

In Re: Cabinet Meetings

Governor and Cabinet meeting

September 21, 2021

PHIPPS REPORTING

Raising the Bar!

MEETING OF THE GOVERNOR AND CABINET

PROCEEDINGS

DATE: Tuesday, September 21, 2021

TIME: Commenced at 9:03 a.m.
Concluded at 11:53 a.m.

LOCATION: The Florida Capital
Cabinet Meeting Room
Lower Level
400 S. Monroe Street
Tallahassee, FL 32399

Stenographically Reported by:
Diane B. Guldin, RPR

Job No.: 209345

1 MEMBERS:

2 Ron DeSantis - Governor

3 Ashley Moody - Attorney General

4 Jimmy Patronis - Chief Financial Officer

5 Nikki Fried - Commissioner of Agriculture

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1 The following proceedings began at 9:03 a.m.:
2 GOVERNOR DESANTIS: The floor is yours, if

3 you have any comments.

4 MR. WILLIAMS: Okay. We're up.

5 Well, that was a surprise.

6 Thank you.

7 A couple of things. First of all, we're
8 going to -- I know we're pressed for time today.
9 So, the good news is we've got a number of items
10 to defer.

11 Before we get to those, we had an
12 Investment Advisory Council meeting yesterday.
13 It was very productive, as they always are. We
14 spent a good four hours in a public meeting
15 delving into the details of our portfolio and
16 performance and current Environmental Rent.

17 And we have numbers as of fiscal year end,
18 June 30, 2021, which are of interest. So, let
19 me first very quickly hit the calendar year to
20 date numbers through last night, and then come
21 back to where we are in the fiscal year.

22 And given that we saw yesterday the first
23 nature downdraft in global financial markets in
24 some time, there's reason to believe that there
25 could be more to come given some of the

1 uncertainty or leverage in -- in China, and
2 problems around nature data or short base
3 therapists, in my judgment probably going to
4 fall. It's a good time to pay attention to be
5 diversified.

6 So, through last night's close, the Florida
7 Retirement System Trust Fund calendar year to
8 date 2021 is up 12.7 percent. That's 347 -- 46
9 basic points ahead of target. Fund balance
10 stands at \$201.2 billion, that's 18.2 billion
11 ahead of where we started the calendar year.
12 Net of roughly five billion in benefit payments.
13 So, the calendar year has gone well.

14 The fiscal year went a whole lot better.

15 If we look at the fiscal year ending 30,
16 June, we started the funds -- started the fiscal
17 year July 1 of '20 with a balance of \$160.7
18 billion. We wrapped the year with a balance of
19 \$199.6 billion. So -- and we also paid out net
20 -- had net negative cash flows of seven and a
21 half billion. So, the net investment earnings
22 or the gross investment earnings are
23 46,422,000,000 and change, for a net change in
24 the funds, net of distributions of 38.9 billion.

25 That is interesting for a couple of

1 reasons.

2 First of all, the year's performance for a
3 single year was 29 and a half percent. That's
4 the highest performance on record in the history
5 of the SBA.

6 It also happens to be the highest amount of
7 value add relative to the benchmark in the
8 history of the SBA, and it's also number one of
9 the top ten funds of the country for the
10 one-year period.

11 Now, we all know one year is not a story
12 made in this business. This is a long-term
13 gain.

14 So, one might reasonably ask, well, that's
15 fine, they've been good lately. Tell me what
16 you've done longer term.

17 And if you look at what our returns are for
18 three years, 12.8 percent. Five years, 12.4
19 percent. Ten years, 9.7 percent. 20 years, 7.4
20 percent. These are all net analyzed numbers.
21 25 years, 8.2. And 30 years, nine percent even.

22 Now, every one of those numbers for every
23 one of those periods also beats our absolute
24 nominal return target, which is the actuarial
25 target we need to beat long term to be healthy.

1 And it also beats our actual performance
2 benchmarks, what we're going to do relative to
3 the market in any given year is constrained
4 because we don't take unlimited risks obviously.
5 We're at half market no matter what. And if
6 markets are down or flat, as they have been for
7 periods of time since I've -- I've been at the
8 board, then our numbers aren't going to look
9 great on -- on an absolute basis. But they can
10 still be very good on a relative basis, and they
11 are. So, I would just share those numbers with
12 you.

13 I think it's important to note as well that
14 one doesn't drive this car by themselves. This
15 is more like a -- I know we have some Navy
16 experience onboard. This is more like a large
17 ship, where it takes a fair number of people on
18 different decks doing different things, doing
19 them properly, doing them timely, doing them
20 with integrity, and doing them consistently.
21 And the secret sauce that we have is on several
22 levels.

23 First, and I'm not puffing the smoke up
24 your kilt. It's the Governor is at the top.
25 We're the envy of many of our peers in terms of

1 our ability to maintain a professional fiduciary
2 -- fiduciary organization that operates as an
3 investment bureaucracy, and doesn't hang on
4 itself in the daily politics of government.
5 That is a massive distinguishing factor over
6 time, and it allows us to have a culture, the
7 values, the team, the stability of management
8 thinking, of philosophy, of integrity that keeps
9 us on our game, and serving the role that we so
10 importantly fulfill for a million people given
11 our lives of public service in Florida.

12 So, that's all good. And I want to make
13 very clear that there are a whole lot of people
14 at the board who make this happen. This isn't
15 just me.

16 And like all good executives, I fully
17 believe and agree that the best way you advance
18 your own job as a -- as an executive, and best
19 execute your own responsibilities is surround
20 yourself with people who are smarter than you
21 are, and I endeavor to do that all of my life.
22 And you saw, I started at a fairway level, and
23 it's not that hard.

24 All right. So, unless there's questions,
25 let's roll on the agenda.

1 GOVERNOR DESANTIS: Okay. Onward.

2 MR. WILLIAMS: Okay. Items 1 through 3 are
3 minutes. So, I would like to withdraw all three
4 of those, the minutes are not ready.

5 GOVERNOR DESANTIS: Okay.

6 MR. WILLIAMS: Thank you.

7 Item 4 is approval of the June 15 minutes.

8 Respect -- request approval.

9 GOVERNOR DESANTIS: All right. Move to
10 approve.

11 MS. MOODY: Second.

12 MR. PATRONIS: Second.

13 GOVERNOR DESANTIS: Okay. Approved.

14 MR. WILLIAMS: Thank you.

15 Let's see. Items 5, 6, and 7 are all
16 fiscal sufficiencies for different days, issues
17 of the state.

18 The first one is Item 5. It relates to a
19 bond issue not exceeding \$258.2 million, Florida
20 DOT Turnpike Revenue Bonds.

21 Request approval.

22 GOVERNOR DESANTIS: I move to approve.

23 MS. MOODY: Second.

24 GOVERNOR DESANTIS: Okay. Approved.

25 MR. WILLIAMS: Thank you.

1 Item 6. A resolution of the SBA approving
2 fiscal sufficiency not to exceed \$275 million,
3 Florida Department of Transportation Turnpike
4 Revenue Refunding Bond.

5 Request approval.

6 GOVERNOR DESANTIS: Move to approve.

7 MS. MOODY: Second.

8 MR. PATRONIS: Second.

9 GOVERNOR DESANTIS: Okay. Motion carries.

10 MR. WILLIAMS: Thank you.

11 Item 7, it's a resolution of the State
12 Board approving fiscal sufficiency not to exceed
13 \$170 million, state of Florida full faith and
14 credit, DOT Right-of-Way Acquisition and Bridge
15 Construction Refunding Bonds.

16 Request approval.

17 GOVERNOR DESANTIS: Move to approve.

18 MS. MOODY: Second.

19 MR. PATRONIS: Second.

20 GOVERNOR DESANTIS: Okay. Approved.

21 MR. WILLIAMS: Thank you.

22 Item 8. Let's see. Yes. Items 8, 9, and
23 10 are all -- wait a minute.

24 GOVERNOR DESANTIS: I have eight as a
25 fiscal --

1 MR. WILLIAMS: Yeah. You're right. You're
2 right. I have ten and eleven. Sorry.

3 We had a lot of last minute changes on this
4 again.

5 Item 8 is another fiscal sufficiency,
6 amount not exceeding \$550 million, full faith
7 and credit, state board of education, FICO
8 Capital Outlay Refunding Bonds.

9 Request approval.

10 GOVERNOR DESANTIS: All right. Move to
11 approve.

12 MS. MOODY: Second.

13 GOVERNOR DESANTIS: Okay. Motion carries.

14 MR. WILLIAMS: Thank you.

15 Now, let's group Items 9 and 10 together.
16 Those are fiscal determinations for the Florida
17 Housing Finance Agency.

18 Request approval of Items 9 and 10.

19 GOVERNOR DESANTIS: All right. I move to
20 approve.

21 MS. MOODY: Second.

22 MR. PATRONIS: Second.

23 GOVERNOR DESANTIS: Okay. Motion carries.

24 MR. WILLIAMS: Thank you.

25 Item 11 we would like to defer. That's

1 another fiscal determination.

2 GOVERNOR DESANTIS: Yep.

3 MR. WILLIAMS: Thank you.

4 Items 12, 13, and -- well, Items 12,
5 through 16 are also fiscal determinations or
6 Housing Finance.

7 And I think we can move those approved, if
8 you would like to.

9 GOVERNOR DESANTIS: Yep. Okay. All of them
10 together, I move to approve.

11 MS. MOODY: Second.

12 GOVERNOR DESANTIS: Okay. Approved.

13 MR. WILLIAMS: Thank you.

14 And Items 17 and 18 we would like to defer.
15 Those are also fiscal sufficiencies or fiscal
16 determinations relating to Housing Finance.

17 We'd ask to defer -- request deferring of
18 Items 17 and 18.

19 GOVERNOR DESANTIS: Yes.

20 MS. MOODY: Yes.

21 MR. PATRONIS: Second.

22 GOVERNOR DESANTIS: Yep.

23 MR. WILLIAMS: Good. Thank you.

24 Item 19. Request changes to the
25 Comprehensive Investment Plans for Florida

1 Prepaid College Board.

2 Now, this is a revisitation of their
3 Investment Policy Statement. It's an
4 appropriately bedded health meeting of the
5 College Prepaid Board. It has also been closely
6 reviewed and coordinated with their third-party
7 contractual fiduciary consultant Aon, which is
8 the same firm we use. And also we looked at
9 these plans, and are comfortable with them.

10 Request approval.

11 GOVERNOR DESANTIS: All right. I move to
12 approve.

13 MR. PATRONIS: Second.

14 MS. MOODY: Second.

15 GOVERNOR DESANTIS: Okay. Any objections?
16 Hearing none, motion carries.

17 MR. WILLIAMS: Thank you.

18 Item 20. Request approval to the
19 Investment Policy Statement for the Florida
20 Retirement System Pension Plan. This is a
21 slight increase of one percent in our cap on
22 public -- private -- private equity investment
23 exposure. We have the high class problem there,
24 private equity portfolio is appreciated at a
25 stratospheric rate over the past couple of

1 years, largely because of venture capital
2 investments we made six, seven, eight years ago
3 that have now come in with velocity. And rather
4 than become for sellers, we would like to give
5 ourselves a little head room, and then give
6 ourselves a little bit more head room because
7 we're working on a private market sale of some
8 of our private equity partnerships that are
9 older, that will reduce our exposure by another
10 percent and a half or so, and also bring us the
11 better part of two billion dollars in new
12 investment capital that we will be extracting
13 out on our investments.

14 Request approval.

15 GOVERNOR DESANTIS: All right. I move to
16 approve.

17 MS. MOODY: Second.

18 GOVERNOR DESANTIS: Any objections?

19 Hearing none, the motion carries.

20 MR. WILLIAMS: Thank you.

21 Item 21. Request approval of the annual
22 charter of the Audit Committee of the SBA.

23 GOVERNOR DESANTIS: All right. I move to
24 approve.

25 MS. MOODY: Second.

1 MR. PATRONIS: Second.

2 GOVERNOR DESANTIS: Hearing no objections,
3 the motion carries.

4 MR. WILLIAMS: Thank you.

5 Item 22. Request approval of an authority
6 to file a notice of proposed rules for the
7 Florida Hurricane Catastrophe Fund. This is the
8 reimbursement contract for calendar -- for
9 hurricane year '22, '23.

10 GOVERNOR DESANTIS: All right. Move to
11 approve.

12 MR. PATRONIS: Second.

13 MS. MOODY: Second.

14 GOVERNOR DESANTIS: All right. No
15 objections, the motion carries.

16 MR. WILLIAMS: Thank you.

17 Item 23. Request approval of an authority
18 to file notice of proposed order for the
19 Hurricane Tax Refund. This is for revenue bond
20 issues pursuant to Section 215.

21 Request approval.

22 GOVERNOR DESANTIS: I move to approve.

23 MR. PATRONIS: Second.

24 GOVERNOR DESANTIS: No objections, the
25 motion carries.

1 MR. WILLIAMS: Thank you.

2 Items 24 and 25 both relate to Florida
3 Prime. The former government Surplus Funds
4 Trust Fund, the law passed in 2008. And Prime
5 had its problems. Required two annual external
6 reviews. One is a review for compliance with
7 the best practices, and the other is a review
8 for compliance with state, federal, and any
9 other applicable regulations. Both of those
10 were conducted. They've been presented in
11 public to the IIC, and both cases were fully in
12 compliance with the best practices, and also all
13 relevant laws and regulations.

14 Request approvals of Items 24 and 25.

15 GOVERNOR DESANTIS: Okay. Move to approve.

16 MR. PATRONIS: Second.

17 GOVERNOR DESANTIS: All right. No
18 objection, the motion carries.

19 MR. WILLIAMS: Thank you.

20 Item 26. Request approval of draft letters
21 to the Joint Legislative Auditing Committee
22 affirming that the trustees have reviewed and
23 approved the monthly Florida Prime Summary
24 Reports, and taken on actions to address any
25 impacts. There were no impacts.

1 Request approval.

2 GOVERNOR DESANTIS: All right. I move to
3 approve.

4 MR. PATRONIS: Second.

5 MS. MOODY: Second.

6 GOVERNOR DESANTIS: No objection, the motion
7 carries.

8 MR. WILLIAMS: Thank you.

9 Item 27. Request approval of the SBA
10 quarterly report required by the Protecting
11 Florida's Investments Act. The report speaks
12 for itself.

13 One item of -- of interest to the trustees
14 I know is the current status of the matter
15 involving inlay of Ben and Jerry's. The clock
16 is tolling on that. They have been given notice
17 that they're in violation of Florida's BAS law.
18 And October 26th is the date in which that
19 tolls.

20 Yesterday in the Investment Advisory
21 Council they went ahead and adopted a proposed
22 revision for our Investment Policy Statement
23 that would broaden that statement to accommodate
24 adjusting our customary benchmark to cut out any
25 security that was triggered by this provision,

1 because I do see that coming, and we have not
2 been -- have not seen any immediate response
3 from that period.

4 So, request approval.

5 GOVERNOR DESANTIS: Okay. I move to
6 approve.

7 MR. PATRONIS: Second.

8 MS. MOODY: Second.

9 GOVERNOR DESANTIS: All right. No
10 objection, the motion carries.

11 MR. WILLIAMS: Thank you.

12 Item 28 is the quarterly reports relating
13 to the SBA. These are actually for the first
14 quarter of this year. And basically show
15 performance is intact, controls are intact, no
16 issues to bring to your attention.

17 Request approval.

18 GOVERNOR DESANTIS: All right. Move to
19 approve.

20 MR. PATRONIS: Second.

21 MS. MOODY: Second.

22 GOVERNOR DESANTIS: All right. No
23 objection, the motion carries.

24 MR. WILLIAMS: Thank you.

25 Item 29 is sort of a technical issue, and

1 that's requesting an appointment of Mr. Gary
2 Went, the Investment Advisory Council. Mr. Went
3 has served on council with distinction for a
4 number of years for no particular reason other
5 than technical processes. He was not confirmed
6 by the senate last year, meaning we need to
7 reappoint him, and resubmit it.

8 Request approval.

9 GOVERNOR DESANTIS: All right. Move to
10 approve.

11 MS. MOODY: Second.

12 MR. PATRONIS: Second.

13 GOVERNOR DESANTIS: No objection, the motion
14 carries.

15 MR. WILLIAMS: Thank you.

16 Item 30 goes back to what we were
17 discussing about culture and performance at the
18 SBA earlier. As you know, the 30th of September
19 is my last day in this -- this real nice role.
20 And with bitter sweet view I -- I leave it. But
21 obviously I'm very, very interested in our
22 standards of performance being upheld for the
23 benefit of our beneficiaries and for your
24 benefit as well. After all, you're the ones
25 ultimately responsible for what happens at the

1 SBA.

2 And I think it's critically important that
3 our culture and team be preserved, and for that
4 reason I'll respectfully submit that we fill my
5 role with an internal promotion to ensure that
6 the management team stays intact, the values and
7 culture that we have are there as well. We have
8 an attachment in the dec with a position
9 description in it, that if you would like a
10 recommendation for an individual, I'm happy to
11 provide it.

12 GOVERNOR DESANTIS: Does anyone have any
13 comments?

14 Yeah. I -- I think you're right. And, so,
15 I -- I move to approve the appointment.

16 MS. MOODY: I'll second.

17 MR. PATRONIS: Second.

18 GOVERNOR DESANTIS: Okay.

19 MR. WILLIAMS: And just to be clear, this
20 would be the appointment of Mr. Warren Taylor,
21 who is the sitting Chief --

22 GOVERNOR DESANTIS: Right.

23 MR. WILLIAMS: -- Financial Officer, and
24 Chief Operating Officer of the State Board. I
25 didn't want to --

1 MS. MOODY: And not that we don't trust
2 your recommendation, but we personally met with
3 him, and we're okay with that.

4 MR. WILLIAMS: I think -- and I believe
5 technically that's an interim appointment.

6 GOVERNOR DESANTIS: It's an interim
7 appointment.

8 But hearing no objections, that motion does
9 carry. So, he is approved as the Interim
10 Executive Director and Chief Investment Officer.

11 So, I want to thank you, Ash, again for all
12 of your great work, and --

13 MR. WILLIAMS: Thank you.

14 GOVERNOR DESANTIS: -- you know, you've
15 worked hard, and -- and you put a lot into it,
16 which is obviously important. But the results
17 speak for themselves. And at the end of the day
18 we're very fortunate to have you and your team.
19 And you made the state stronger. So, thanks for
20 your service.

21 MR. WILLIAMS: Thank you.

22 And very much appreciated. Appreciate it.

23 GOVERNOR DESANTIS: Okay. What we're going
24 to have to do now is I'm going to go and -- I
25 know some of the other Cabinet members are going

1 to go to that designation speaker, Designate
2 Paul Renner, that's going to start at ten
3 o'clock.

4 What we're going to do, we're going to
5 recess the Cabinet meeting. We're going to go
6 do that, and we will reconvene like probably
7 about 11.

8 Yeah. So, probably that. So, we will
9 reconvene here at 11 a.m., and we will finish up
10 the remaining items on the agenda; okay.

11 (Thereupon, a recess was had at 9:49 a.m.;
12 whereupon, we reconvened at 11 a.m.)

13 GOVERNOR DESANTIS: Okay. We're back with
14 Ben Watkins.

15 MR. WATKINS. Good morning, Governor.

16 That was a very nice Tribute to Ash
17 Williams. I think it is well deserved, well
18 fitting, and I think he was genuinely surprised
19 by that. So, that's great.

20 And I know -- because I think about it from
21 my perspective. It's a big deal from a credit
22 and a ratings perspective to have a pension fund
23 as well managed and as well funded as ours is.
24 So, it really separates us. And it's been a
25 very, very easy story to tell over the years.

1 So, thank you guys for your leadership, and
2 setting the course. And I personally, and I
3 think we collectively are going to miss him as a
4 commander of the ship.

5 So -- but we will care -- nevertheless we
6 will carry on.

7 Items 1 is approval of the minutes of the
8 June 15th meeting.

9 GOVERNOR DESANTIS: I move to approve.

10 Is there a second?

11 MR. PATRONIS: Second.

12 GOVERNOR DESANTIS: No objection. The
13 motion carries.

14 MR. WATKINS: And we have four reports of
15 award. The first three are fundings for
16 savings, and a higher EPP space. \$8.8 million
17 for the University of North Florida, reducing
18 interest rates from 4.7 percent to 1.07 percent,
19 generating a gross net service savings of 3.6
20 million or 27.8 percent of the principal amount
21 of the loan.

22 Item 2-B. 17.4 million for the Florida
23 State College System, reducing interest rates
24 from 3.94 percent to 1.09 percent, generating
25 gross net service savings of 3.7 million or 14.6

1 percent of the principal amount of the loan.

2 2-C. 42.8 million from the University of
3 Central Florida, reducing interest rates from
4 4.3 -- 4.03 percent to 1.71 percent, generating
5 gross net service savings of 11.4 million or
6 19.8 percent of the principal amount of the
7 loan.

8 And then lastly is a new money issue for
9 Florida's Turnpike of competitive sale of \$239.8
10 million, that's a 30-year loan sold at an
11 interest rate of 2.07 percent.

12 So, these are the reports of award.

13 Item 3 is a resolution authorizing the
14 issuance of competitive sale of \$555 million in
15 PECO Refunding Bonds for Debt Service Savings.

16 GOVERNOR DESANTIS: I move to approve.

17 MR. PATRONIS: Second.

18 MS. MOODY: Second.

19 GOVERNOR DESANTIS: No objection, the
20 motion carries.

21 MR. WATKINS: Item 4 is a resolution
22 authorizing the issuance of a competitive sale
23 of a \$170 million in right-of-way bonds for the
24 Department of Transportation, again, for Debt
25 Service Savings.

1 GOVERNOR DESANTIS: Move to approve.

2 MR. PATRONIS: Second.

3 MS. MOODY: Second.

4 GOVERNOR DESANTIS: All right. No
5 objection, the motion carries.

6 MR. WATKINS: And Item 5 is a resolution
7 authorizing the issuance of competitive sale of
8 \$258 million in New Money Bonds for Florida's
9 Turnpike, finance a portion of their work
10 program, and 275 million in Refunding Bonds
11 toward Debt Service Savings.

12 GOVERNOR DESANTIS: Move to approve.

13 MS. MOODY: Second.

14 GOVERNOR DESANTIS: All right. No
15 objection, the motion carries.

16 MR. WATKINS: Thank you, sir.

17 GOVERNOR DESANTIS: Thank you, sir.

18 All right. Board of Trustees of the
19 Internal Improvement Trust Fund. Shawn
20 Hamilton.

21 Welcome.

22 MR. HAMILTON: Thank you, sir.

23 Good morning, Governor. General Moody, CFO
24 Patronis, Commissioner Fried.

25 For today's meeting we have ten items on

1 the Board of Trustees agenda.

2 First, Item 1. Consideration of the
3 minutes, May 4th and June 15th, Cabinet
4 meetings.

5 The department requests approval.

6 GOVERNOR DESANTIS: All right. Move to
7 approve.

8 MS. MOODY: Second.

9 MR. PATRONIS: Second.

10 GOVERNOR DESANTIS: All right. No
11 objection, the motion carries.

12 MR. HAMILTON: Thank you.

13 Item 2 is a consideration of an exchange
14 agreement of three parcels of non-conservation
15 land totaling 1.64 acres owned by the DOT for a
16 privately-owned point 40 acre parcel containing
17 32,732 square feet office building owned by
18 Bloomfield Holdings, LLC. The consideration by
19 the Board is parcel for parcel exchange with
20 187,000 cash to be deposited in the IITF by
21 Bloomfield Holdings, LLC. FSU continues to
22 manage and use the building as additional
23 administrative and educational office space.

24 The department recommends approval.

25 GOVERNOR DESANTIS: All right. Move to

1 approve.

2 MR. PATRONIS: Second.

3 MS. MOODY: Second.

4 GOVERNOR DESANTIS: Okay. Motion carries.

5 MR. HAMILTON: Thank you.

6 Item 3 is consideration of the surplus and
7 conveyance of an approximately point 98 acre
8 parcel owned by the Board of Trustees for the
9 city to allow for public park purposes.

10 As you may recall, this item was presented
11 at the May 4th BOT meeting, and was deferred.
12 The surplus item is consistent with past items
13 brought to DOT for approval, in which the
14 consideration is based upon the appraisal.

15 With that said, the city has agreed to
16 purchase the parcel from the DOT for 21,250.
17 Those funds will be deposited in the IITF. The
18 city intends to use the parcel in conjunction
19 with the revitalization improvement of the
20 adjacent public park.

21 The department recommends -- recommends
22 approval.

23 GOVERNOR DESANTIS: All right. Move to
24 approve.

25 MS. MOODY: Second.

1 MR. PATRONIS: Second.

2 GOVERNOR DESANTIS: Okay. Motion carries.

3 MR. HAMILTON: Thank you.

4 Our next six items are acquisitions for the
5 Board's considerations under the Florida Fair
6 Program. And five of the six items that are
7 being considered are within the Florida
8 Economical Greenways, Authorities 1 through 3,
9 also defined as the Florida Wildlife Commission.

10 Item 4 is a consideration of an option
11 agreement to acquire a conservation easement for
12 approximately 6,665 acres within the
13 Kissimmee - St. Johns River connecting Florida
14 Forever Project from Wedgewater Storms,
15 Incorporation for 15 million. The conservation
16 easement will be monitored by the Department's
17 Office of Environmental Services. Letters of
18 support were provided by the defenders of
19 Wildlife Sierra Club Florida, and the Florida
20 Conservation Group.

21 The department recommends approve.

22 GOVERNOR DESANTIS: All right. I move to
23 approve.

24 MS. MOODY: Second.

25 MR. PATRONIS: Second.

1 GOVERNOR DESANTIS: Okay. No objection, the
2 motion carries.

3 MR. HAMILTON: Thank you.

4 Item 5 is a consideration of an adoption
5 agreement to acquire a conservation easement --
6 easement over 1,661 acres within the Hardee
7 Flatwoods Florida Forever Project from Walco
8 Leasing, LLC, for 4,125,000. The conservation
9 easement will be monitored by the Department's
10 Office of Environmental Services. Support was
11 provided by the Department's Wildlife Sierra
12 Club Florida, also Biological Station, and
13 Florida Conservation Group.

14 The department recommends approval.

15 GOVERNOR DESANTIS: I move to approve.

16 MS. MOODY: Second.

17 MR. PATRONIS: Second.

18 GOVERNOR DESANTIS: All right. No
19 objection, the motion carries.

20 MR. HAMILTON: Item 6 is the consideration
21 of the adoption agreement to acquire a
22 conservation easement over 64 acres within the
23 Millstone Plantation Florida Forever Project
24 from Millstone Institute for Preservations,
25 Inc., for 1,500,000. The CE will be monitored

1 by the Department's Office of Environmental
2 Services. Letters of support were provided by
3 the Trust of Public Land Sierra Club Florida,
4 and Center For Learning, Lorraine Hosley, among
5 many others.

6 The department recommends approve.

7 GOVERNOR DESANTIS: Okay. Jimmy.

8 MR. PATRONIS: Thanks, Governor.

9 Secretary, all over this parcel, there's
10 like a finger in the middle of it. Is that the
11 portion of it that is not -- is it -- who owns
12 this?

13 Are we talking about three different
14 partners now on that one?

15 MR. HAMILTON: That is the institute
16 itself.

17 MR. PATRONIS: Okay.

18 MR. HAMILTON: Yes, that is what --

19 MR. PATRONIS: So, they're not going to
20 expect us to come by?

21 MR. HAMILTON: No, sir. No, sir. No, sir.

22 MR. PATRONIS: All right.

23 GOVERNOR DESANTIS: Okay. Move to approve.

24 MS. MOODY: Second.

25 MR. HAMILTON: Thank you.

1 MR. PATRONIS: Thank you. Approved.

2 GOVERNOR DESANTIS: Thank you.

3 Our motion carries.

4 MR. HAMILTON: Thank you.

5 All right. Item -- well, the next item is
6 an excellent example of long-term acquisition
7 strategy and fee simple Florida Forever
8 Projects. This is a four phase within this
9 project.

10 Item 7 is a consideration of an option
11 agreement to acquire approximately 1,638 acres
12 within the Devil's Garden Florida Forever
13 Project from Lake Okeechobee for 5,675,000. The
14 subject parcel will be managed by FWC as a part
15 of the Okaloacoochee Slough Wildlife Management
16 Area. A letter of support was provided by the
17 Nature Conservation and Sierra Club.

18 The department recommends approval.

19 GOVERNOR DESANTIS: All right. I move to
20 approve.

21 MS. MOODY: Second.

22 MR. PATRONIS: Second.

23 GOVERNOR DESANTIS: Okay. No objection, the
24 motion carries.

25 MR. HAMILTON: Thank you.

1 The next two items are exceptional examples
2 of collaborative efforts that involve multiple
3 partnerships funding sources for the protection
4 of both our natural environment and military
5 installations.

6 Item 8 is a consideration of an option
7 agreement to acquire approximately 2,115 acres
8 within the Coastal Headwaters Longleaf Forest
9 Florida Forever Project from Evergreen Timber
10 Hill Florida, LLC, for \$6,387,002,220. The US
11 Forest Service through the Forest Lakes Program
12 intends to contribute \$4,590,000 in the National
13 Fish and Wildlife Foundation through their Acres
14 for America program intends to contribute
15 500,000 towards the acquisition. The BOT would
16 be responsible for the remaining balance of
17 \$1,297,200. Letters of support provided by the
18 US Navy, Sierra Clubs Florida, and Defenders of
19 Wildlife Department recommends approval.

20 GOVERNOR DESANTIS: All right. Move to
21 approve.

22 MS. FRIED: Governor.

23 GOVERNOR DESANTIS: Go ahead.

24 MS. FRIED: Any time that we can take
25 action to preserve conservation lands, we should

1 -- we should. And this project will add over
2 2,000 acres to our conservation and forest --
3 and forest basin efforts, preserving working
4 forest lands like this project promotes high
5 diversity, cleans our air, protects our waters
6 and development, thereby provides exceptional
7 outdoor recreation, which Florida is known.

8 Our department and the Florida Forest
9 Service are ready to manage this project, and
10 preserve these lands for the benefit of current
11 and future generations.

12 So, thank you.

13 MR. HAMILTON: Thank you.

14 GOVERNOR DESANTIS: All right. Move to
15 approve.

16 MS. MOODY: Second.

17 GOVERNOR DESANTIS: Approved.

18 MR. HAMILTON: Item 9 is a -- Item 9 is a
19 consideration of an option agreement to acquire
20 approximately 4,381 acres, with the Corrigan
21 Ranch Florida Forever Project from J Peck Gordon
22 Family Limited Partnership, LLP, for 14,500,000.
23 US Department of Air Force intends to contribute
24 \$1,501,800,000 toward the acquisition for a
25 restricted covenant for base buffering of Avon

1 Park Air Force Range. The Department's Division
2 of Parks and Recreation will manage the property
3 as an addition to Kissimmee Prairie Preserve
4 State Park. Letters of support were also
5 provided by the US Department of the Interior,
6 US Air Force, and National Wildlife Refuge
7 Association, and Sierra Club Florida.

8 The department recommends approval.

9 GOVERNOR DESANTIS: All right. Move to
10 approve.

11 MS. MOODY: Second.

12 MR. PATRONIS: Second.

13 GOVERNOR DESANTIS: There being no
14 objection, the motion carries.

15 MR. HAMILTON: Thank you.

16 Overall this agenda alone uses multiple
17 opportunities for government, and conserve over
18 16,500 acres, and includes almost \$6.6 million
19 in partnership funding. The department looks
20 forward to continuing the success and showcasing
21 similar acquisitions in the future Governor and
22 Cabinet Meetings.

23 Thank you, Governor, members of the
24 Cabinet.

25 This concludes that piece of the agenda.

1 Item 10 will be presented by Aaron
2 Hallworth with the Department of Agriculture and
3 Consumer Services, Florida Forest Services.

4 Thank you.

5 GOVERNOR DESANTIS: Okay.

6 MR. HALLWORTH: Good morning, Governor.

7 GOVERNOR DESANTIS: Good morning.

8 MR. HALLWORTH: We have one item for
9 consideration this morning. Board of Trustees,
10 Agenda Item 10. The Cow Creek Ranch, protection
11 program project in Okeechobee County.

12 We're requesting approval of, one, an
13 option agreement to acquire a 3,279 acre
14 perpetual preservation easement within the Cow
15 Creek Ranch project of the Florida Department of
16 Agricultural and Consumer Services, Florida
17 Forest Services, and Family Lands Protection
18 Program from Cow Creek Ranch Land, LLC.

19 And, two, designation of the Florida
20 Department of Agriculture and Consumer Services,
21 Florida Forest Service as a monetary agency.
22 The Trustee's purchase price is \$5,920,000, of
23 which 50 percent or \$2,960,000 may be provided
24 through a grant from the USDA National Resource
25 Conservation Service.

1 Staff recommends approval of the item.

2 GOVERNOR DESANTIS: Okay. I move to
3 approve.

4 MS. FRIED: This is a matter I wanted to
5 point to.

6 The role of Family Lands Program has been
7 one of my top priorities this past legislative
8 session. This program is so critical to serving
9 and protecting our natural lands and our
10 waterways. I'm really proud, and because we
11 know our farmers and ranchers can be important
12 conservation partners in our state. It can
13 really be complimentary efforts to make sure
14 everyone can enjoy the same clean water, air,
15 wildlife and beautiful outdoors they deserve.

16 This project today in Okeechobee County is
17 important to that mission. Managed by Florida
18 Court Service, Cow Creek Ranch is a large murky
19 cattle ranch run by the Larson family for three
20 generations.

21 This lands includes cypress swamps, and
22 mixed hardwood forests, which is the headwaters
23 of both Cow Creek and Cypress Creek, which is a
24 new -- newer professional water wetlands
25 providing habitats for several -- several of our

1 threatened and endangered species. And it's
2 just a fantastic example of how state and
3 federal partnerships can help benefit our
4 environment.

5 I would like to thank USDA's Natural
6 Resources Conservation Service for its
7 commitment to this project. This is a fantastic
8 project. With the proper supports of Rural and
9 Family Lands program will help to serve lands
10 like these for many years to come.

11 Thank you.

12 GOVERNOR DESANTIS: Okay. Move to approve.

13 MR. PATRONIS: Second.

14 GOVERNOR DESANTIS: All right. Motion
15 carries.

16 Thank you, sir.

17 MR. HALLWORTH: Yes, sir.

18 GOVERNOR DESANTIS: We will go to Department
19 of Revenue. Jim Zingale.

20 MS. FRIED: Before we -- before we move on,
21 I'd just like to make some procedural notes.

22 As I said in the June 15th meeting of this
23 body, state law is very clear that the
24 appointment to secretary of DEP -- of the
25 Department of Environmental Protection requires

1 the unanimous approval of the Cabinet and
2 confirmation of the Florida Senate.

3 I met with interim Secretary Hamilton, and
4 asked him some really tough questions about the
5 environment, and things that are challenging in
6 our state, including DEP's failures at Piney
7 Point. I believe he's a good man. And I said
8 this before, it would be a glass ceiling that
9 would be broken, the first African American
10 secretary of the agency. So, the issue is not
11 with him, it's the procedures of this body.

12 And, so, I do ask that either today or at
13 the next Cabinet meeting that we actually put
14 this on to the agenda, have a real interview,
15 and unanimously then approve Mr. Hamilton.

16 GOVERNOR DESANTIS: So, you don't approve?

17 MS. FRIED: I'm asking for a public -- yes,
18 a public interview, which is part of the rules
19 of this body to have an actual interview
20 publicly in front of --

21 GOVERNOR DESANTIS: So, you don't approve,
22 you're saying?

23 MS. FRIED: There's no motion up.

24 GOVERNOR DESANTIS: Okay. All right. Mr.
25 Zingale.

1 MR. ZINGALE: Good morning or afternoon.
2 Pleasure to be here today.
3 I've got four items on the agenda.
4 The first item is approval of the minutes.
5 Recommend approval.

6 GOVERNOR DESANTIS: All right. Move to
7 approve.

8 MS. MOODY: Second.

9 MR. PATRONIS: Second.

10 GOVERNOR DESANTIS: All right. No
11 objection, motion carries.

12 MR. ZINGALE: Second item deals with
13 certification and training of the Department of
14 Revenue.

15 We have an interested party that's
16 requested to speak. It is my understanding that
17 speakers typically get two to three minutes. I
18 was planning on going over the agenda, breaking,
19 and allowing the public to come up and speak,
20 and then go back to take final action, with your
21 permission.

22 GOVERNOR DESANTIS: Okay.

23 MR. ZINGALE: That said, at the December
24 15th, 2020, Cabinet meeting the department
25 requested permission to file notice of proposed

1 rule change containing 12 proposed rules, to
2 incorporate current department practices
3 relating to certification and training. This is
4 the department's training program for property
5 appraisers and tax collectors and their staff,
6 and Department of Revenue staff.

7 The department practices related -- okay.

8 Okay. The department was given permission,
9 and published a notice of proposed rule change
10 on December 22nd, 2020. The department held two
11 public hearings, one on January 13th, 2021, and
12 May 5th, 2021, and received comments from one
13 individual. As a result of these comments, and
14 written correspondence from Gapsy, the proposed
15 text of these 12 rules were updated and notice
16 of changes were provided. And I'm simply going
17 to provide highlights of about five of them for
18 time consideration.

19 The first one deals with the establishment
20 that the department's executive director and
21 myself will administer the certification program
22 for the department's employees. That for the
23 admission and certification commission that has
24 two parts, one for property appraisers, and one
25 is for tax collectors. Each of them will

1 administer the certification process for their
2 own employees.

3 On these committees there are two state
4 association presidents. If they are not
5 certified to serve on the committee, they're not
6 certified, they can designate someone to serve
7 in that position. That's the first proposed
8 rule.

9 The second one, 12-9003 deals with the
10 passing grade for a course, 70 percent.
11 Allowing the process for a student who wants to
12 accept the course, having taken the previous
13 courses, allows that procedure in place.

14 The third clarifies that Certified Florida
15 Evaluators, Certified Florida Collector
16 Assistants, and Certified Cadastralist of
17 Florida are not subject to continuing education
18 requirements.

19 Rule -- Form Rule 12D-16002, index of forms
20 provides this form DR-4001 to update the
21 applicant's signature section by removing the
22 acknowledgement relating to the Florida Code of
23 Ethics for public officers and employees. The
24 department does not have authority to compel
25 acknowledgement, revise this Form DR-4001,

1 providing instructions, updates Form 4001 with
2 correct reference to the portal.

3 And the last one that we will review is a
4 technical one. Clarifies that any person with a
5 certified Florida Evaluator or a certificate,
6 okay, that becomes an elected official, that
7 certificate will carry forward with that
8 individual.

9 That is the highlights of the rules that
10 are in front of you.

11 With that said, Ms. Sarah Cookie has
12 requested some time in front of the committee.

13 GOVERNOR DESANTIS: How much time?

14 MR. ZINGALE: Your choice.

15 MS. COOKIE: I have five reasons why you
16 should not adopt this.

17 I haven't had time to --

18 GOVERNOR DESANTIS: I will give you three
19 minutes.

20 Go ahead. The floor is yours.

21 MS. COOKIE: Okay. I'm here today to ask
22 the Governor and Cabinet to redact the
23 Department of Revenue's tax -- property tax
24 oversight rules regarding certification of the
25 property tax officials. These rules are grossly

1 efficient, and highly problematic.

2 Reasons -- I will give you five top
3 reasons.

4 Reason number one is that these rules
5 contain a built-in conflict of interest. DOR
6 has a statutory duty to oversee county property
7 appraisers. However, without any statutory
8 authority these rules require nine of the ten
9 certification numbers to be county property
10 appraisers, the same officials who benefit from
11 the actions of the committee by getting pay
12 raises upon certification.

13 The rules state that no certification shall
14 be issued by the department until the
15 appropriate committee has recommended
16 certification. This arrangement allows county
17 officials to control their own certifications,
18 and control their own pay raises.

19 Reason number two. DOR's rules lack the
20 requirement for tested recertification training
21 on Florida specific subjects, such as ethical
22 practices, and managing budgets in a lawful and
23 ethical manner. This gross deficiency and
24 pre-certification training is clearly a
25 contributing factor in the unethical behavior of

1 the previous Seminole County Tax Collector, and
2 previous Wakulla County Property Appraiser,
3 which costs the tax payers millions of dollars.

4 These unfortunate events are described in
5 excerpts from two newspaper articles published
6 in 2020.

7 Excerpt one states, a typical Florida tax
8 collector might incur between 10,000 and \$20,000
9 in legal fees in any given year. Seminole
10 County had incurred 1.4 million since Greenberg
11 took office.

12 Excerpt two states, a county property
13 appraiser in Florida illegally paid himself more
14 than \$176,000. Incredibly DOR's training rules
15 ignore Florida's glaring ethical problems in
16 local government, and these rules should be
17 redacted.

18 Reason number three. DOR's rules eliminate
19 the requirement for certificate -- certification
20 applicants to pledge compliance with a property
21 tax specific Code of Ethics. The requirement
22 has been in place since 1973, and was deleted
23 despite statutory requirements, and despite the
24 allowable policy in the Governor's executive
25 order on ethics. In 2014 a property taxpayer

1 asked DOR to update its certification Code of
2 Ethics, which was created in 1973 out of The
3 Sunshine.

4 However, rather than update the Code of
5 Ethics for consistency with 2009, taxpayer led
6 the legislation, DOR instead proposes to delete
7 the existing requirement for county property tax
8 officials to pledge compliance with a Code of
9 Ethics. DOR's main reason for deleting the Code
10 of Ethics requirement is that DOR believes it
11 lacks authority. This excuse does not hold
12 water for at least two reasons.

13 First, DOR has continued to use the
14 outdated 1973 Code of Ethics as recently as two
15 weeks ago. And by its actions and statements it
16 is saying it has authority to require an
17 obsolete 1973 Code of Ethics, but lacks the
18 authority to use an updated 2021 Code of Ethics.

19 Second, the 2009 legislation created a
20 requirement for county appraisers to use, quote,
21 professionally accepted appraisal practices, end
22 quote, which includes numerous ethics
23 requirements, but DOR has continued to ignore
24 these ethics requirements.

25 Obviously there's a dire need for a

1 property tax specific Code of Ethics, but DOR
2 rules ignore this dire need, and should be
3 rejected.

4 Reason number four. A Sunshine violation
5 is built into DOR's proposed rules. DOR's
6 proposed rules require appointment of committees
7 on training and certification, and require that
8 the president of two outside county property
9 appraisers associations be appointed to the
10 committee. However, these two associations
11 select their presidents out of The Sunshine.
12 The result is that DOR rules require two of ten
13 committee members to be selected secretly in
14 violation of Florida Sunshine Laws, and these
15 rules should be rejected.

16 Reason number five. DOR has made numerous
17 violations of the Administrative Procedures Act,
18 and most of these will be addressed later in
19 other ways. But I would briefly mention two
20 examples here today.

21 First, DOR has completely ignored a lower
22 cost rule alternative submitted by a taxpayer to
23 DOR in January of this year. By completely
24 ignoring, and not responding to the lower cost
25 alternatives submitted by a taxpayer DOR

1 violated the Administrative Procedures Act,
2 which requires DOR to provide a description of
3 any regulatory alternatives submitted, and a
4 statement of the reasons for rejecting
5 alternative and pay under the proposed rule.

6 Second, DOR failed to comply with the
7 Administrative Procedures Act, which requires
8 that when a workshop is held, the agency must
9 ensure that persons responsible for preparing
10 the proposed rule are available to explain the
11 agency's proposal, and to respond to questions
12 and comments regarding the rule being developed.

13 At the workshop and hearings for this rule
14 DOR was never able to explain anything about
15 major statutory terminology, such as
16 professionally accepted appraisal practices, and
17 appropriate appraisal methodology.

18 In making these rules DOR ignored comments
19 and evaded questions on these items, and was
20 unable or unwilling to provide any definitions
21 for these taxpayer friendly terms enacted by the
22 legislature over 12 years ago.

23 In conclusion, I ask that you reject DOR's
24 deficient and taxpayer hostile rules.

25 And I thank you for allowing me to make

1 comments.

2 GOVERNOR DESANTIS: Thank you.

3 MR. ZINGALE: Brief comments on a couple of
4 those, if you would, please.

5 With respect to ethics, obviously the lead
6 for Governor is taken, and taking Chapter 212,
7 and going beyond the Governor's agency is highly
8 commendable.

9 With respect to what the department does
10 with respect to ethics, we all know that elected
11 officials, property appraisers, and tax
12 collectors, you know, meet four hours annually,
13 you know, every year, all of them do, which
14 provide ethical understanding of what their jobs
15 do.

16 With that said, everything under these --
17 and not all property appraisers and tax
18 collectors get certificates. But to keep those
19 certificates they've got to take 24 hours a year
20 annually of continuing education. Embedded in
21 that is four hours of ethics training. Okay.
22 It is ethics training as it relates to 212.

23 Who provides the ethics training?

24 Pat Gleason from the General Attorney comes
25 in, and does the training for Sunshine, and

1 public records. Carrie Sillman from the Ethics
2 Commission comes in, and provides the training
3 on Code of Ethics.

4 So, they do get every year four hours worth
5 of training. They can get them from the
6 Department of Revenue, and there are many other
7 avenues that they can get that kind of training.

8 If they're going to keep their certificate
9 they get 24 hours worth of training, including
10 the four hours, and the professionals, and the
11 Attorney General staff, and the Ethics
12 Commission provide that background.

13 With respect to, does the Department of
14 Revenue have the ability to create a totally
15 different ethical standard for a property
16 appraiser, a constitutional officer or a tax
17 collector, and say, this goes above and beyond
18 what's in Chapter 12, and tell a Constitutional
19 Officer, these are your ethics. We do not
20 believe that the Department of Revenue has that
21 authority. We do believe we have the authority
22 to provide the training that we are providing
23 under current law. We don't believe we have any
24 authority to create brand new rules of ethics
25 for property appraisers and tax collectors, and

1 say, we're going to train to that standard.

2 Okay. With respect to -- any questions on
3 that?

4 GOVERNOR DESANTIS: Nope.

5 MR. ZINGALE: With respect to conflict of
6 interest, again, the bottom line of what the
7 Department of Revenue's role is with the
8 property appraisers and tax collectors, it is --
9 it is an assistance, overwhelmingly we are. The
10 lead line in the statute is to provide an
11 assistance. Training is part of that an
12 assistance.

13 Along that line when you're designing what
14 courses you're going to be provided, not only
15 for certificate, but for all courses, okay, you
16 are dealing with, in some cases, property
17 appraisers offices that have seven staff. You
18 have other property appraisers offices that have
19 250 staff. The size of them make a difference.
20 And, so, over time, okay, there has been created
21 these committees to oversee the program.

22 The department is the one that comes up
23 with the course curriculum and standards with
24 respect to ethics. We meet the standards that
25 the Ethics Commission are saying for those

1 courses.

2 With respect to these, we've had a massive
3 increase in the current year of participation in
4 both our training and our continuous education
5 because we went to online training. Okay. And
6 our participation went up 20,000.

7 Part of that enabled us the capability to
8 reach into professional associations, IAAO, and
9 provide online training from a lot of different
10 places. The certificate program, though, needs
11 input from people in terms of what their needs
12 are.

13 While the two association presidents are
14 there, I was unable -- unknowing that they are
15 elected in Sunshine, and we will look into that.

16 But why do we have them sit on these
17 committees?

18 One represents small county property
19 appraisers, one represents big county property
20 appraisers. We want that input from them in
21 terms of what are the needs of their staff.

22 Okay. It's not the same for a big property
23 appraiser, if they can get their staff, get
24 their training from a lot of different
25 directions. Small property appraisers have

1 different needs than others. So, our curriculum
2 is broad.

3 What is on the certificate process is
4 fairly narrow. Okay. It's the basic program
5 that someone needs to be successful. But it --
6 as we head in the rule today, only minimal
7 standards. We go way beyond that in terms of
8 making things available.

9 So, that's a response.

10 And I don't believe that is a conflict of
11 interest. I think that's getting input from the
12 people that need to help and assistance.

13 I have to listen a little more carefully,
14 and come back at any time and provide feedback,
15 but I do want you to know that not only do we
16 believe that any time someone comes and talks
17 publicly, there's value in content there. Okay.
18 You have to listen for the value of the content.

19 What I picked up out of this realm, okay,
20 and it stemmed from the leadership that the
21 Governor was putting forth, and providing a
22 higher standard of ethical conduct. I don't
23 believe I have the authority to mandate how a
24 constitutional officer should run their office
25 ethically. But I do believe, and it's something

1 we put on the list for this round, I do believe
2 there is an interest in the Department of
3 Revenue within our capability reaching in terms
4 of anybody out there that has gone beyond 212 in
5 terms of saying these are ethical standards, and
6 make that reference available to property
7 appraisers, and tax collectors, and say, there
8 are other ways than doing this than just 212,
9 and they have the authority to go beyond that if
10 they choose and want to do that.

11 So, with that I'm going to go back to: Do
12 y'all have any questions?

13 GOVERNOR DESANTIS: We have these three
14 rules I guess to vote on. So --

15 MR. ZINGALE: This is the first one.

16 GOVERNOR DESANTIS: Items for final
17 approval?

18 MR. ZINGALE: Yes.

19 GOVERNOR DESANTIS: Okay. I move to
20 approve.

21 MR. PATRONIS: Second.

22 GOVERNOR DESANTIS: Okay. No objection,
23 motion carries.

24 MR. ZINGALE: Yes, sir.

25 GOVERNOR DESANTIS: Then we have three?

1 MR. ZINGALE: Yes, we have three.

2 I will get this in a minute.

3 GOVERNOR DESANTIS: Yeah.

4 MR. ZINGALE: Okay. Item 3 on the 2020
5 voters passed Amendment 5, which extends the
6 timeframe work for two years, three years for
7 property appraisers to transfer accrued Save Our
8 Homes Benefits.

9 In 2020 voters passed Amendment 6, which
10 allowed a surviving spouse to continue to
11 receive the ad valorem tax discount right to a
12 Veteran after his or her death. In 2020 the
13 legislature passed legislation, which allows a
14 Veteran or the surviving spouse of a Veteran to
15 apply for an exemption, and receive a prorated
16 refund. The department created an amendment
17 form to simplify the application process for
18 taxpayers, that concludes the items in Item 2.

19 I'm going to have to read this one quickly.

20 The department respectfully requests
21 approval of an authority to publish with the
22 proposed rule of Florida Administrative Registry
23 for rules relating to the property tax
24 oversight, and further request approval to file
25 and certify with the Secretary of State for

1 final approval under Chapter 120 Florida
2 Statute. If the substance of the proposed rules
3 remain unchanged upon reaching the date
4 applicable for final adoption, recommend
5 approval.

6 GOVERNOR DESANTIS: All right. Move to
7 approve.

8 MR. PATRONIS: Second.

9 GOVERNOR DESANTIS: All right. Hearing no
10 objection, the motion carries.

11 MR. ZINGALE: Item Number 4 deals with
12 child support. These are the legislative
13 changes that happened in the 2021 session. I'm
14 going to provide highlights.

15 First one deals with Consumer Reporting
16 Agencies. This is amended to provide that
17 notices relating to the consumer reports who
18 obligators are to be sent by registered mail
19 instead of by certification -- certified and
20 registered mail.

21 Okay. Garnishment of levy implements the
22 Fast Data Exchange Program dealing with the
23 administrative establishment and support, are
24 amended to update the process for rendering
25 final orders by removing the requirement for the

1 order to be filed with the Department of
2 Revenue, as clerk of -- deputy and clerk.

3 Okay. And the last one deals with
4 administrative paternity, allows for online
5 scheduling of appointments for DNA testing.

6 GOVERNOR DESANTIS: Okay. I move to
7 approve.

8 MR. ZINGALE: Okay. These are the same
9 language we used in three.

10 GOVERNOR DESANTIS: Okay. Move to approve.
11 All right. Motion carries.

12 Okay. Thank you.

13 MR. ZINGALE: Appreciate you.

14 GOVERNOR DESANTIS: One final matter is Ad
15 Com.

16 MR. FISHER: Governor and Cabinet. There's
17 one item for Ad Com, and that is a consideration
18 of the draft final order from the consolidated
19 hearings that were at the last Cabinet's
20 meeting.

21 And with us today are Josh Brad and Walt
22 Waddles, will give a brief overview of that for
23 you guys.

24 THE COURT STENOGRAPHER: Your name? Your
25 name?

1 MR. FISHER: Dylan Fisher.

2 MR. BRAD: Good morning. Today the
3 Administration Commission has before it the
4 draft final order that Dylan just mentioned.

5 And the purpose of today's agenda item is
6 for the Commission to consider, and potentially
7 adopt the draft final order, which was
8 circulated to each of your offices in advance of
9 today's meeting by commission staff.

10 Now, as you will recall, the commission
11 held a lengthy hearing on June 15th, 2021,
12 regarding a challenge to the Miami-Dade County
13 Comprehensive Plan Amendment that would
14 potentially allow for the construction of the
15 Kendall Parkway.

16 The Kendall Parkway is a 13-mile six and
17 four lane express lane extension that is
18 dependent among other things to improve traffic
19 flow, and relieve congestion in the west Kendall
20 area of Miami-Dade County.

21 At the hearing the commission considered
22 the ALJ's recommended order, which had
23 determined that the plan amendment was not in
24 compliance under Chapter 163 of the Florida
25 Statutes. The commission also considered the

1 arguments of the parties, and public comment.

2 Following the period of discussion this
3 commission ultimately decided to modify the
4 ALJ's recommended order to find the plan
5 amendment in compliance under Chapter 163. And
6 the commission directed the staff to draft and
7 circulate a draft final order to that amendment.

8 Consistent with the direction of the
9 commission, staff drafted, and circulated the
10 final order draft before you today.

11 I'll now provide a very brief overview of
12 the draft final order before turning the meeting
13 over to commission for discussion and potential
14 allowance.

15 In the standard of review section the draft
16 final order explains that a legal conclusion of
17 an ALJ regarding Comprehensive Plan Amendment
18 consistency is an interpretation of law, and is
19 subject to the fairly debatable standard review.

20 Under that standard, an amendment to the
21 Comprehensive Plan shall be determined to be in
22 compliance under Chapter 163 if the local
23 government's determination of compliance is
24 fairly debatable.

25 Now, the draft final order goes on to

1 explain that Florida law provides that this
2 commission may reject or modify the ALJ's
3 conclusions of law or findings of fact in
4 specified circumstances.

5 Now, consistent with these legal standards,
6 the draft final order systematically walks
7 through the exceptions raised by the parties.
8 It grants Miami-Dade County's exceptions. It
9 denies petitioner's exceptions. And it adopts
10 the findings of fact and conclusions of law in
11 the ALJ's recommended order except as
12 specifically rejected or modified by the draft
13 order.

14 Ultimately this draft final order would
15 conclude that the Miami-Dade County plan
16 amendment is in compliance under Chapter 163.

17 Now, at this time I'd like to turn the
18 meeting over to the Governor for any discussion
19 or if anyone would like to move for a vote to
20 adopt the draft final order as the final order
21 of the commission.

22 GOVERNOR DESANTIS: Anybody have any
23 comment?

24 MR. PATRONIS: No, sir.

25 MS. FRIED: I have some comments.

1 I would like to ask my -- my fellow
2 colleagues on this habitat.

3 Why do we think we know better than the
4 Administrative Law Judge who recommended against
5 this project?

6 But overriding the ALJ, who has an
7 expertise to make these decisions and
8 recommendations in the first place, you're
9 citing developers, and they either are a party
10 as it relates to restoration, risking wildlife,
11 agricultural lands, and Miami-Dade's water
12 supply. Not really reducing urban sprawl.
13 That's pretty clear what we're doing here today.

14 You can't hangate these lands once they're
15 gone forever. I'll expect once again that I
16 will be the lone vote on this. But I'm proud to
17 stand with the environmentalists that go onto
18 the site to see our globe. This wasn't going to
19 move forward with -- forward then, and it won't
20 now.

21 GOVERNOR DESANTIS: Anybody else?

22 Okay. Move to approve.

23 MR. PATRONIS: Second.

24 GOVERNOR DESANTIS: Okay. It's approved.

25 All right. That concludes today's meeting.

1 Thanks, everybody.

2 (Thereupon, these proceedings were

3 concluded at 11:53 a.m.)

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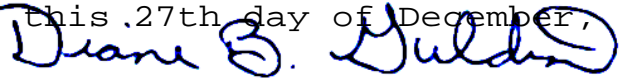
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COURT CERTIFICATE

STATE OF FLORIDA)
COUNTY OF LEON)

I, DIANE B. GULDIN, certify
that I was authorized to and did stenographically
report the foregoing proceedings and that the
transcript is a true and complete record of my
stenographic notes.

Dated this 27th day of December, 2021.



DIANE B. GULDIN, R.P.R.
Notary Public
State of Florida
My Commission # GG 913970
Expires: March 29, 2022
Bonded Thru National Notary
Association

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