

Subject: Hawkins Private Meetings with Developer for Osceola Parkway

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Is Osceola Commissioner Fred Hawkins (who also happens to be the Chair of the Central Florida Expressway Authority) colluding with developer Tavistock for the Osceola Parkway Extension? My opinion.....YES! That is what it looks like to me!!! Is this LEGAL??

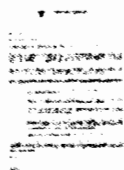
"The Osceola County Commission on Monday accepted a deal with Tavistock Development Company that paves the way for extending Osceola Parkway through Split Oak Forest.

It was hammered out in private between Commission Chairman Fred Hawkins Jr. and the developer and brought before the board during the last 30 minutes of the Monday night meeting set aside for commissioner comments. Hawkins gave commissioners a letter addressed to him from Tavistock issued April 13."

"It gave them 10 days to accept and obligates the county and the commission to "lead a public process (both local and state) to get the associated land in the Split Oak Forest released for right-of-way" to Osceola Parkway. In exchange, Tavistock will move a proposed wastewater treatment plant away from Split Oak and donate the upland scrub habitat as part of an environmental compensation package."

Commission to help Tavistock with Split Oak road

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Osceola officials exploring ways to amend protections on Split Oak Forest

"Osceola County Commission Chairman Fred Hawkins Jr. and other officials are meeting with the Florida Communities Trust in Tallahassee next week to discuss amending various interagency agreements that protect Split Oak Forest from development, according to the meeting agenda.

Osceola County is exploring modifications that could allow the eastward Split Oak Forest

*extension of Osceola Parkway to go through the publicly owned conservation area. Hawkins also chairs the Central Florida Expressway Authority, the board that will ultimately decide the new road's alignment. The Florida Communities Trust – managed through the Florida Department of Environmental Protection – **awarded \$5 million in loans to Osceola and Orange counties through a grant program in 1992 that helped the local governments purchase Split Oak. It stipulated that the land would forever remain a conservation area open to the public.**"*

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*Thank you,
Sally Baptiste*

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By Charlie Reed

For the News-Gazette

Osceola County Commission Chairman Fred Hawkins Jr. and other officials are meeting with the Florida Communities Trust in Tallahassee next week to discuss amending various interagency agreements that protect Split Oak Forest from development, according to the meeting agenda.

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Split Oak Forest

extension of Osceola Parkway to go through the publicly owned conservation area. Hawkins also chairs the Central Florida Expressway Authority, the board that will ultimately decide the new road's alignment. The Florida Communities Trust – managed through the Florida Department of Environmental Protection – awarded \$5 million in loans to Osceola and Orange counties through a grant program in 1992 that helped the local governments purchase Split Oak. It stipulated that the land would forever remain a conservation area open to the public. The counties essentially borrowed funds from the trust to buy Split Oak and then repaid it with money collected from various developers through environmental mitigation credits. Split Oak also was established in conjunction with the Florida Fish and Wildlife Conservation Commission and designed to mitigate the environmental impacts of the anticipated development in the once-rural area southeast of Orlando International Airport.

Spanning both counties, the area is now exploding with growth. Tens of thousands of more homes and commercial buildings are now under construction or slated for construction in the next several years.

The upcoming May 15 meeting at the Florida Communities Trust in Tallahassee will include officials from Osceola and Orange counties and the FCW, along with trust staff, according to DEP officials. It will not be open to the public.

According to the meeting's agenda, it will address the process for amending the grant agreement between the trust and Osceola and Orange counties. It will also address the process for amending the interagency agreement between the two counties and the FWC, as well as the conservation easement between the counties and FWC. When considering modifications to state agreements, such as those who helped fund and establish Split Oak, the trust is bound by Florida Administrative Code 62-818, according to the DEP. The code states that there must be "no reasonable alternatives" to infringing upon the preservation site for linear facilities such as roads.

The Osceola County Commission on April 16 agreed to work with Tavistock Development Company to "lead a public process (both local and state) to get the associated land in the Split Oak Forest released for right-of-way" to extend Osceola Parkway. Tavistock, the company that developed Lake Nona, is building the massive Sunbridge community in the area, which would benefit from the new toll road. Officials say the toll road expansion also would alleviate traffic on interior roads and is needed for regional connectivity.

Without land contributions and financial assistance from Tavistock and Deseret Ranches, the landowner working with the developer, the Osceola Parkway extension likely would be infeasible due to cost. In exchange for help from Osceola County, Tavistock has pledged to move a water and sewer treatment plant further away from Split Oak and to donate land to offset the 160-acre section of the forest that would be sacrificed for the road. The county's deal with Tavistock was negotiated by Hawkins in private meetings with the developer. He brought it to the County Commission during the last 30 minutes of the April 16 meeting reserved for commissioner comments. At that time, Hawkins presented the commission with a letter from Tavistock addressed to him that outlined the terms of the agreement while Charles Lee from Audubon Florida – at the request of Hawkins – gave a formal presentation that supported the deal.

Hawkins sent Lee a copy of the Tavistock letter the Sunday before the meeting that asked him "not to go public," according to an email exchange between the two men obtained by the News-Gazette. Lee told Hawkins he would keep quiet. When asked about the exchange, Lee told the News-Gazette in an email that he did so "because the negotiations with Tavistock regarding the relocation of the regional water and sewer facility had been very sensitive and difficult, and Chairman Hawkins wanted to brief the rest of the commissioners personally during the commission meeting rather than having them learn about it from third parties."

Hawkins would not comment on the county's agreement with Tavistock directly but issued a statement through county spokesman Mark Pino.

"Chairman Hawkins did not want it to go public because he was directly involved in the negotiations and did not want anyone acting as a conduit to the other commissioners. He also did not want any misunderstanding [about] how this came about, or misinformation put out there before it was brought forward to the board," Pino said in the emailed statement. However, Hawkins also sent the

Tavistock letter and his exchange with Lee to Mike Horner from Macy Island Consultants ahead of the April 16 meeting. Horner has worked as a lobbyist for various government agencies in Osceola in recent years. He is a former state representative and former president of the Kissimmee/Osceola Chamber of Commerce, where he now serves as a board member.

Pino also provided a statement for Hawkins about a May 2 letter the chairman sent to Tavistock President Jim Zboril regarding the April 16 board meeting. It stated that the public was included in the discussion among commissioners and Lee that night. But members of the public were not invited nor able to comment or participate during the Split Oak discussion at the meeting.

"There may be a misinterpretation of the intent of that part of the (May 2) letter as this was brought forward in a public meeting," Pino wrote on behalf of Hawkins.

Commissioner Peggy Choudhry noted the lack of public comment during the April 16 board meeting and later told the News-Gazette that's why she did not agree to move forward with the county's deal with Tavistock regarding Split Oak.

Commissioner Cheryl Grieb said this was among the difficult decisions on complex issues faced by county commissioners.

"When we, as a Commission, look at the needs of our community, we have to balance the safety, social, environmental and economic factors surrounding the needs. With Osceola County being the second-fastest growing county in Florida, our County's needs are great; most especially, our transportation needs," Grieb said in an email to the News-Gazette. "While Osceola County does not ultimately decide which (toll road) alignment will be chosen, I feel that the alignment that least impacts Split Oak and nets a greater amount of land for the expansion of Split Oak and removes the water and sewer treatment from these lands, is the better option on the table."

Meanwhile, Friends of Split Oak Forest, a grassroots organization founded by Osceola County residents and environmentalists throughout Central Florida, said there are several "legal irregularities concerning commitments and decision-making" by the Osceola County Commission in connection Osceola Parkway extension. There was no public hearing, no public notice and no public comment allowed regarding the county commission's agreement with Tavistock concerning Split Oak, which appears to violate Florida law, said St. Cloud resident Valerie Anderson, founder and president of the nonprofit.

Anderson said the group also is concerned about Hawkins' dual role as chairman of both the Osceola County Commission and the Central Florida Expressway Authority.

"Confusion and potential conflicts are inherent in Mr. Hawkins' dual roles. For example, when Mr. Hawkins is negotiating with Tavistock, is he negotiating for the primary benefit of Osceola County or CFX?" Anderson said.

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