantly increased activity in
4 veterans' claims, primarily due to three things;
5 more Florida veterans are returning from the War on
6 Terror, the success of our Department's outreach
7 programs to veterans and their families, and the
8 federal VA has hired about 50 percent more decision
9 review officers than they had on hand during the
10 previous year. So we're hearing more cases.

11 Our veterans' claims examiners represent
12 veterans at these hearings. As a result, more
13 claims are decided in favor of the veterans and more
14 federal dollars flow into the state's economy. We
15 must remember that every federal VA dollar paid to
16 Florida veterans for education, health care, social
17 services or long-term care is a dollar of state
18 services that does not have to be funded from the
19 state revenues.

20 There is one more item in the quarterly report
21 I would like to clarify. The veterans' homes
22 occupancy rates on page ten deserve an explanation.
23 The occupancy rate for the Veterans' Domiciliary
24 Home shows 73 percent. Now, one entire wing of the
25 Veterans' Domiciliary is closed for renovations. Of

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1 the 112 available beds, 111 are currently filled.
2 Likewise, as of the day this report was written, the
3 occupancy rate at Daytona was at 91 percent.

4 If there are no questions, I respectfully
5 recommend your acceptance and approval of the
6 quarterly report.

7 ATTORNEY GENERAL MCCOLLUM: I move Item 2.

8 COMMISSIONER BRONSON: Second.

9 GOVERNOR CRIST: Moved and seconded. Show it
10 approved without objection.

11 MR. DANIELL: On Item 3, our Legislative
12 session report is offered only as an information
13 item. Regarding policy issues, the Department is
14 pleased that its three-part policy initiative passed
15 unanimously, thanks to the efforts of our bill
16 sponsors, Representative Juan Zapata and Senator
17 Mike Fasano, and the cooperation of committee staff
18 in both chambers.

19 As to the budget portion of our legislative
20 report, we want to thank the Governor and Cabinet
21 for your support and the legislators' concurrence in
22 funding the start-up staffing for our new nursing
23 home in St. Johns County near St. Augustine. The
24 home should be completed in mid-2010.

25 Furthermore, your leadership in supporting the

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1 campus veterans representative concept and the
2 inclusion of that program in the Governor's
3 recommended budget was an important consideration in
4 the Legislature allowing the FTEs to be authorized
5 subject to securing funding.

6 The VA reports over 25,000 post-9/11 veterans
7 submitted applications for eligibility under the new
8 Chapter 33 benefit in the first two weeks that they
9 accepted applications. As you may recall, there are
10 currently about 17,000 veterans enrolled in
11 Florida's colleges and universities. It's estimated
12 that 41,000 veterans will participate in the coming
13 academic year.

14 We thank you again for your continued support.
15 Through your stewardship, Florida continues to be a
16 national leader as a veteran-friendly state. That
17 concludes our report. I'll be happy to answer any
18 questions.

19 GOVERNOR CRIST: I think you answered all our
20 questions. Thank you very much for the report.

21 MR. DANIELL: Thank you, Governor.

22 GOVERNOR CRIST: Appreciate that.

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1 GOVERNOR CRIST: Department of Highway Safety
2 and Motor Vehicles. Electra. Morning.

3 MS. BUSTLE: Good morning, Governor and Cabinet
4 members. Today we have two items on the agenda for
5 your consideration. Item Number 1, we respectfully
6 request approval of the minutes from the March 10th
7 2009 meeting.

8 COMMISSIONER BRONSON: Motion for approval of
9 Item 1.

10 CFO SINK: Second.

11 GOVERNOR CRIST: Moved and seconded. Show the
12 minutes approved without objection.

13 MS. BUSTLE: Item Number 2 is our third quarter
14 performance report. And like many things, our
15 performance measures have been impacted by today's
16 economic times. However, we are on track to meet
17 most other measures that demonstrate internal
18 performance.

19 Before requesting approval, I'd like to
20 highlight just a couple areas of interest. First,
21 this year marks the 40th anniversary for the
22 Department of Highway Safety and Motor Vehicles and
23 the 70th anniversary for the Florida Highway Patrol.

24 GOVERNOR CRIST: Can I interrupt you for just a
25 second, Electra? May I interrupt you for a second?

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1 MS. BUSTLE: Sure.

2 GOVERNOR CRIST: I want to welcome President
3 Frank Brogan from Florida Atlantic University and
4 the Burrowing Owls. Good to have you with us, sir.

5 (Applause)

6 GOVERNOR CRIST: Forgive me, Electra.

7 MS. BUSTLE: No problem.

8 GOVERNOR CRIST: Higher ed is real important to
9 me.

10 MS. BUSTLE: So this year marks the 40th year
11 for the Department, it was created in 1969, and the
12 70th year for the Florida Highway Patrol, created in
13 1939, which is pretty neat. And we are looking
14 forward to just continuing our progress as one
15 DHS&MV, as we like to call it.

16 We are also pleased to report that preliminary
17 data shows that the 2008 traffic fatalities on
18 Florida's roads were the lowest in eight years.
19 Although many factors play a role in this decrease,
20 I believe Florida's focus on education and safety
21 has made a positive impact.

22 We continued our focus on service and education
23 this quarter with initiatives like partnering with
24 AAA to open driver's license offices inside selected
25 branches. We have four already throughout the state

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1 and we are going to have ten by the end of the year.

2 We've added tips for buying and selling
3 vehicles on our Safety First website. We've
4 partnered with the military to bring driver's
5 license services to the bases. And we added a new
6 feature to our customers' ability to check their
7 driver's license information. Now they can check to
8 see whether they're eligible for a driving course or
9 not online.

10 We also added reality-based simulation training
11 for the Florida Highway Patrol, taking them out of
12 the sort of static training and moving them into
13 more of an active reality-based, using paint ball
14 types of tools.

15 All in all, even in these challenging times, we
16 are proud that we have continued to push forward
17 with education, service and enforcement initiatives
18 and programs that carry out our mission of highway
19 safety and security.

20 And before I request approval, I do want to
21 touch on one item. General, you and I spoke outside
22 a little bit about the dealership closures. And I
23 just want to touch on a couple of things that I know
24 right now to let you know about.

25 We know that Chrysler has filed bankruptcy, and

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1 they are expected to close 789 dealerships, 35 of
2 which are expected here in Florida. We do not have
3 the list. Chrysler has told us they will give us a
4 list of those dealerships by June 10th of 2009.

5 This morning there is a motion being heard in
6 the bankruptcy court that would preempt any state
7 action to the federal bankruptcy court. And what we
8 understand is the folks that have new cars or
9 purchased cars, their warranties will not be
10 impacted. They won't be able to do warranty work at
11 the dealerships that are closing, but they could go
12 someplace else. And that's what we know right now.
13 And, General, I know that you've had some
14 involvement as well.

15 ATTORNEY GENERAL McCOLLUM: Well, and I'd like
16 to commend you for looking into this, Electra.
17 Chapter 320 of the Florida Statutes, Governor, as
18 you probably know, allows the Department to engage
19 and protect consumers and the dealers in this
20 situation.

21 And dealers, as I understand it in that
22 chapter, Electra, who terminate their contracts
23 either voluntarily or have them involuntarily
24 terminated, like in bankruptcy, under Florida law
25 would have the right to have the company, in this

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1 case Chrysler, buy back the cars and the parts.

2 And my understanding from many dealers in
3 Florida, these 35 affected -- who knows what happens
4 if General Motors does something like this. But
5 many of these dealers have not had those parts and
6 the cars bought back. Some of them terminated early
7 in anticipation of the bankruptcy and they're
8 particularly hurting. And normally you would
9 enforce that law in Florida. Am I right?

10 MS. BUSTLE: That's correct.

11 ATTORNEY GENERAL McCOLLUM: But what may be
12 happening here today even, as early as today, is the
13 bankruptcy court may cut off the right of the states
14 to do what we normally would do in this regard.

15 Yesterday our office filed an objection with
16 the bankruptcy court to this kind of termination and
17 this type of unilateral action that would abridge
18 the Florida rights and the Florida laws.

19 We asked specifically in a letter to the
20 chairman and the president of Chrysler, James Press,
21 that they honor the obligations that they have and
22 that they not press forward in bankruptcy in such a
23 way as to disavow this obligation.

24 There are lots of jobs at stake here. We're
25 not necessarily trying to keep the dealerships open,

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1 although that would be nice if we did. But we're
2 talking about money that should be priority, ahead
3 of any of these bankruptcy claims, under the
4 contract obligations with these dealers.

5 And you can imagine what disruption that's
6 going to mean if the parts are not honored, they
7 don't buy them back and they don't buy the cars
8 back. That's a huge issue for the State of Florida.
9 Anyway, our office, the Attorney General's office
10 yesterday did file these objections in bankruptcy
11 court trying to protect the rights of Florida
12 dealers.

13 And I know you'd like to have the opportunity
14 to do your job. And that's what that objection is
15 about, Electra. Do you have anything else you want
16 to amplify on this, as you understand it?

17 MS. BUSTLE: No. I think you've covered it. I
18 will tell you that most of the consumer complaints
19 would be disputed, and DOAH would be -- we would
20 facilitate that action to the Division of
21 Administrative Hearings. So that's sort of our
22 process in things. But we're tracking it. We will
23 let your folks know when we know things, and we will
24 definitely keep you all up to date on what's going
25 on there.

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1 ATTORNEY GENERAL McCOLLUM: Thank you very
2 much.

3 COMMISSIONER BRONSON: Governor, if I might --

4 GOVERNOR CRIST: Commissioner.

5 COMMISSIONER BRONSON: -- add to that. We're
6 also concerned, since we handle a lot of Lemon Law
7 as well, under this proposal. I've been concerned
8 because my office has received some information that
9 while the company may close down sites and move the
10 business to other areas, in some cases the logic of
11 it kind of escapes me because they're actually going
12 to close down more profitable and more -- sites that
13 do more business to sites that don't do as much
14 business.

15 And, you know, I think there are some
16 considerations being made that could affect not only
17 jobs in that area but, in the end, how much money
18 the federal government and others are going to put
19 into this program, if they're making bad business
20 decisions.

21 And we're worried about the Lemon Law
22 situation. If cars are not accepted or if they're
23 sitting on lots for too long a time that there could
24 be problems, does the company that receives the cars
25 at a later date, do they have to effectively take

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1 care of the Lemon Law process or not because of the
2 transferal dates and so forth? Those are issues
3 that I think we need to find out about.

4 That's almost, in my opinion, like taking cars
5 that have been flooded somewhere that were new cars
6 and claim to be new cars but have a problem already
7 in hand. So I want to make sure that we protect
8 ourselves, especially when people in the state of
9 Florida are going to be buying these cars from who
10 knows where and how the business process is going.

11 ATTORNEY GENERAL McCOLLUM: Commissioner, if I
12 could, on your point, we, as you know, mediate the
13 Lemon Law, when you see the complaints. And part of
14 this filing in bankruptcy court is a hope that we
15 could protect the individuals who already have
16 claims.

17 My understanding from my office is that over
18 the past year we've had far more Lemon Law
19 adjudications related to Chrysler than any other
20 brand. And that means there are quite a number of
21 individuals out there today who are in the process
22 of having their Lemon Law case being heard and may
23 well have a normal claim back against the company.

24 My understanding is that if something is not
25 done by the bankruptcy court, this ruling could

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1 easily, on their part, wipe out the obligation of
2 the company to reimburse somebody. You know, the
3 Lemon Law works like that, where if you've got a bad
4 car, you've got to get a new one or you've got to
5 get a substitute or you've got to get paid for it.

6 And this is something all the attorney generals
7 across the country are concerned with, but our
8 office particularly. So I appreciate your pointing
9 it out, because it doesn't just affect the dealers.
10 Obviously, indirectly, whatever affects dealers
11 affects everybody, but it does affect going forward,
12 as you point out, but also the existing claims in
13 progress on Lemon Law.

14 MS. BUSTLE: If I may add one thing I just
15 remembered. We are planning to do a frequently
16 asked questions document or website version, and I
17 had asked our communications folks to get with yours
18 to see some of those issues and get some of those
19 answers so that folks could have a one-stop shop for
20 answers to typical questions, and expect a press
21 release next week outlining the new site and where
22 people can go, with links to the appropriate sites
23 in your areas as well.

24 ATTORNEY GENERAL McCOLLUM: And I might add,
25 Electra, we all are concerned about this. It's sort

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1 of a precursor to what a lot of people anticipate --
2 I don't know if it will happen, but General Motors
3 may well declare bankruptcy June 1st. They're even
4 bigger than Chrysler, and who knows what that's
5 going to do, but it sounds like the same type
6 process would be followed, with the federal
7 government trying to hurry all this up.

8 And I understand the economy of this, but it's
9 a real problem for individuals and the rights of our
10 citizens in this case. So we really appreciate your
11 being on top of it. We'll work with you.

12 MS. BUSTLE: Thank you.

13 ATTORNEY GENERAL McCOLLUM: Thank you,
14 Governor.

15 MS. BUSTLE: With that, if there are no other
16 questions, I would request approval of the third
17 quarter report, please.

18 GOVERNOR CRIST: Is there a motion?

19 COMMISSIONER BRONSON: Motion for approval.

20 CFO SINK: Second.

21 GOVERNOR CRIST: Moved and seconded. Show it
22 approved without objection. Electra, thanks so
23 much.

24 MS. BUSTLE: Thank you.

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1 GOVERNOR CRIST: Florida Land and Water
2 Adjudicatory Commission. Lisa Saliba. Hi, Lisa.

3 MS. SALIBA: Good morning, Governor, Cabinet
4 members. We have two items for you today. The
5 first item is we recommend approval of the minutes
6 from the April 14th meeting.

7 COMMISSIONER BRONSON: Motion for approval.

8 CFO SINK: Second.

9 GOVERNOR CRIST: Moved and seconded. Show the
10 minutes approved without objection.

11 MS. SALIBA: The second item, we recommend
12 approval of the final rule amending the boundaries
13 of the Crossings at Fleming Island Community
14 Development District in Clay County. We do have Mr.
15 Michael Eckert representing the petitioner if there
16 are any questions today.

17 CFO SINK: Move it.

18 ATTORNEY GENERAL McCOLLUM: Second.

19 GOVERNOR CRIST: Moved and seconded. Show it
20 approved without objection.

21 MS. SALIBA: Thank you.

22 GOVERNOR CRIST: Thank you.

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1 GOVERNOR CRIST: Board of Trustees, Secretary
2 Sole. Good morning, Secretary. How are you? Take
3 your time.

4 MR. SOLE: Good morning, Governor, Cabinet
5 members. We've got several items this morning.
6 Item Number 1 is a request from Tarpon Point Marina
7 for a ten-year sovereignty submerged land lease.
8 It's located in Manatee County on the Manatee River.
9 The application is for a 220-slip marina, commercial
10 docking facility. It will be open to the public.
11 The consideration is approximately \$85,000.

12 ATTORNEY GENERAL McCOLLUM: I move Item 1.

13 COMMISSIONER BRONSON: Second.

14 GOVERNOR CRIST: Moved and seconded. All in
15 favor say aye.

16 ATTORNEY GENERAL McCOLLUM: Aye.

17 CFO SINK: Aye.

18 COMMISSIONER BRONSON: Aye.

19 GOVERNOR CRIST: Aye. Show it approved
20 unanimously.

21 MR. SOLE: Item Number 2 is a request by Punta
22 Gorda, LLC, in Charlotte County. This is a ten-year
23 sovereignty submerged land lease for a 63-slip
24 marina facility. This is located on Gasparilla
25 Sound-Charlotte Harbor Aquatic Preserve on the Peace

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1 River. This is also open to the public and the
2 consideration is \$22,424.

3 Because we're in the aquatic preserve, there is
4 a requirement that they demonstrate that the project
5 is in the public interest. I want to note several
6 public interest tests that they're proposing or
7 options that they're proposing. There will be
8 installation of environmental and educational
9 displays at the facility.

10 They are providing at no cost to the public a
11 sewage pump-out facility, and they are also
12 providing a \$100,000 donation to the Charlotte
13 Harbor National Estuarian Program to continue water
14 quality monitoring within the harbor.

15 CFO SINK: Move it.

16 ATTORNEY GENERAL McCOLLUM: Second.

17 GOVERNOR CRIST: Moved and seconded. Show it
18 approved without objection.

19 MR. SOLE: Thank you. Item Number 3, this is
20 consideration for a request for an 80-year lease to
21 Miami Jewish Home and Hospital for the Aged on a
22 little under four-acre parcel located in Broward
23 County. The Miami Jewish Home and Hospital for the
24 Aged has proposed constructing a 95-unit affordable
25 housing facility.

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1 The reason why we're looking at an 80-year
2 long-term lease is it's somewhat of a prerequisite
3 for the grant application for the Department of
4 Housing and Urban Development to demonstrate you
5 have that tenure on the property.

6 Currently they have other facilities totaling
7 some 147 units that also provide housing, affordable
8 housing. This will expand that. And it's worth
9 noting that they are completely full up and have a
10 five-year waiting list.

11 CFO SINK: Move it.

12 COMMISSIONER BRONSON: Second.

13 GOVERNOR CRIST: Moved and seconded. Show it
14 approved without objection.

15 MR. SOLE: Thank you. Item Number 4, this is a
16 request for consideration to convey 2.84 acres of
17 state-owned reclaimed sovereignty land in what was
18 formerly the Pelican River in Palm Beach County to
19 the Padgett Trust for a total of \$85,000. This land
20 is located in the City of Pahokee.

21 The conditions of this transfer is in 1944 the
22 Board of Trustees conveyed acreage to Mr. Padgett.
23 In light of the draining of the Everglades, the
24 river basically was lost to a significant extent.

25 Mr. Padgett, in the early years, encroached

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1 onto this formerly sovereign submerged lands. And
2 it wasn't until recently, in January of this year,
3 as a result of trying to execute a trust, that it
4 was determined that this encroachment occurred.

5 In light of that, we're also recommending that
6 we provide lease fees since the time that the
7 Padgett Trust determined and learned of this
8 encroachment, which will be roughly \$315 million
9 (sic) a month until such time as we close on this
10 item.

11 ATTORNEY GENERAL McCOLLUM: Move Item 4.

12 CFO SINK: I have a --

13 COMMISSIONER BRONSON: Governor.

14 GOVERNOR CRIST: Yes, CFO.

15 CFO SINK: Go ahead, Commissioner.

16 GOVERNOR CRIST: Commissioner.

17 COMMISSIONER BRONSON: On this issue, and I
18 understand that the estate or the Padgett family are
19 taking a look at the potential of the sale of this
20 particular park. The thing that -- especially since
21 there was -- this land was used and it was part
22 submerged land that had been filled in evidently.
23 What I was trying to find out from my staff as we
24 were looking into this is, if they are planning on
25 trying to move this property at some point anyway,

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1 why we wouldn't, through Florida Forever or one of
2 the other -- or some type program, consider buying
3 the rights to the other property or buy the property
4 itself, rather than going through a motion to do
5 this, so that we could either buy it, find a place
6 for those mobile homes to go to in the area and use
7 that area for a park to the river.

8 In other words, it would be an open public
9 boating ramp maybe or a park so that the public has
10 access, since we're talking about a small piece of
11 property anyway, that it might be feasible to take a
12 look at that rather than go through the process that
13 we're looking at today. Has anybody taken a look at
14 that?

15 MR. SOLE: Commissioner, we looked at that and
16 looked at options associated with the property. As
17 you can see, the highlighted area in yellow is the
18 subject parcel that we're looking to convey. There
19 is very little frontage and probably very little
20 value from a conservation standpoint.

21 Your point on a park I will acknowledge, but
22 from a conservation standpoint, there was very
23 little value to this property. In fact, we worked
24 and asked both the Water Management District, the
25 South Florida Water Management District as well as

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1 the U.S. Army Corps of Engineers did they have any
2 value for this property in case it could serve for
3 the Everglades restoration or the resource needs of
4 the region. And at that time the answer was no.

5 So there is the concept of acquiring all of it.
6 In this case, in light of the fact that you've got
7 several, 36 mobile homes on this property and would
8 require relocation of all those current tenants, we
9 felt that the best interest on behalf of the Board
10 of Trustees was to go ahead and convey this
11 property.

12 CFO SINK: Governor.

13 GOVERNOR CRIST: CFO.

14 CFO SINK: We were just curious about the fact
15 that 30 of the 36 homesites are on the encroachment,
16 but we're saying that only 61 percent of the park is
17 on state-owned land. We couldn't jibe those numbers
18 exactly.

19 MR. SOLE: I think it's units versus the total
20 acreage of the mobile home park itself, the other
21 amenities at the park.

22 CFO SINK: And would you just expand on the
23 DEP's thinking and your recommendation about just
24 totally waiving all the fees from the past, except
25 for from this point going forward?

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1 MR. SOLE: It was a difficult decision, and
2 it's one that I questioned staff as well, CFO; is
3 that in the best interest of the State. In light of
4 the fact that Reverend Padgett determined or found
5 out about this incident only when basically
6 executing the trust of his father, who has passed
7 on, and found out this encroachment occurred, we
8 felt that it was appropriate to go ahead and only
9 address that point in time in which it was
10 determined that such encroachment occurred.

11 It's acknowledged that the encroachment
12 occurred as early as the 1970s, and I think the
13 lease fees in arrears could total as high as \$51,000
14 as part of that analysis. This is one of those
15 scenarios where, whether the encroachment was
16 intended or not intended by the original owner, it's
17 unclear. It doesn't appear that it was intended,
18 and that's the basis of the Department's
19 recommendation.

20 GOVERNOR CRIST: We have a motion. Is there a
21 second?

22 COMMISSIONER BRONSON: I'll second.

23 GOVERNOR CRIST: Moved and seconded. All in
24 favor say aye.

25 ATTORNEY GENERAL McCOLLUM: Aye.

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1 CFO SINK: Aye.

2 COMMISSIONER BRONSON: Aye.

3 GOVERNOR CRIST: Aye. It's unanimous. Thank
4 you, Secretary.

5 MR. SOLE: Thank you. Item Number 5, Item 5 is
6 a request by the City of Palm Coast to enter into an
7 exchange agreement that would exchange state-owned
8 conservation land located in Flagler County for land
9 owned by the City of Palm Coast. The amount of the
10 land to be exchanged is actually quite small. It's
11 some -- less than a quarter of an acre and
12 encompasses Lehigh Trail, which was acquired in 2000
13 as part of Florida's Rails-Trails initiative.

14 The City is requesting this exchange in order
15 to realign a road, Town Center Boulevard,
16 simultaneous with the widening of Old Kings Road.
17 There's general agreement to the exchange. There's
18 an understanding and benefit to having basically Old
19 Town Center -- or Town Center Boulevard align.

20 However, the City of Palm Coast has objected to
21 the request by the Department of Environmental
22 Protection, as well as the Acquisition and
23 Restoration Council and the Department of
24 Transportation, that some form of off-grade trail
25 crossing be accommodated as part of this exchange

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1 and this road project. Off-grade trail crossing is
2 also referred to as an overpass for trail users, so
3 that they can safely cross these roads.

4 The basis for the Department's recommendation
5 of this added requirement is that there's really two
6 key features. The first one and the primary one is
7 safety. Currently, there is a crossing at this --
8 at Old Kings Road from Lehigh Trail, and it's simply
9 crossing a two-lane road.

10 As the Department of Transportation identifies,
11 this only results in three points of conflict. As a
12 user crosses the road, they look right, they look
13 left, and they look at somebody potentially turning.

14 By making this expansion of Old Kings Highway
15 from a two-lane to a four-lane road, by realigning
16 and extending Town Center Boulevard, we create what
17 they call 13 points of conflict. So somebody simply
18 trying to cross the road has 13 potential scenarios
19 in which traffic can impact them.

20 This raised concern by the Department,
21 Greenways and Trails, the Acquisition and
22 Restoration Council and the Department of
23 Transportation, in that there was an acknowledgment
24 that at some point in time, based upon increased
25 traffic densities that occur in this area, that an

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1 overpass would be justified to ensure the safety of
2 the trail users.

3 The other basis for the Department's
4 recommendation is actually one that's met in law.
5 In accordance with the law, in order for the Board
6 of Trustees to give up land that is currently
7 dedicated for conservation value, it must determine
8 that such trade or transfer or sale would result in
9 a net positive conservation benefit. And simply
10 put, creating an unsafe trail crossing is not
11 determined to have that net benefit conservation
12 value or recreational value.

13 We have, over the last several days -- and I
14 have to say days -- looked for compromise solutions
15 so that we can ensure that Palm Coast has the
16 ability to do this road alignment while at the same
17 time we find a safe trail crossing that both the
18 Department of Transportation and the Department --
19 Greenways and Trails can support.

20 We've looked for compromises that would phase
21 in such a scenario of an overpass, in which maybe
22 not until such time as traffic densities get so high
23 that that unsafe condition would be present.

24 Unfortunately, we have not been able to
25 identify a compromise solution. And as a result of

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1 Palm Coast rejecting the proposal to do this
2 overpass, the Department has to recommend that this
3 item be denied.

4 We have several speakers. We have -- let me
5 see the order of speakers. We have Dr. Oel Wingo,
6 who is the assistant manager of the City of Palm
7 Coast here. And I apologize. We also have -- and I
8 think the order is Mayor Jon Netts with the City of
9 Palm Coast to speak. We also have the Department of
10 Transportation here if there's any questions on the
11 DOT study.

12 GOVERNOR CRIST: Morning, Mayor.

13 MR. NETTS: Good morning, Governor Crist,
14 Cabinet members. I am Jon Netts and the mayor of
15 the City of Palm Coast. I don't stand alone here
16 today. With me is Melissa Holland, who is the chair
17 of the Flagler County Board of County Commissioners,
18 which incidentally is the land manager for this
19 trail program.

20 And standing with me in spirit are the
21 residents of Palm Coast. You've seen their petition
22 on this matter. Also you've seen the diverse
23 letters of support that we have received and you
24 have received from the Special Olympics, from the
25 Florida Bicycle Association, from the League of

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1 American Cyclists, from the Scenic and Historic AIA
2 Committee, from the Audubon Society, from all of our
3 sister cities in Flagler County, from our local
4 Chamber of Commerce, from Enterprise Flagler, our
5 economic development agency, from the Home Builders'
6 Association, from Congressman Mica, from
7 Representatives Bill Proctor and Pat Patterson. All
8 of these oppose the overpass.

9 Rest assured in my mind this is not an issue of
10 safety. While staff at DOT and DEP may believe an
11 overpass is necessary, we respectfully disagree.
12 Our professional staff, our engineers, our traffic
13 engineers, who are intimately familiar with the
14 constraints of this site, assure us that an at-grade
15 crossing is actually far safer.

16 This is supported by evidence. Fully 75
17 percent of similar trails throughout Florida that
18 cross four or more lanes of traffic do so safely
19 without an overpass. The Federal Highway
20 Association guidelines for this situation do not
21 call for an overpass.

22 Overpasses have proven to be ignored. They
23 collect graffiti, not footprints. This is not an
24 urban school crossing. This is a trail miles from a
25 school. We're convinced that a proposed overpass is

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1 unfeasible due to the geographic constraints of the
2 site. Within 400 and some odd feet you have I-95,
3 the interstate highway. You have a major drainage
4 canal. You have overhead feeder lines from FPL.

5 I would point out that this is not an exaction
6 from a deep pockets developer. This comes directly
7 from the City of Palm Coast. Our engineers
8 suggested that this is a three to four million
9 dollar project in design and construction costs and
10 goodness knows how much additional money in eminent
11 domain and land acquisition costs.

12 This is not a liability issue. You have our
13 memorandum on that matter. This is an issue, at
14 least for Palm Coast, of economic development.
15 If -- and I say if this road is widened and
16 completed on schedule, it means an immediate 500 to
17 1,000 new jobs in Palm Coast and Flagler County,
18 which incidentally has the highest current
19 unemployment rate in the state.

20 We urge you to complete this land swap, .16
21 acres. Please don't treat us inconsistently with
22 the overwhelming number of communities in Florida.
23 For us, time is of the essence. Help us create jobs
24 in the midst of recession without requiring us to
25 build an impractical, unnecessary and highly

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1 expensive overpass.

2 And let me say that if you conclude that this
3 land swap is in the best interest of the City and of
4 our residents, and I'm convinced that it is, this
5 doesn't preclude an overpass. But I can tell you
6 that three to four million dollars from my five-year
7 capital improvement plan puts the City in a terrible
8 position. We just can't do this.

9 At this time I'd like to introduce Melissa
10 Holland, who is chairman of the County Commission.
11 And, incidentally, you do have the letter of support
12 from the county staff. Melissa.

13 MS. HOLLAND: Thank you, Jon.

14 GOVERNOR CRIST: Morning, Madam Chair.

15 MS. HOLLAND: Good morning, Governor and
16 Cabinet members. As land manager with full
17 responsibility of the construction, maintenance and
18 operation and safety of the trail users, we are very
19 comfortable with the professional analysis and
20 proposal for an at-grade crossing. I'm here today
21 as one of the highest elected officials in my
22 community. And the City had asked for support on
23 this issue for many reasons.

24 We are desperately trying to overcome our
25 unemployment rate at 14.4 percent. This is a viable

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1 solution for everyone. And I can assure you, with
2 public safety on my mind and the concerns of our
3 citizens, I would not compromise that standing here
4 today and putting you in that position as well.

5 We're asking for your approval of this item,
6 not only for the well-being financially and fiscally
7 of the City of Palm Coast and Flagler County but to
8 ensure that this is a compromise we can all be
9 comfortable with. And we are certainly here to
10 answer any questions at this time. Thank you.

11 GOVERNOR CRIST: Thank you, Chair. Mr. Mayor,
12 I have a question, if you don't mind.

13 MR. NETTS: Governor, not at all.

14 GOVERNOR CRIST: Could you provide a copy of
15 the letter from the Special Olympics? I've asked my
16 staff, and they don't have it. If you have one, I'd
17 love to see it.

18 MR. NETTS: Dr. Wingo, do you have that with
19 you tonight, today, this morning?

20 MS. WINGO: It's in my car.

21 MR. NETTS: Yes, we'll provide it.

22 GOVERNOR CRIST: When?

23 MR. NETTS: Today. Dr. Wingo has it in her
24 car.

25 GOVERNOR CRIST: I've got to vote pretty soon.

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1 I'd like to see it before I vote, if it's feasible.

2 Thank you very much.

3 MR. NETTS: They're on their way.

4 GOVERNOR CRIST: Thank you, sir. Thank you,
5 ma'am.

6 MR. NETTS: Are there any other questions?

7 GOVERNOR CRIST: Commissioner.

8 COMMISSIONER BRONSON: When I looked at how the
9 proposal is set up to line up the greenway so that
10 there's no crossing down and going back up and, of
11 course, the road being straight across, where you
12 don't have people turning and then, to me, as
13 somebody that's had to work traffic before, if you
14 want to sit on an intersection that's going to have
15 a wreck, you want to be on one where they've got to
16 make two or three turns and holding up traffic in a
17 short period of time. You're going to have a wreck
18 there at some point in time.

19 To me, it made more sense, from a traffic
20 standpoint, to have that roadway straight and to
21 have the greenway trail straight so people aren't
22 going down and crossing back.

23 When is the four-laning expected to go in, and
24 isn't there such a small number of people at this
25 crossing that a red light you could cross pretty

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1 safely on this road right now, if we make the
2 straight cuts on the trail and the highway?

3 MR. NETTS: The answer to your question, of
4 course, is yes. The road is under construction as
5 we speak. Now, we started at the far end, moving
6 toward this. This will be the end of the project.
7 But this is one of these things where design is
8 contemporaneous with construction. We're designing
9 this as we move along.

10 You're absolutely right. The traffic count on
11 this road is very low. And although we do
12 anticipate, in fact, we are dependent on commercial
13 development, that's the whole reason we're
14 four-laning this in the first place, we don't
15 anticipate that the traffic counts are going to
16 markedly increase because State Road 100 is going to
17 be the major passageway, not this road.

18 Belle Terre Parkway to the west, 50 mile an
19 hour, north-south, parallels this road. That's
20 still going to be the north-south road of choice for
21 many, many people. What the City has proposed is an
22 at-grade crossing, signalized, controlled, red
23 light, walk light, countdown, very similar to what
24 you have right out in front on Monroe Street, except
25 that I don't think we'll have the bird chirp and I

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1 think it will give them more than ten seconds.

2 But, yes, I think for the foreseeable future it
3 is far safer with an at-grade crossing that is
4 properly signalized. DEP, DOT talks about the 13
5 points of conflict. That's assuming you're crossing
6 all four lanes of traffic at once.

7 What we have proposed is almost a mini
8 trailhead, a wide median, covered, sheltered,
9 benches, a place to stop so you don't have to cross
10 four lanes of traffic. You can cross two, take a
11 breather, cross two more, although the light would
12 accommodate the crossing of all four, unless you are
13 somewhat restricted in mobility.

14 MR. SOLE: And, Commissioner, I want to address
15 the point you made as well. One of the things that
16 we recognized is, based upon the current traffic
17 patterns of the area, as the Mayor points out, it's
18 relatively low. I think it's under 6,000 vehicles
19 per day.

20 And we acknowledged and that's why we suggested
21 to the City that, yeah, we don't think the overpass
22 is needed today, let's wait until such time as that
23 traffic density gets to a level which it does result
24 in higher opportunities for concern, basically
25 encroachment on safety.

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1 And that's why we suggested to the City that
2 let's wait until if, and if realized, traffic
3 densities get to some order of 15,000, which
4 actually 16,000 is the basic traffic density that
5 the 2004 Cabinet identified as needed for another
6 bridge actually at this same region.

7 So we acknowledge the mayor's point and we
8 acknowledge, Commissioner, your point that maybe
9 traffic densities are not high enough today and
10 let's go ahead and make that a delayed
11 implementation. If traffic densities don't get to a
12 high point, then let's not build the overpass. But
13 if we do get that increased traffic density and we
14 have that concern for safety, it is justified and it
15 is worth trying to ensure the safety of those trail
16 users.

17 GOVERNOR CRIST: Commissioner.

18 COMMISSIONER BRONSON: Governor, I -- and I
19 understand, Mike, what you're saying, but we're in a
20 tough economic time, as we're all aware up here in
21 Tallahassee, and every county and every city is
22 right along there with us. It's not like we're the
23 only ones in this. The issue of being able to
24 straighten that road out so that you're not having
25 to make those sharp turns to get back onto the

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1 roadway and straighten up that greenway trail so
2 they're not having to go down, cross in another
3 place, go back up to hit the trail, it makes sense
4 to me.

5 I think we may be making more of this than we
6 need to in this economic time, when we could do a
7 grade crossing. If traffic gets that high, if there
8 is a true problem with people who can't get across
9 the highway, if there's going to be a median
10 stopover where they don't have to cross all at one
11 time, that saves a lot of problem and would be a
12 whole lot less expensive than building a two to
13 three, four million dollar crossover, that we work
14 with the City and with the County on this, on behalf
15 of the people using the trail, and knowing that
16 economic times just will not support this type of a
17 process.

18 But, to me, it's as important to get those
19 trails and that road straightened out right now as
20 the crossing itself, simply because of the potential
21 for accidents on that roadway. And I would move to
22 approve the at-grade crossing with the median type
23 stopover right now and come back maybe whenever the
24 road traffic gets up to the point to where we really
25 have to worry about that, to see if the economy gets

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1 to the point to where it can be worked out.

2 But I just -- I think we're maybe making more
3 of this right now than we need to, with the traffic
4 that's actually there. I would move to pass it at
5 road grade rather than the overpass.

6 ATTORNEY GENERAL McCOLLUM: May I ask a
7 question?

8 GOVERNOR CRIST: Of course.

9 ATTORNEY GENERAL McCOLLUM: Mike, I'd like to
10 ask you a couple of quick questions.

11 MR. SOLE: Yes, sir.

12 ATTORNEY GENERAL McCOLLUM: The mayor raised
13 several good points at least that need to be
14 addressed. Seventy-five percent of the crossings of
15 this nature don't have overpasses, I guess, now, he
16 says, in our state, where we have trails.

17 Is that your understanding? Do you agree with
18 that? And if so, what kind of record do we have on
19 accidents and safety on those trails that cross
20 without an overpass that would be comparable to what
21 we're seeing here?

22 MR. SOLE: Let me try to answer both those
23 questions. I cannot confirm or deny the 75 percent
24 number that the City used. There is no question in
25 my mind, General, that there are trail crossings

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1 today that are probably as unsafe as what will be
2 proposed here.

3 However, those are conditions that existed as
4 part of either existing trail development, and in
5 this case what I'm concerned about and what is to me
6 very different is that we are creating that unsafe
7 condition versus having an extant scenario.

8 I also want to point out that where we have
9 those unsafe conditions, we have moved and proposed
10 and identified and sought funding for trail
11 crossings. And, in fact, it's my understanding we
12 have one on the Pinellas trail right now that we are
13 seeking and pursuing an overpass to ensure the
14 safety of the trail users.

15 So this is something that the Department as a
16 whole is working on, to ensure that all the trail
17 users across the state of Florida have a safe
18 condition, and without question we want to avoid
19 creating more unsafe conditions.

20 ATTORNEY GENERAL McCOLLUM: Well, Mike, the
21 other point that the mayor made was that where there
22 are overpasses, they're not really used. People go
23 around them and they don't use them. Is that true?

24 MR. SOLE: I think that is true. There are
25 conditions where individuals often may choose not to

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1 use the overpass and use the existing just at-grade
2 crosswalk. But I also think you need to accommodate
3 all the users of the trail.

4 And I'll give a simple example. I'm not trying
5 to be sensationalist. But my 15-year-old daughter,
6 actually she's 16 now, my 16-year-old daughter, I
7 would tell her, "You have to use the overpass,"
8 because she's not driving yet, even though she's
9 close, and she doesn't understand all the
10 complexities of drivers taking lefts, rights, taking
11 two left turns and these things, that I would be
12 concerned about her capability to manage that kind
13 of traffic load.

14 A person like myself may choose, whether wisely
15 or not, may choose to go ahead and use the at-grade
16 crossing. But I think it's incumbent upon us to
17 ensure that we provide that safe crossing for all
18 the trail users, and that's why we're suggesting
19 that this is important in this case.

20 ATTORNEY GENERAL McCOLLUM: Mike, our office
21 hasn't looked at this, but has your legal department
22 looked at the issue of the potential liability that
23 the State or the local government may have if this
24 overpass is not put in and accidents occur and
25 there's been this kind of discussion?

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1 MR. SOLE: I candidly am concerned about that.
2 And, again, I think one of the key things that I'll
3 go back to is the fact that by law, if we do this
4 exchange of conservation land, I need to state
5 unequivocally that there is a recreational benefit.
6 And, unfortunately, I have a difficult time making
7 that statement in light of this complexity that's in
8 front of us.

9 ATTORNEY GENERAL McCOLLUM: Well, I was also
10 thinking of the personal injury liability issue
11 that's here, if somebody got injured.

12 MR. SOLE: Yes, sir. I was trying to avoid the
13 personal injury question, General.

14 ATTORNEY GENERAL McCOLLUM: I gathered that.
15 Okay. Well, then let me ask the money question.

16 MR. SOLE: Yes, sir.

17 ATTORNEY GENERAL McCOLLUM: There's obviously a
18 real concern, and Commissioner Bronson points out
19 and the mayor points out, with this money. Where is
20 the State in all this? I realize we don't have
21 money either. But is it normal for the local
22 community to pick up the cost of an overpass like
23 this for a trail? I guess -- I don't know if this
24 is a local trail or if it's a state trail. Is this
25 a state trail?

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1 MR. SOLE: This is a state trail, but we have
2 the benefit of having Flagler County manage the
3 trial for us, and they're doing a fantastic job.
4 And in many cases and many of the trail managers,
5 whether it's the State or other local governments
6 that are managing the trail, they are pursuing these
7 types of overpasses to ensure the safety of the
8 trail users.

9 COMMISSIONER BRONSON: I've got another
10 question.

11 GOVERNOR CRIST: Are you done, General?

12 ATTORNEY GENERAL McCOLLUM: I'm done, except --

13 MR. SOLE: But you had another question, and I
14 need to -- I want to finish answering the General's
15 question, if I may. One of the other questions you
16 asked is who is participating financially in the
17 development of these overpasses.

18 Without question there are grant programs at
19 the Department of Transportation that, heck, we've
20 taken advantage of, and we have Stephanie Kopelousos
21 here, in which they provide grants to ensure also we
22 have safe passage for trail users. And without
23 question we would encourage the City to pursue those
24 grants.

25 And by delaying the implementation, which was

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1 the Department's recent recommendation to the City,
2 I think we give them the opportunity to pursue those
3 grant opportunities.

4 ATTORNEY GENERAL McCOLLUM: Well, Mike, one
5 last thing --

6 MR. SOLE: Yes, sir.

7 ATTORNEY GENERAL McCOLLUM: -- and I'll
8 certainly yield to the Commissioner. But let's
9 assume right now this highway were completed as the
10 mayor wants to do it with no overpass. There's no
11 problem in the immediate future because the traffic
12 isn't up. Say five years from now the traffic is up
13 to 16,000, or whatever it is you said.

14 What would be the problem with going back then
15 and addressing it? You have to have some
16 conditionality in this agreement now? Is that the
17 issue? Or otherwise the State could always go back,
18 but it would be on our nickel, right, to do this?

19 I just think that a study ought to be done at
20 that point. If we don't do it today, I don't think
21 there's any -- my liability question wouldn't come
22 into play now. But, you know, five years from now,
23 traffic is up, nothing is done about it, I think
24 there is a potential for somebody to claim against
25 whoever is doing action and failing to do this. I

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1 just see that -- again, I haven't researched it, but
2 I can just see that in my own mind as being a
3 problem.

4 MR. SOLE: And, General, that is the
5 recommendation that I'm offering to the Board of
6 Trustees, is that there be some kind of
7 conditionality on two bases; one, on the basis of
8 ensuring that we have that positive recreational
9 benefit. We agree with the Department of
10 Transportation that that issue doesn't occur today,
11 but at some point in the future, if traffic
12 densities get that high, that there is a safety
13 concern. So --

14 ATTORNEY GENERAL McCOLLUM: Well, can we have
15 a -- one last question.

16 MR. SOLE: Yes, sir.

17 ATTORNEY GENERAL McCOLLUM: Can we have a study
18 done with a proviso in here saying this won't happen
19 any sooner than five years, even if the traffic goes
20 up, because the mayor can't afford it? But, Mayor,
21 could the City and County look out five years from
22 now and say, if the traffic is up five years from
23 now, realizing your budget is not there today,
24 probabilities are, I hope, Florida's economy is
25 going to come back, could you afford it five years

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1 from now?

2 MR. NETTS: If I may answer both of your
3 questions, General. The issue of net positive
4 recreational benefit, I don't think you can look at
5 this in isolation. The City, on its nickel, is
6 making significant efforts to connect this isolated
7 trail with the sequence of trails that the City
8 already has.

9 We very much are a trail-oriented community.
10 We're making this trail, this Lehigh Trail, much
11 more valuable for all the residents by making it
12 accessible. A trail that starts and ends nowhere
13 does no one any good. We're connecting it. There
14 is clearly a net positive recreational value.

15 The issue -- the other issue about this proviso
16 that at some future date we have to install an
17 overpass, I'm not convinced nor are our engineers
18 convinced that this can be constructed without a
19 taking of privately owned land.

20 The land in this vicinity is privately owned.
21 It is zoned commercial. And that taking would
22 negatively affect the very people who are helping
23 fund this road. This is a special taxation district
24 that the property owners themselves have agreed to
25 make major funding contributions. I think we have

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1 wrung the last nickel out of this group of people
2 that we can get. To go back and take their property
3 through eminent domain would have to be done now.
4 Even if you're going to build an overpass sometime
5 in the future, you'd have to ensure that you have
6 adequate landing space now.

7 The Department assures me -- suggests that they
8 think this can be built without any additional land.
9 I'm not convinced, based on what my engineers have
10 told me. And to grant this land swap now does not
11 in any way preclude ongoing discussions with the DOT
12 and other agencies about an eventual overpass.

13 ATTORNEY GENERAL McCOLLUM: But the land might,
14 to do the landing, as you put it, might not be
15 available if something isn't protected to keep that
16 land available now. And that's really the issue,
17 probably more than anything else here, isn't it?

18 MR. NETTS: Well, that's certainly one piece of
19 the issue because to take that land requires money.
20 And while I am confident that our economy is going
21 to turn around and I am confident that property
22 values are going to go back up, I can't gaze into a
23 crystal ball and tell when, and I can't commit
24 future councils and future mayors to expend money
25 that we don't have. At least I'm not comfortable

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1 doing that.

2 ATTORNEY GENERAL McCOLLUM: Thank you very
3 much.

4 CFO SINK: Governor, may I --

5 GOVERNOR CRIST: CFO.

6 CFO SINK: I'm just curious to know, if the
7 situation gets to the point where there's an
8 enormous amount of traffic there and the State is --
9 or the people are in truly an unsafe situation, then
10 what happens then? Do you just close the trail or
11 what's the --

12 MR. NETTS: Absolutely not, you do not close
13 the trail.

14 CFO SINK: Well, what would you do if you --

15 MR. NETTS: What you do is additional traffic
16 control. Right now what we're proposing is a wide
17 median with a safety island, a sanctuary, if you
18 will, a pedestrian-controlled light which brings the
19 traffic to a stop.

20 If I were a driver and I were in a hurry to get
21 to the north end of my city from the south end of my
22 city and I knew that there was a
23 pedestrian-controlled traffic light here, there are
24 other routes that I might take as an alternative.

25 I do not see this becoming a four-lane highway.

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1 This is a community road. It is not the only way
2 nor is it the best way to get from north to south.

3 CFO SINK: Excuse me, Mayor, but I thought
4 that's what the issue was, that it is a four-lane
5 highway.

6 MR. NETTS: I think the use of the word
7 "highway" is pejorative. It would be four-laned,
8 but speed limits of 30, 35 miles an hour. That, to
9 me, does not -- the word "highway" conjures up
10 something very much different. The parallel road a
11 mile and a half east of here, Belle Terre Parkway,
12 is four-lane currently, and it has speed limits of
13 50 miles an hour. That, to me, is more in keeping
14 with the definition of a highway. And incidentally,
15 as I mentioned before, this trail crosses that road
16 without an overpass.

17 CFO SINK: Okay. Could we have Commissioner
18 Bronson renew his motion, or whenever you're ready
19 to?

20 COMMISSIONER BRONSON: Well, I just wanted to
21 also state -- and I heard what was said about
22 whether to transfer the current line of the trail
23 without giving up -- to me, if you're connecting the
24 line, you still have the trail connected. So you're
25 really not giving up much there as far as connecting

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1 that trail line. I can't see that you're giving up
2 that much land from that standpoint.

3 But I also don't want us to get into a Rube
4 Goldberg process of trying to cross the dadgum
5 highway. I mean, we're talking common sense here.
6 You're talking millions of dollars to build this
7 bridge. And if you're a person with heart problems,
8 you may be able to do a grade walk, but you may not
9 be able to walk that steep thing. I mean, there are
10 other issues involved here.

11 To me, if you don't need it at this time, if
12 traffic doesn't preclude that we have to have an
13 overpass for safety, that we do it at grade and go
14 back five years, or whenever that traffic level gets
15 there, and reassess it and let the County and the
16 City and the State and whoever is going to have the
17 availability to help build this three to four
18 million dollar overpass that meets everybody's
19 qualifications with DOT and everybody else, then it
20 can be addressed.

21 So my motion was to approve aligning the road
22 as the County and the City have suggested, that we
23 allow a grade crossing for the trail so it can still
24 be used as it is today, and it's no different than
25 other crossings on four-lane highways where we don't

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1 require overpasses, and allow it to be used and
2 complete the process, because the County and the
3 City obviously have already gone through the motion
4 of trying to fix this roadway problem, which is a
5 problem for potential accidents, the way the roads
6 are misaligned.

7 ATTORNEY GENERAL McCOLLUM: Well, your motion
8 would include the request itself, the determination
9 that the .161-acre parcel of state-owned land in
10 Flagler is no longer needed for conservation
11 purposes and all the things down there I guess
12 technically we have to do. That's in the request;
13 is that correct?

14 COMMISSIONER BRONSON: Right, right. But my --
15 what I have observed on that is, that's going to be
16 open green space anyway, so nothing is going to be
17 done with -- there's going to be a pond and open
18 green space in there where they're going to reroute
19 the road, so it's still going to be open green space
20 that's available for wildlife and so forth.

21 So we're really not giving up -- that was my
22 point. We're really not giving up anything there.
23 We're actually going to have the open green space as
24 well as the trail. So we're not really giving up
25 anything there that I can see from the State, as far

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1 as the greenway property that's been bought by the
2 State.

3 CFO SINK: And, Commissioner, did your motion
4 incorporate the requirement to put a median stopover
5 on both streets?

6 COMMISSIONER BRONSON: I didn't make that
7 motion, but if it -- I mean, I'm assuming that DOT
8 and the City and the County are going to be working
9 together to make sure that whatever that crossing is
10 is a legal, safe crossing.

11 MR. NETTS: CFO, local government is always
12 referred to as the government closest to the people.
13 Believe me, as the mayor of this city, I would do
14 nothing to jeopardize the health and welfare of my
15 residents.

16 Our proposal is that median. Our proposal is
17 that pedestrian-controlled traffic signal. Our
18 proposal is to make an at-grade crossing as safe as
19 is humanly possible and to incorporate, as the
20 Commissioner points out, the amenities that make
21 this a beautiful facility.

22 Palm Coast is noted for its green space. We
23 are proud of it, and we want to augment this
24 crossing, benches, a mini trailhead, if you will.
25 So, yes, that is absolutely our intention.

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1 CFO SINK: I'll second your motion.

2 MR. SOLE: CFO, can I -- or, Governor --

3 GOVERNOR CRIST: Secretary, of course.

4 MR. SOLE: I want to just convey, based upon
5 the motion, what we would be approving is basically
6 a transfer of this title, basically delaying the
7 consideration of any additional overpass or other
8 opportunities to address the trail crossing until a
9 later time. Commissioner, I didn't know if you
10 wanted it based upon a time frame or a traffic
11 density scenario in which a reevaluation should be
12 done.

13 And what's on the overhead is basically what we
14 would be approving in concept, is that transfer
15 which would result in the two crossings of the trail
16 across both the four-laned Old Kings Highway and the
17 newly created Town Center Road.

18 And the one point I want to add to the thought
19 process as you deliberate is that if in the future
20 there's a determination that, yes, a crossing is
21 potentially needed, unfortunately our ability to
22 plan that is going to be dictated on what's in front
23 of us. Since there is no current design or plan or
24 study of the realignment of the road and an
25 overpass, it may result in a cost of said overpass

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1 being more expensive because the roads will already
2 be in place. So my only concern is there is no
3 consideration for design now before they construct
4 and finalize the road.

5 GOVERNOR CRIST: So we have a motion and --

6 CFO SINK: Second.

7 GOVERNOR CRIST: -- we have second. Is there
8 any further discussion or anybody else in the
9 audience wish to speak to this point?

10 MR. SOLE: No, sir.

11 GOVERNOR CRIST: All in favor say aye.

12 ATTORNEY GENERAL McCOLLUM: Aye.

13 CFO SINK: Aye.

14 COMMISSIONER BRONSON: Aye.

15 GOVERNOR CRIST: Aye. All opposed no.

16 MR. SOLE: Thank you.

17 GOVERNOR CRIST: Congratulations. Thank you
18 for taking the time to be here.

19 MR. SOLE: Chairman, appreciate it.

20 GOVERNOR CRIST: Item 6.

21 MR. SOLE: Item 6. I've lost my notes.

22 GOVERNOR CRIST: Madam Chair, is that what it's
23 like at the County Commission meetings?

24 MS. HOLLAND: Sometimes.

25 GOVERNOR CRIST: God bless you.

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1 MR. SOLE: Governor and Cabinet, I apologize.
2 Item Number 6, this is a request for consideration
3 of an option agreement to acquire 134.74 acres
4 within the Indian River Lagoon Blueway. This is a
5 Florida Forever project. It's a type A project.

6 This acquisition will be from Harbor Branch
7 Oceanographic Institute Foundation, which is a
8 direct support organization of Florida Atlantic
9 University. I want to point out that this Item 6
10 and Item 7 are basically tied together and combined,
11 so you know that up front.

12 This project is located in St. Lucie County.
13 The consideration for the Board of Trustees'
14 Aquisition of 134,000 (sic) acres is \$18 million.
15 This is 61 percent of the approved value. And the
16 important thing is this is a significant partnership
17 acquisition. We have partnerships with the Florida
18 Communities Trust. We have partnerships with St.
19 Lucie County. This acquisition is also a
20 partnership with the local school boards and
21 technically our Florida Legislature, since they have
22 also provided additional funding for this facility
23 under PECO funds, to improve facility.

24 When you look at the total purchase price, both
25 the Board of Trustees' acquisition and the Florida

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1 Communities Trust acquisition, this is a 403-acre
2 acquisition, totaling \$24.3 million. And, again,
3 this is still well under the appraised value of
4 \$37.3 million.

5 The property that we're acquiring is improved
6 with just over 300,000 gross square feet of building
7 improvements. The acquisition by the Board of
8 Trustees will help continue to fund and allow the
9 continued research efforts of Harbor Branch, which
10 serve now Florida Atlantic University, as well as
11 overall the State of Florida.

12 The entire acquisition, including the Florida
13 Communities Trust wetlands, meets many of the
14 Florida Forever program goals, and the Board of
15 Trustees will ensure that this property is protected
16 forever.

17 One interesting note that I need to raise as a
18 full disclosure is Harbor Branch prematurely
19 conveyed this property to FAU, so to fulfill the
20 original goal, there will be a simultaneous closing
21 at closing.

22 With that, we have President Brogan also here
23 to speak on this item.

24 GOVERNOR CRIST: Mr. President, would you like
25 to speak? Welcome.

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1 MR. BROGAN: Thank you, Governor, members of
2 the Cabinet. Thank you, Secretary. This actually,
3 members of the Cabinet, closes a very important loop
4 on a project that began, it's hard to believe, just
5 a little over two years ago.

6 It was a concept that started with the
7 recognition that you had two wonderful entities,
8 Florida Atlantic University that does a myriad of
9 activities in the area of marine research and ocean
10 engineering, cures from the sea programs, and then
11 you had the Harbor Branch Oceanographic Institute, a
12 private, not-for-profit organization that is truly
13 internationally known for the work that it's done in
14 deep sea research as well as that of marine
15 estuaries and coral reefs.

16 All of that came together with the concept that
17 indeed Harbor Branch could become a part of Florida
18 Atlantic University and bring that package in full
19 alignment. That started a process with the Board of
20 Trustees of Florida Atlantic University, who gave
21 approval to the concept, the board, foundation board
22 of the Harbor Branch Oceanographic Institute, which
23 still exists, as the secretary mentioned, now as a
24 direct support organization of Florida Atlantic
25 University, but still in existence basically to

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1 continue to serve Harbor Branch Oceanographic
2 Institute at FAU.

3 The Board of Governors became a part of this
4 with their approval of the concept. Certainly as
5 the secretary mentioned, Ken Pruitt in the Florida
6 Senate and the entire Legislature gave it their
7 support through the acquisition of the operational
8 budget and making that a part of the operational
9 budget of Florida Atlantic University, as well as
10 setting aside \$44 million in PECO funds for
11 renovation, remodeling and new construction of
12 research facilities on the Harbor Branch at FAU
13 site.

14 Now we begin to come full circle, as part of
15 this vision was to ultimately make sure that the
16 lion's share of the property associated with Harbor
17 Branch fell under the aegis of the State of Florida
18 to protect it for the ages. Part of it obviously
19 set aside for a campus, as the secretary mentioned,
20 but truly the lion's share of it, the idea was to be
21 purchased by the State of Florida as well as in
22 partnership with DCA and the Community Trust, the
23 St. Lucie County Commission, that would set it aside
24 for a conservation easement and appropriate
25 activities and passive recreational opportunities.

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1 So we also want to thank today the DEP,
2 Secretary Sole, people like Bob Ballard and the
3 great staff of DEP, Secretary Pelham, the folks at
4 DCA. And, again, I want to acknowledge the hard
5 work of Ken Reecy with DCA, who has helped to put
6 all of this package together to present to you today
7 in two forms, the first one that you'll be asked to
8 take up here as we speak and then, once DCA comes
9 before you, on the issue of Community Trust.

10 I also, if you'll give me the opportunity, want
11 to thank the people of the state of Florida. This
12 is really an exciting partnership. I'm one of those
13 people who recognizes, as do most of us, that it's
14 the power of the partnership in the 21st century,
15 funding being too tight for any one individual group
16 to go it alone, but also the recognition that if we
17 can leverage money through partnership and thus
18 opportunities, we're sending a strong message that
19 by working together, we can accomplish a great deal
20 more than if we attempt to try to do things in silo
21 fashion.

22 And so if you stop and consider the taxpayers
23 of the state of Florida, what they are receiving at
24 the end of all of this is a win-win-win situation, a
25 wonderful environmentally sensitive property that

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1 will belong to the State of Florida in perpetuity, a
2 campus that will fall under the aegis of this
3 Cabinet as the Improvement Trust Fund, and as to all
4 state properties within higher education, make sure
5 that that property is in perpetuity set aside for
6 educational purposes only.

7 Clearly they get something marvelous through
8 economic development and the work that's going to be
9 done and is being done right now through the power
10 of partnership of Florida Atlantic University and
11 Harbor Branch.

12 To that end, some of you may have seen in the
13 news recently that we just did acquire a \$22 million
14 grant award from NOAA, the federal agency, that will
15 provide \$22 million to Harbor Branch at Florida
16 Atlantic University for further research of the
17 oceans, coral reef systems, deep water, estuary
18 opportunities, and also is an open door now to other
19 great grant opportunities that are going to come, we
20 believe, as a result of this partnership and the
21 coalescing of these two great research institutions.

22 It is providing ample return on investment
23 already to high school students. We have an
24 emerging high school on that site that is growing
25 each year by a hundred students. It will ultimately

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1 become a high school where 400 students will not
2 only have a full high school curriculum, but that
3 curriculum centers on marine research, ocean
4 engineering, environmental issues. And we believe
5 that's going to create a great pipeline of students
6 who will go on into higher ed and chase their vision
7 of becoming the scientists of tomorrow that will
8 help, again, to propel our economic development
9 efforts.

10 People like Scripps, Max Planck, Torrey Pines,
11 who are always looking for cures and treatment for
12 disease, will have the opportunity to see groups
13 like us tap the deep sea for specimens that might
14 have properties that are both curative and/or
15 treatment related.

16 So we really believe this is a classic
17 partnership that gives way to a classic win-win for
18 all involved. We thank you very much for
19 considering this today. And between the Secretary
20 and I, hopefully we can answer any questions that
21 you all might have.

22 As I step away from the podium, I'll just let
23 you know I do have pictures of my son here with me
24 today, just in the event that any of you might like
25 to pass these among the members of the Cabinet.

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1 GOVERNOR CRIST: Thank you very much, Mr.
2 President. General.

3 ATTORNEY GENERAL McCOLLUM: I just wanted to
4 say, Frank, you are always promoting family, but
5 today you were promoting really great policy because
6 we're talking about the environment, education,
7 research, the private sector being involved and
8 Florida's future all wrapped into one in this. And
9 so it was a great presentation you and Mike made
10 today. So I don't think there's any question that
11 we want to approve this. And I would move Item 6,
12 Governor.

13 CFO SINK: Second.

14 COMMISSIONER BRONSON: Second.

15 GOVERNOR CRIST: Moved and seconded. Show it
16 approved without objection.

17 MR. SOLE: Thank you, Governor.

18 GOVERNOR CRIST: Thank you.

19 MR. BROGAN: Thank you all very much.

20 MR. SOLE: Item Number 7, again, is the
21 companion item. This is the Florida Communities
22 Trust acquisition of property surrounding the
23 facility. I'm going backwards on my notes. Ken
24 Reecy is here in case there are any questions. The
25 total title would be 268.44 acres being purchased

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1 under the Florida Communities Trust. The benefit of
2 this property is it will also incorporate
3 recreational trails in cooperation with St. Lucie
4 County.

5 ATTORNEY GENERAL McCOLLUM: I move Item 7.

6 COMMISSIONER BRONSON: Second.

7 GOVERNOR CRIST: Moved and seconded. CFO?

8 CFO SINK: I'm ready, but I'm going to ask Mike
9 another question.

10 GOVERNOR CRIST: Okay. Show it approved
11 without objection.

12 MR. SOLE: Thank you.

13 GOVERNOR CRIST: CFO.

14 CFO SINK: Secretary Sole, would you -- we let
15 Mr. Ballard off the hook the last time. I'm sure
16 you heard. Would you just take a couple of minutes
17 to fill the board in on the legislative outcome --

18 MR. SOLE: Yes, ma'am.

19 CFO SINK: -- as relates to your projects?
20 Thank you.

21 MR. SOLE: And I'll try to be brief. There
22 were several bills that passed that I think relate
23 to the Board of Trustees, and I want to hit on those
24 real quickly. House Bill 1423, which is often
25 referred to as the Fish and Wildlife Conservation

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1 Commission bill, obviously it encompassed many
2 things relating to ensuring seagrass protection.
3 But I think one of the more -- and coral reef
4 protection, by the way.

5 And one of the more poignant issues to the
6 Board of Trustees, it has also created a pilot
7 program for the development of five mooring fields
8 throughout the state of Florida. There will be two
9 on the east coast, two on the west coast and one in
10 the Keys. And the purpose is to look at
11 opportunities for increased boater access to mooring
12 fields but also to ensure that it's managed in a way
13 that would protect the other resources.

14 So I think that's relevant to the Board of
15 Trustees in light of the fact that we're beginning
16 to see some mooring fields come into our sovereign
17 submerged land leases.

18 Senate Bill 2430, this is taxation of
19 documents. This bill did two things related to
20 Board of Trustees and Florida Forever itself. It
21 provided clarification language as it relates to a
22 recent Supreme Court or 2005 Supreme Court case
23 referred to as Crescent Miami Center versus
24 Department of Revenue. And as a result of that
25 case, unfortunately, some doc stamps that the

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1 Legislature intended to be collected were not being
2 collected. This corrected that what we'll call
3 loophole.

4 More importantly is the bill also prioritized
5 doc stamp revenues generated to go towards the
6 payment of prior P-2000 and Florida Forever funding.
7 As we recall, the Governor, during special session,
8 restored Florida Forever funding. Unfortunately,
9 because of doc stamp revenue, there was concern
10 about the ability to pursue bonds to support that
11 appropriation. This legislative fix is going to
12 allow us to fulfill, we believe, our overall
13 appropriation needs for current year Florida
14 Forever. So that was a big win.

15 House Bill 7035, this was a very simple sunset
16 review of the Department's and Division of State
17 Lands' capability to keep confidential written
18 valuations of state-owned surplus lands.

19 House Bill 7157, this was real property used
20 for conservation purposes. This is implementing the
21 constitutional amendment, Constitutional Amendment 4
22 that passed in November of 2008 that basically
23 addressed the ability for folks to put in
24 conservation value their land and have such
25 ad valorem taxation be reduced or eliminated.

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1 One of the issues that was interesting that's
2 relevant is that it also required, for those
3 conservation easements identified that are 40 acres
4 or less, that they would come to the Acquisition and
5 Restoration Council for review and consideration as
6 to whether they fulfilled a conservation goal.

7 Senate Bill 1804, this is state-owned real
8 property. This instructs the division, or
9 Department of Management Services and the Board of
10 Trustees to initiate immediate disposition of the
11 Fuller Warren Building, Bloxham Building, Bloxham
12 Annex and Firestone Building and Winchester
13 Building. So we'll be coming back before the Board
14 of Trustees to dispose of these nonconservation
15 lands. It also directed the Department of
16 Management Services to create and maintain a
17 comprehensive database of state-owned
18 nonconservation lands.

19 Those are the poignant bills that passed that
20 relate to the Board of Trustees. Some bills that
21 didn't pass, I'll be brief: Senate Bill 1012, this
22 would have addressed lease fees that the Department
23 was previously working on, based upon guidance from
24 the Board of Trustees.

25 This bill actually died late in session. In

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1 fact, it got through both the Senate and the House
2 floors but died in committee. And it contemplated
3 changes to the lease fees that currently we address
4 and use in association with sovereign submerged land
5 leases.

6 It was similar -- I don't want to say it was
7 the same -- as the initiative the Department was
8 working on in its rule-making. So as a result of
9 that almost successful legislation, I'm probably
10 going to have to come back to the Board and say,
11 what's your pleasure, Board of Trustees? We were
12 working on rule-making as it related to lease fees,
13 since these fees haven't been addressed in multiple
14 years, and at the same time we had a bill that got
15 through the Senate, got through the House, but
16 unfortunately, in the timeline, died in conference
17 committee. So do we want to look at the legislation
18 for next year or do we want to continue with our
19 rule-making? So that will be a question that I'll
20 have to pose to the Board soon.

21 Finally, House Bill 1219, regulation of state
22 lands and oil and gas resources. This is also known
23 as the drilling bill that was recently or put into
24 the legislative concept late in the game.

25 This bill would have allowed third parties to

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1 basically petition the Board of Trustees for
2 offshore oil and gas leases. It did require a
3 minimum bid or application fee of a million dollars.
4 There were several specific provisions in the bill
5 as it related to procedural and how you would
6 accomplish this, some of which we would need to try
7 to work with the Legislature to fix.

8 Without question, one of the issues that they
9 addressed is the potential for royalties, to be able
10 to use for Florida Forever. They had some \$300
11 million proposed for Florida Forever bond
12 initiatives, \$15 million for management of
13 state-owned lands or conservation lands, 20 million
14 for beaches, and the list actually goes on. I'm
15 confident there will probably be more debate on that
16 subject in the future.

17 House Bill 1355, management of state-owned
18 lands, would have required OPPAGA to actually do a
19 study of centralizing our management of state-owned
20 lands, the lands the Division of Forestry manages,
21 lands that Fish and Wildlife Conservation Commission
22 and the Department, through its Rec and Parks, and a
23 concept of actually centralizing that function and
24 that feature.

25 It also had a pilot project that would allow a

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1 third party to bid on managing some 200,000 acres of
2 state-owned lands, some of which Forestry owned,
3 some of which Rec and Parks was managing, and some
4 of which Fish and Wildlife Conservation Commission
5 was managing.

6 Senate Bill 1468, this addressed some changes
7 to the working waterfront property bill, the Stan
8 Mayfield Working Waterfronts program, which also did
9 not pass. Senate Bill 2104 was a Department of
10 Environmental Protection glitch bill in the prior
11 Florida Forever amendments that occurred in 2008.
12 We hopefully will move forward with that again next
13 year.

14 Senate Bill 2410 was a Department of Management
15 Services bill that would have transferred to the
16 Department of Management Services all the
17 administration of all leases that were basically
18 related to operational facilities of the State of
19 Florida.

20 Those are some of the substantive bills that
21 either passed in the first round or did not pass.
22 Hopefully that helps.

23 GOVERNOR CRIST: Thank you, Secretary.

24 MR. SOLE: Yes, sir. Governor, thank you.

25

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1 GOVERNOR CRIST: State Board of Administration,
2 Ash Williams. Morning, Ash.

3 MR. WILLIAMS: Morning, Governor, Trustees.

4 GOVERNOR CRIST: How are you?

5 MR. WILLIAMS: How are you?

6 GOVERNOR CRIST: Good.

7 MR. WILLIAMS: Item 1 requests approval of the
8 minutes from our May 13 meeting.

9 GOVERNOR CRIST: Is there a motion on the
10 minutes?

11 ATTORNEY GENERAL McCOLLUM: So moved.

12 CFO SINK: Second.

13 GOVERNOR CRIST: Moved and seconded. Show the
14 minutes approved without objection.

15 MR. WILLIAMS: Item 2 requests approval of and
16 authority to file Rule 19-8.028. This is relating
17 to the premium formula for the Catastrophe Fund.

18 ATTORNEY GENERAL McCOLLUM: Move Item 2.

19 CFO SINK: Second.

20 GOVERNOR CRIST: Moved and seconded. Show it
21 approved without objection.

22 MR. WILLIAMS: Item 3, we request approval for
23 an addendum of the 2009/10 premium formula for the
24 Cat Fund.

25 ATTORNEY GENERAL McCOLLUM: Move Item 3.

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1 CFO SINK: Second.

2 GOVERNOR CRIST: Moved and seconded. Show it
3 approved without objection.

4 MR. WILLIAMS: Item 4 requests approval of the
5 appointment of Dr. Judith A. Curry, meteorologist,
6 to the Advisory Council of the Florida Hurricane
7 Catastrophe Fund.

8 ATTORNEY GENERAL MCCOLLUM: Move Item 4.

9 GOVERNOR CRIST: Is there a second?

10 CFO SINK: Excuse me, but --

11 GOVERNOR CRIST: CFO.

12 CFO SINK: -- I have a different name here.
13 Okay. That's fine. Second.

14 GOVERNOR CRIST: Moved and seconded. Show it
15 approved without objection. Thanks, Ash.

16 MR. WILLIAMS: Thank you very much.

17 GOVERNOR CRIST: Good day.

18 (Whereupon, the meeting was concluded at 10:45
19 a.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

Reporter,

counsel

I, Jo Langston, Registered Professional

do hereby certify that the foregoing pages 5 through 78,
both inclusive, comprise a true and correct transcript of
the proceeding; that said proceeding was taken by me
stenographically and transcribed by me as it now appears;
that I am not a relative or employee or attorney or
of the parties, or a relative or employee of such attorney
or counsel, nor am I interested in this proceeding or its
outcome.

IN WITNESS WHEREOF, I have hereunto set my hand
this 12th day of June 2009.

JO LANGSTON
Registered Professional Reporter

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