

IN THE NINTH JUDICIAL CIRCUIT COURT  
IN AND FOR OSCEOLA COUNTY FLORIDA  
CIVIL DIVISION

FRIENDS OF SPLIT OAK FOREST, INC.,  
SPEAK UP WEKIVA, INC., and  
VALERIE ANDERSON

Plaintiffs

v.

Case No. 2018-CA-001528

OSCEOLA COUNTY, FLORIDA, a

Political Subdivision

Defendant

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**AMENDED MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT**

Plaintiffs seek leave to file a First Amended Complaint seeks injunctive and declaratory relief under Sections 286.0114(6), Florida Statutes (Open Government Act) and Chapter 86, Florida Statutes (Declaratory Judgments) to include additional facts and law and to respond to issues raised in Defendant's Motion to Dismiss.

A **corrected** copy of Plaintiffs proposed **First Amended Complaint** is attached hereto.

Counsel has contacted Counsel for Defendant on December 26, 2018 and provided a draft of the First Amended Complaint, however Defendant does not consent to this motion for leave to file a first amended complaint at this time.

/s/ Ralf Brookes Attorney  
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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email on December 28, 2018 to

**E-service recipients selected for service:**

<b>Name</b>	<b>Email Address</b>
Alan S Zimmet	<a href="mailto:azimmet@bmolaw.com"><u>azimmet@bmolaw.com</u></a>
	<a href="mailto:nakins@bmolaw.com"><u>nakins@bmolaw.com</u></a>
	<a href="mailto:cmiller@bmolaw.com"><u>cmiller@bmolaw.com</u></a>
Kimberly Andreu Hendee	<a href="mailto:khendee@bmolaw.com"><u>khendee@bmolaw.com</u></a>
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Case No. 2018-CA-001528

OSCEOLA COUNTY, FLORIDA, a  
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Defendant

\_\_\_\_\_ /

**(Corrected)**

**FIRST AMENDED COMPLAINT**

1. This First Amended Complaint seeks injunctive and declaratory relief under Sections 286.0114(6), Florida Statutes (Open Government Act) and Chapter 86, Florida Statutes (Declaratory Judgments).

2. Venue is appropriate in Osceola County in this Circuit Court pursuant to Fla. Stat. § 47.011 because the alleged acts occurred in Osceola County and were taken by Osceola County.

3. Plaintiffs FRIENDS OF SPLIT OAK FOREST, INC., a Florida not for profit corporation, SPEAK UP WEKIVA, INC., a Florida not for profit Corporation and VALERIE ANDERSON, a Florida citizen of Osceola County, allege that OSCEOLA COUNTY violated three separate sections of Florida Statutes, Chapter 286 (Florida's Open Government Law).

4. OSCEOLA COUNTY Board of County Commissioners (“BOCC”) took official action on a proposition that was not noticed or included on the Agenda, which was instead introduced spontaneously by the Chairman of the Board of County Commissioners, and action taken by consensus, during Commissioners Reports at the very end of a Regular Meeting held on April 16, 2018 without first providing for any public comment, including plaintiffs, prior to taking official action on the proposition in violation of **Florida Statutes Section 286.0114:**

**“Public meetings; reasonable opportunity to be heard; attorney fees. –**

...(2) Members of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission. The opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition if the opportunity occurs at a meeting that is during the decision making process and is within reasonable proximity in time before the meeting at which the board or commission takes the official action.”

Commissioners failed to take a formal vote, and instead took a decision by consensus and failed to record the votes of individual commissioners in violation of **Florida Statutes Section 286.012**

**“Voting requirement at meetings of governmental bodies. –**

...a vote shall be recorded or counted for each such member present.”

without promptly recording minutes in violation of **Florida Statutes Section 286.011(2)**

**“Public meetings and records; public inspection; criminal and civil penalties. -**

...The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.”

### **STATEMENT OF THE FACTS**

5. The proposition, and official action, to support a specific roadway alignment route through Split Oak Forest (Alignment Refinement 1A), which is publicly-owned conservation land, was taken without a reasonable opportunity for the public comment to be heard on the proposition before official action was taken at the April 16, 2018 meeting and the official letters mailed on May 2, 2018.

6. This proposition was introduced at the April 16, 2018 meeting without notice, was not added to the agenda at the beginning of the April 16, 2018 meeting, and was unknown to the public until the Commission Chair introduced the proposition for official action during the Commissioners Reports at the very end of the April 16, 2018 meeting.

7. The proposition was introduced by the BOCC Chairman at the end of the Regular Meeting during Commissioner Reports, and official action was approved during Commission discussion by a “consensus” of the Board of County Commissioners on April 16, 2018 preventing public comment and without first taking any public comment on the proposition.

8. The official letters on Osceola County stationary letterhead signed by the Chairman of the BOCC were dated May 2, 2018, and mailed before the next BOCC meeting when next conceivable open public comment would have been available, and the official action was taken before giving notice to the public or allowing public comment on the proposition or official action. See, COMPOSITE EXHIBIT “A” TO THE COMPLAINT: LETTERS DATED MAY 2, 2018, attached hereto (See Composite Exhibit “A”).

9. Members of the public were denied a reasonable (or fair) opportunity to be heard on the proposition before the Osceola County Board of County Commissioners (BOCC) during the decision making process and within a reasonable proximity in time before the meeting at which the BOCC took Official Action (“BOCC Official Action”).

10. There is an opportunity for the public to comment during noticed Public Hearing Items that may be scheduled to occur on the Agenda within BOCC Meetings. Members of the public wishing to be heard must fill out a “Speaker’s Card” as specified in the “Public Comment Policy.”

11. According to the BOCC policy published in the Agenda materials for each BOCC Meeting, another public opportunity to speak at the Regular Board Meetings, on items other than items that are listed on the Agenda for Public Hearing, occurs during “Hear the Audience” segment in the Standard Sequence as noted below, between Recognitions and Proclamations near the beginning of the meeting but not at the end of the meeting or any other time after “Hear the Audience”:

**Standard Sequence of BOCC Meeting Agenda**

- Invocation
- Pledge of Allegiance
- Approval of Agenda
- Recognitions
- **Hear the Audience**
- Proclamations
- Consent Agenda
- Consent/Public Hearing
- **Public Hearings**
- **Regular**
- **Reports**
- Committee Appointments
- For Information
- Adjournment

12. The “Public Comment Policy” is consistently published by BOCC in the general Agenda materials and is specifically noted in the Agenda for the April 16, 2018 BOCC Meeting (See Exhibit “B”):

## **HEAR THE AUDIENCE (Consistently Published Policy)**

“Citizens wishing to address any item on the agenda during this portion of the meeting should complete a Request to Speak form and submit it to the Clerk of the Board prior to the commencement of the meeting. These forms are available from County Staff. Comments will be limited to three minutes. The Commissioners will not vote on any item during this portion of the meeting, but at their discretion issues can be placed on the agenda for a vote at a later time.”

13. Even when finalizing the Approved Agenda, during Agenda Item “Approval of Agenda”, there was no indication that “The Proposition” was going to be brought forward for the Board’s consideration during the Commissioners “Reports” section of the Regular BOCC Meeting held on April 16, 2018 (See Exhibit “C”):

### **“Approval of Agenda (from BOCC Meeting Actions dated 4/16/18)”**

“APPROVED, AS AMENDED, BY REMOVING PRESENTATION ITEM #2; AND ADDING CONSENT AGENDA ITEMS #16.1, #16.2, AS AMENDED, AND #16.3 (Janer/Grieb, 5-0)”

“The Commission will approve an agenda which sets the order of the meeting. This approval could include an addendum representing new items, additions, corrections, and/or deletions of existing items as submitted by the Clerk of the Board.”

14. The Proposition under consideration at the April 16, 2018 BOCC Meeting (“The Proposition”) was brought forward by Chair Fred Hawkins, Jr. (“The Chairman”) when he asked the BOCC to make a decision regarding the letter received from Tavistock dated April 13, 2018 (“Tavistock Proposal”) (See Exhibit “D”).

15. There was no notice to the BOCC or to members of the public in attendance at the April 16, 2018 BOCC Meeting that “The Proposition” was coming before the BOCC for consideration until it was brought forward after Agenda Item “Reports” that occurred after Agenda Item “Regular” and well after the Agenda Item, “Hear the Audience” had already closed approximately One (1) hour earlier during the same BOCC Regular Meeting on April 16, 2018.

16. The public had no knowledge that they would need to make a request to speak in compliance with the “Public Comment Policy” in order to be heard on an Item that had been intentionally kept from the public as evidenced by email exchanges between The Chairman and Mr. Lee dated May 15, 2018 (See Exhibit “E”), obtained as part of a public records request by Nicole Wilson on April 22, 2018.

**Email Exchanges May 15, 2018**

Subject: RE: JZ Scan.pdf  
From: Charles Lee [chlee2@earthlink.net](mailto:chlee2@earthlink.net)  
To: Fred Hawkins Jr.  
Sun, Apr 15, 7:47 PM

Fred:  
Yes, thanks...I will keep the letter quiet and speak favorably endorsing this tomorrow night.  
Charles

Subject: FW: JZ Scan.pdf  
From: Fred Hawkins Jr. [mailto:[Fred.HawkinsJr@osceola.org](mailto:Fred.HawkinsJr@osceola.org)]  
Sent: Sunday, April 15, 2018 6:40 PM  
To: [chlee2@earthlink.net](mailto:chlee2@earthlink.net)

Charles,

Please find the attached letter as you requested. Please let me know any questions you may have. I would appreciate this if we could not go public with this till we bring this to the BOCC at tomorrows meeting.

Subject: JZ Scan.pdf  
From: Jim Zboril <[jzboril@tavistock.com](mailto:jzboril@tavistock.com)>  
Sent: Friday, April 13, 2018 7:08 PM  
To: Fred Hawkins Jr. <[Fred.HawkinsJr@osceola.org](mailto:Fred.HawkinsJr@osceola.org)>

Letter attached. Thank you, Jim

17. “The Proposition” brought forth by The Chairman is quoted below, as excerpted from the verbatim transcription (“The Transcript”) of the proceedings of the April 16, 2018 BOCC Meeting. See pages 3 and 4 of “The Transcript” (See Exhibit “F”).



THE CHAIRMAN:"... Board, I've handed out a letter to you that we received last Friday from Tavistock ... and I ask you to take a moment to read the letter so we can decide if we want to move forward on this."

18. The "Tavistock Proposal" (See Exhibit "D") had explicitly requested a "final decision" on the proposition within ten (10) days of receipt of the "Tavistock Proposal":

**Excerpts from "Tavistock Proposal":**

"Per our recent conversations, we wanted to follow-up on your proposed solution to mitigate the effect of the Osceola Parkway Extension on the Split Oak Forest. As you know, the environmental community has been vocal in their objection to our approved utility plant site being located adjacent to the proposed compensating land area being offered in Osceola County." ... "We've been against relocating this utility site due to several factors. These include uncertainty, risk, significant cost and time delays for our Sunbridge project. However, upon our discussions with you and others, we are willing to reconsider this position provided that we can gain your full support." ... "We respectfully request that a final decision is made on this proposal within ten (10) days or we will have to withdraw as we have many outstanding commitments that must be addressed promptly so that we can continue to move forward with our Sunbridge project. Thank you again for everything you have done to reach a possible solution."

19. Only one person, Charles Lee (Mr. Lee) was allowed to speak with regard to "The Proposition". It appeared that Mr. Lee was aware that "The Proposition" was going to be brought forward and he was prepared to, and did, present a PowerPoint Presentation that took approximately Eleven (11) minutes to deliver ("Lee's Opinion") (See Exhibit "G").

20. The BOCC based their decision solely on "Lee's Opinion" without first allowing for public comment.

21. Despite requesting copies of the Tavistock Proposition from the BOCC secretary prior to the meeting for discussion, the BOCC Chair did not add the item to the agenda at the beginning of the meeting.

22. The BOCC Chair did not open the item for public comment, and no public comment was taken from members of the public before official action on the proposition was taken by the Board of County Commissioners, which took final action by consensus, without recording the official vote of each Commissioner. See Minutes April 16, 2018 Regular Meeting (Exhibit “H”).

23. The BOCC decision was an “Official Decision” to support the (“Tavistock Proposal”) that the BOCC Chairman had brought forth in “The Tavistock Proposition” before the BOCC. See, Excerpt from Meeting Actions from BOCC Meeting April 16, 2018 (See Exhibit “C”):

**“THE BOARD AGREED FOR A LETTER TO BE DRAFTED REGARDING THE POSITION OF THE BOARD ON THE CONDITIONS SET FORTH IN A LETTER FROM TAVISTOCK REGARDING THE RELOCATION OF THE UTILITY PLANT SITE FOR SPLIT OAK FOREST.”**

See also, Excerpt from Approved Meeting Minutes of BOCC Meeting April 16, 2018 as Approved for Recording on July 9, 2018 (See Exhibit “H”):

**“The Board agreed for a letter to be drafted regarding the support of the Board on the conditions set forth in a letter from Tavistock regarding the relocation of the utility plant site for Split Oak Park relating to the Osceola Parkway Extension.”**

24. The April 16, 2018 BOCC Meeting was adjourned abruptly, without warning immediately after The Chairman reiterated the BOCC “Official Action” for clarity and there was no other opportunity for any members of the public to speak to speak to this surprise item that

was not placed on an agenda or otherwise disclosed to the public prior to the item being raised in the Commissioner Report portion of the Regular Meeting. See Transcript of April 16, 2018 meeting (See Exhibit “F”); and Affidavit of Kimberly A. Buchheit, (See Exhibit “I”).

25. The “Decision Making Process” was completed when “The Chairman” sent Letters on official Osceola County Stationary Letterhead dated May 2, 2018 (“Hawkins Official Act”) (See Composite Exhibit “A”, attached) thereby taking “Official Action” prior to next Regular BOCC meeting on May 7, 2018. However, the “Hawkins Official Act” was performed based on “BOCC Official Action” and memorialized the BOCC “Official Decision” to take action to support the “Tavistock Proposal” as set forth on April 16, 2018 without any opportunity for public comment before the official position letter was mailed.

26. The Minutes for April 16, 2018 BOCC Meeting were not approved until Eighty-four (84) days after the “BOCC Official Decision” on “The Proposition” was made.

27. A summary of events that occurred during the “Decision Making Process” and within a reasonable proximity of time before April 16, 2018 are provided in TABLE 1: Timeline and Summary of Events (“TABLE 1”), see below. TABLE 1 also provides a timeline of significant activities through July 9, 2018 which may be noted in this document. For the purpose of clarity, the background items that set the stage for consideration of “The Proposition” started on or about March 27, 2018 when Chair Fred Hawkins, Jr. (“The Chairman”) agreed to meet with Charles Lee (“Mr. Lee”) to privately discuss strategy. Mr. Lee also provided a treatise on his opinion and a preview of his PowerPoint Presentation (“Lee’s Opinion”) (See Exhibit “G”) that he later presented to the BOCC on April 16, 2018.

**TABLE 1: Timeline and Summary of Events**

<b>Date</b>	<b>Summary</b>	<b>Exhibit</b>
April 10, 2018	Fred Hawkins, Jr. (“The Chairman”) and Charles Lee (“Mr. Lee”) agreed to meet on 4/10/18 to discuss strategy for relocating the Utility Plan (“Treatment Plant Site”). See email from Mr. Lee to The Chairman dated 3/27/18 <sup>1</sup> with a preview of Mr. Lee’s PowerPoint presentation (“Lee’s Opinion”) attached.	“J”
April 13, 2018	Email from Mr. Lee to The Chairman dated 4/13/18 at 6:59 PM, quoting Linda Chapin’s email, with references to the positions of Wayne Rich and Buddy Dyer on the matter. <sup>2</sup>	“K”
April 13, 2018	Letter from Mr. James Zboril (“Mr. Zboril”) to The Chairman, dated 4/13/18 (“Tavistock Proposal”) was delivered by email at 7:08 PM for consideration. <sup>3</sup>	“D”
April 15, 2018	Email from The Chairman to Mr. Lee dated 4/15/18 at 6: 39 PM requesting that the matter <i>not be made public</i> .	“L”
April 15, 2018	Email from Mr. Lee to The Chairman dated 4/15/18 at 7:47 PM stating that Mr. Lee agreed to keep the matter quiet and that he will speak in support the “Tavistock Proposal” at the meeting tomorrow. <sup>4</sup>	“E”
April 16, 2018	Email from The Chairman to Nancy David, at <b>12:41 PM</b> requesting that she bring ten (10) copies of “Tavistock Proposal” to the BOCC meeting tonight.	“M”
April 16, 2018	Regular Meeting of Osceola County Board of County Commissioners (BOCC), Agenda April 16, 2018, “Hear the Audience” procedure is noted on Agenda	“B”
April 16, 2018	Agenda Addendum dated 4/16/18 at 4:40 PM Meeting called to Order at 5:31 PM Agenda revisions made and Approved at approximately 5:41 PM. Agenda revisions were discussed for approximately Nine (9) minutes.  “The Proposition” was not identified in Agenda or Addendum or Approved Agenda and therefore public had no knowledge of it or	“N”

<sup>1</sup> Obtained by online public records request by Nicole Wilson on 4/22/18.

<sup>2</sup> *ibid.*

<sup>3</sup> *ibid.*

<sup>4</sup> Obtained by online public records request by Nicole Wilson on 4/22/18.

	opportunity to speak on it during “Hear the Audience” procedure as published by BOCC.	
April 16, 2018	“Hear the Audience” period of the BOCC Meeting opens at approximately 5:44 PM and closes at approximately 6:12 PM.	“H”
April 16, 2018	<b>Decision Making Process Begins:</b> Chair Hawkins brings forth the <b>“The Proposition”</b> during Reports Item at approximately 7:05 PM	“H”
April 16, 2018	<b>“Official Decision”</b> is made: The Chairman asks for clarification of Board’s <b>“Decision”</b> at approximately 7:30 PM. See Transcript of April 16, 2018 BOCC Meeting. <i>Decision Making Process Steps are Taken, Board Agrees.</i>	“H”  “F”
April 16, 2018	Meeting is Adjourned abruptly at 7:30 PM	“H”
April 22, 2018	Public Records Request by Nicole Wilson	For Reference
April 23, 2018	10 Day period from receipt of “Tavistock Proposal” Correspondence with County Attorney and Records Requests.	For Reference
May 2, 2018	<b>Decision Making Process Concludes, The Chairman Memorializes “BOCC Official Action” with Acceptance of “Tavistock Proposal” by issuing Letters “Hawkins Official Act”</b> The Chairman sends Letters to Mr. Zboril and Linda Reeves of Florida Communities Trust (FCT) (“Hawkins Official Action”). Letters are on Official Board of County Commissioners Letterhead, signed by The Chairman	Composite Exhibit “A”
May 4, 2018	Kimberly A. Buchheit Correspondence with Andrew Mai, requesting Clarification of Actions, Process and Request for Minutes of 4/16/18 BOCC Meeting	For Reference
May 7, 2018	Next Regular Meeting of Osceola County Board of County Commissioners (BOCC) following “Hawkins Official Act”.	For Reference
May 10, 2018	Partial excerpt from Unapproved Draft Minutes was released in response to public information request to provide Minutes of 4/16/18 BOCC Meeting.	For Reference

May 15, 2018	The Chairman meets with Florida Communities Trust (FCT) staff in Tallahassee regarding roadway Alignment Refinement 1A. Other participants include: Laura Kelly, Beth Jackson, Attorneys, Florida Fish and Wildlife Conservation Commission (FWC) Staff.	For Reference
May 15, 2018	Complaint Filed within 30 Days of BOCC Meeting April 16, 2018	For Reference
May 21, 2018	Affidavit by Kimberly A. Buchheit with Attachment	“T”
June 8, 2018	Unapproved Draft Minutes were produced fifty-three (53) days after April 16, 2018 BOCC Meeting after several public records requests had been made	“Q”
June 19, 2018	Beth Jackson Memo about May 15, 2018 Meeting with FCT	“P”
July 9, 2018	Official Meeting Minutes approved eighty-four (84) days after BOCC Meeting April 16, 2018	“H” “R”

### **Count I**

#### **Failure to Allow Public Comment before taking official action under Section 286.0114, F.S**

28. Plaintiffs re-allege paragraphs 1-26 of this First Amended Complaint as set forth above.

29. Throughout the history of Florida's open government, its courts have consistently supported the public's right of access to governmental meetings as set forth in Florida Constitution Article I, Section 24 (Access to public records and meetings).<sup>5</sup>

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<sup>5</sup> Florida Constitution Article I, Section 24. Access to public records and meetings.

(a) Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.

30. Florida's Government-in-the-Sunshine Law was enacted by the legislature in 1967. Today, the Sunshine Law regarding open government can be found in [Chapter 286](#) of the Florida Statutes.

31. In 2013, in response to case law limiting the public's right to public comment<sup>6</sup>, the legislature created Section 286.0114 Florida Statutes to ensure that the public would have an opportunity to be heard on "a proposition before a board or commission", with a few limited exceptions listed in subsection 3 (that are inapplicable to the subject case), before the "official action" is taken by local government:

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(b) All meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public and meetings of the legislature shall be open and noticed as provided in Article III, Section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.

<sup>6</sup> "Prior to the adoption of s. 286.0114, F.S. (2013), Florida courts had determined that s. 286.011, F.S., provides a right to attend public meetings, but does not provide a right to be heard. See *Herrin v. City of Deltona*, 121 So. 3d 1094, 1097 (Fla. 5th DCA 2013) (phrase "open to the public" as used in s. 286.011, F.S., means that "meetings must be properly noticed and reasonably accessible to the public, not that the public has the right to be heard at such meetings"). See also *Keesler v. Community Maritime Park Associates, Inc.*, 32 So. 3d 659 (Fla. 1st DCA 2010), review denied, 47 So. 3d 1289 (Fla. 2010); and *Grapski v. City of Alachua*, 31 So. 3d 193 (Fla. 1st DCA 2010), review denied, 47 So. 3d 1288 (Fla. 2010)." **"However, as the court observed in *Herrin*, s. 286.0114(2), F.S., now mandates that "[m]embers of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission."** The opportunity to be heard does not have to occur at the same meeting at which the board or commission takes official action if the opportunity "occurs at a meeting that is during the decision making process and is within reasonable proximity in time before the meeting at which the board or commission takes the official action." Section 286.0114(2), F.S. The terms "proposition" or "official action" are not defined in the statute, nor is there a distinction between official action taken at a formal meeting versus an informal setting, such as a workshop. Inf. Op. to Jacquot, April 25, 2014. "In light of the purpose of the statute to allow public participation during the decision making process on a proposition, it should be liberally construed to facilitate that purpose." Id. [Florida Sunshine Manual](#) 2017, Florida Attorney General p. 43.

**286.0114 Public meetings; reasonable opportunity to be heard; attorney fees.—**

(1) For purposes of this section, “board or commission” means a board or commission of any state agency or authority or of any agency or authority of a county, municipal corporation, or political subdivision.

(2) Members of the *public shall be* given a *reasonable opportunity to be heard* on *a proposition* before a board or commission. The opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition if the opportunity occurs at a meeting that is during the decision making process and is within reasonable proximity in time before the meeting at which the board or commission takes the official action.

(3) The requirements in subsection (2) do not apply to:

(a) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;

(b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

(c) A meeting that is exempt from s. 286.011; or

(d) A meeting during which the board or commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

(4) Rules or policies of a board or commission which govern the opportunity to be heard are limited to those that:

(a) Provide guidelines regarding the amount of time an individual has to address the board or commission;

(b) Prescribe procedures for allowing representatives of groups or factions on a proposition to address the board or commission, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard;

(c) Prescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses; or

(d) Designate a specified period of time for public comment.

(5) If a board or commission adopts rules or policies in compliance with this section and follows such rules or policies when providing an opportunity for members of the public to be heard, the board or commission is deemed to be acting in compliance with this section.

(6) A circuit court has jurisdiction to issue an injunction for the purpose of enforcing this section upon the filing of an application for such injunction by a citizen of this state.



(7)(a) Whenever an action is filed against a board or commission to enforce this section, the court shall assess reasonable attorney fees against such board or commission if the court determines that the defendant to such action acted in violation of this section. The court may assess reasonable attorney fees against the individual filing such an action if the court finds that the action was filed in bad faith or was frivolous. This paragraph does not apply to a state attorney or his or her duly authorized assistants or an officer charged with enforcing this section.

(b) Whenever a board or commission appeals a court order that has found the board or commission to have violated this section, and such order is affirmed, the court shall assess reasonable attorney fees for the appeal against such board or commission.

(8) An action taken by a board or commission which is found to be in violation of this section is not void as a result of that violation. **History.**—s. 1, ch. 2013-227.

32. The statutory exceptions to Section 286.0114(2) set forth in Florida Statutes, Section 286.0114 (3) (a-d) do not apply to the facts of this case because no emergency was declared that meet the criteria of “an emergency situation affecting the public health, welfare, or safety” and support for the Tavistock Proposal proposition was an Official Act at April 16, 2018 Regular Meeting that was not merely “Ministerial” in nature. The “BOCC Official Act” was “Discretionary” and not merely “Ministerial” in nature.

33. Definitions of the commonly used terms used in Chapter 286, are listed, with citations to dictionary definitions that fulfill the intent of the law to promote open government:

**Reasonable (definition)<sup>7</sup>**

**1a:** being in accordance with reason

**1b:** not extreme or excessive

**1c:** moderate, fair

**Proposition (definition)<sup>8</sup>**

**1a (1):** something offered for consideration or acceptance: PROPOSAL

**Official (definition)<sup>9</sup>**

**1:** of or relating to an office, position, or trust

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<sup>7</sup> <https://www.merriam-webster.com/>

<sup>8</sup> <https://www.merriam-webster.com/>

<sup>9</sup> *ibid.*

**Act or Action (definition)**<sup>10</sup>

**1a:** the doing of a thing: DEED

**1b law:** something done voluntarily

**2:** the process of doing something: ACTION

**3:** the formal product of a legislative body: STATUTE  
an *act* of Congress

*also:* a decision or determination of a sovereign, a legislative council, or a court of justice

**Official Act (definition)**<sup>11</sup>

the name that is given to an act that is carried out by an officer doing his duties

**Decision (definition)**<sup>12</sup>

**1a:** the act or process of deciding

**1b:** a determination arrived at after consideration

**Process (definition)**<sup>13</sup>

a series of actions that produce something or that lead to a particular result

**Ministerial (definition)**<sup>14</sup>

**1:** being or having the characteristics of an act or duty prescribed by law as part of the duties of an administrative office

**2:** relating to or being an act done after ascertaining the existence of a specified state of facts in obedience to legal and especially statutory mandate without exercise of personal judgment or discretion

**Discretionary (definition)**<sup>15</sup>

left to discretion: exercised at one's own discretion

34. Plaintiffs, FRIENDS OF SPLIT OAK FOREST, INC., a Florida Not for Profit Corporation in good standing, SPEAK UP WEKIVA, INC., a Florida Not for Profit Corporation in good standing, and VALERIE ANDERSON a Florida citizen, were present but were denied the ability to speak on ‘The Proposition’ during the BOCC Meeting on April 16, 2018. Only an invited speaker, Charles Lee of Florida Audubon, was allowed to speak to the BOCC on the

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<sup>10</sup> *ibid.*

<sup>11</sup> <https://thelawdictionary.org/official-act/>

<sup>12</sup> <https://www.merriam-webster.com/>

<sup>13</sup> *ibid.*

<sup>14</sup> <https://www.merriam-webster.com/dictionary/ministerial#legalDictionary>

<sup>15</sup> <https://www.merriam-webster.com/dictionary/discretionary#legalDictionary>

item before BOCC consensus on a final action was reached, albeit without a formal vote, resulting in the letter from the Chair dated May 2, 2018 describing the consensus to support a particular highway alignment through Split Oak Forest Wildlife and Environmental Area, which are publicly owned, protected conservation lands.

35. Plaintiffs, FRIENDS OF SPLIT OAK FOREST, INC., SPEAK UP WEKIVA, INC., and VALERIE ANDERSON desired to speak against this action, but were not afforded the ability to speak on the item before consensus was reached on April 16, 2018, to send letters from the BOCC on Osceola County BOCC letterhead with all BOCC members listed on the side of the letterhead dated May 2, 2018 stating:

“The Osceola County Board of County Commissioners supports the Osceola Parkway Extension Alignment 1A East through the very southern part of Split Oak (see attached graphic).”

See Composite Exhibit “A” attached to Complaint - Letters dated May 2, 2018.

36. The official position and action supporting this particular proposition was taken without first providing Plaintiffs, and other members of the public, a reasonable opportunity to be heard on the decision.

### **REQUEST FOR RELIEF – COUNT 1**

37. Plaintiffs seek an order of this court enjoining the County from taking official action on a proposition without first allowing public comment in violation so Florida Statutes Section 286.0114 (6) (“A circuit court has jurisdiction to issue an injunction for the purpose of enforcing this section upon the filing of an application for such injunction by a citizen of this state.”), awarding attorney’s fees under 286.0114 (7)(a) (“Whenever an action is filed against a board or commission to enforce this section, the court shall assess reasonable attorney fees

against such board or commission if the court determines that the defendant to such action acted in violation of this section.),” remanding the decision on the subject proposition to the BOCC for reconsideration at a noticed “cure” meeting at which public comment on the proposition will be taken and the proposition reconsidered after an opportunity for public comment and an any other relief the court deems appropriate.

## **Count II**

### **Failure to Record Votes of Individual Commissioners under Section 286.012, F.S**

38. Plaintiffs re-allege paragraphs 1-34 of this First Amended Complaint as set forth above.

39. Throughout the history of Florida's open government, its courts have consistently supported the public's right of access to governmental meetings as set forth in Florida Constitution Article I, Section 24 (Access to public records and meetings). Florida's Government-in-the-Sunshine Law was enacted by the legislature in 1967. Today, the Sunshine Law regarding open government can be found in [Chapter 286](#) of the Florida Statutes.

40. Section 286.012, F.S., provides:

**286.012 Voting requirement at meetings of governmental bodies.**—A member of a state, county, or municipal governmental board, commission, or agency who is present at a meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may not abstain from voting in regard to any such decision, ruling, or act; and *a vote shall be recorded or counted for each such member present*, unless, with respect to any such member, there is, or appears to be, a possible conflict of interest under s. [112.311](#), s. [112.313](#), s. [112.3143](#), or additional or more stringent standards of conduct, if any, adopted pursuant to s. [112.326](#). If there is, or appears to be, a possible conflict under s. [112.311](#), s. [112.313](#), or s. [112.3143](#), the member shall comply with the disclosure requirements of s. [112.3143](#). If the only conflict or possible conflict is one arising from the additional or more stringent standards adopted pursuant to s. [112.326](#), the member shall comply with any

disclosure requirements adopted pursuant to s. 112.326. If the official decision, ruling, or act occurs in the context of a quasi-judicial proceeding, a member may abstain from voting on such matter if the abstention is to assure a fair proceeding free from potential bias or prejudice.

**History.**—s. 1, ch. 72-311; s. 9, ch. 75-208; s. 2, ch. 84-357; s. 13, ch. 94-277; s. 19, ch. 2013-36; s. 7, ch. 2014-183.

41. “While s. 286.012, F.S., requires that each member present cast a vote either for or against the proposal under consideration by the public board or commission, it is not necessary that a roll call vote of the members present and voting be taken so that each member’s specific vote on each subject is recorded. The intent of the statute is that **all members present cast a vote** and that the **minutes so reflect that by either recording a vote or counting a vote for each member.**”<sup>16</sup> (emphasis added).

42. The April 16, 2018 transcript and minutes state that a final decision on the subject Tavistock Proposal proposition was reached by “consensus” and no actual vote on the item was taken in violation of Section 286.012, F.S., because the members present did not cast a vote and the minutes did not record or count a vote for each member. During the April 16, 2018 BOCC Meeting, an “Official Decision” was made to support the conditions set forth in the “Tavistock Proposal”, as noted in the Meeting Minutes Approved for Recording on July 9, 2018 (See Exhibit “H”).

**“The Board agreed for a letter to be drafted regarding the support of the Board on the conditions set forth in a letter from Tavistock regarding the relocation of the utility plant site for Split Oak Park relating to the Osceola Parkway Extension.”**

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<sup>16</sup> Florida Government-in-the-Sunshine Manual 2017, Florida Attorney General p. 46.  
[http://myfloridalegal.com/webfiles.nsf/WF/MNOS-AXJGEU/\\$file/2018+Government+in+the+Sunshine+Manual.pdf](http://myfloridalegal.com/webfiles.nsf/WF/MNOS-AXJGEU/$file/2018+Government+in+the+Sunshine+Manual.pdf)

The verbatim Transcript of the April 16, 2018 BOCC Meeting reflects that the “Official Decision” was communicated by The Chairman as follows (See April 16, 2018 Transcript p. 21-22, Exhibit “F”). The April 16, 2018 “BOCC Official Action” to support the “Tavistock Proposal” was taken based on a consensus that the BOCC reached after considering “The Proposition” brought forward by The Chairman. There was no formal vote taken, nor was there an indication in any of the Official Records of the Meeting that a Motion was made or seconded or that a vote was taken or stated for the record. Furthermore, any vote, whether taken or not, was not recorded or counted for each member present, as required by FS Chapter 286.012. The language contained in Florida Statute Chapter 286.012 is unambiguous on this issue and states that “a vote **shall be** recorded or counted.”

43. The subject official action on the Tavistock Proposal that was taken on April 16, 2018 did not comply with Florida Statute Section 286.012 requirements that “*a vote shall be recorded or counted for each such member present.*” Injunctive relief is available for a violation of Chapter 286 Florida Statutes, including 286.012, and in the alternative, Declaratory relief is available under Chapter 286 and Chapter 86, Florida Statutes if no statutory remedy for declaratory relief is otherwise specifically stated.

#### **REQUEST FOR RELIEF – COUNT 2**

44. Plaintiffs seek an order of this court declaring and enjoining the April 16, 2018 decision as taken in violation of section 286.012, Florida Statutes, enjoining the violation of section 286.012, Florida Statutes, remanding the decision on the subject proposition to the BOCC for reconsideration at a noticed “cure” meeting at which public comment on the proposition will be taken and the proposition reconsidered after an opportunity for public comment after which “*a vote shall be recorded or counted for each such member present*” in

compliance with Florida Statute Section 286.012 and such other relief as this court deems just and proper under Chapter 286 and Chapter 86, Florida Statutes.

### **Count III**

#### **Failure to Promptly Record Minutes, Florida Statute 286.011**

45. Plaintiffs re-allege paragraphs 1-34 of this First Amended Complaint as set forth above.

46. Throughout the history of Florida's open government, its courts have consistently supported the public's right of access to governmental meetings as set forth in Florida Constitution Article I, Section 24 (Access to public records and meetings). Florida's Government-in-the-Sunshine Law was enacted by the legislature in 1967. Today, the Sunshine Law regarding open government can be found in [Chapter 286](#) of the Florida Statutes.

47. Florida Statutes Section 286.011(2) require : **“Public meetings and records; public inspection; criminal and civil penalties.** - ...The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.”

48. Minutes of the April 16, 2018 meeting were not promptly prepared and recorded.

49. Minutes of the April 16, 2018 BOCC Meeting (See Exhibit "H") were not approved for Recording until July 9, 2018 (See Exhibit "R") as identified in Consent Agenda Item 3, Approval of various Minutes.

50. Therefore, it took a period of eighty-four (84) days before the Meeting Minutes were approved for Recording. **See Meeting Agenda for 7/9/18 (Approval of 4/16/18 Minutes)** (See Exhibit “R”).



51. Further, not even draft minutes were “promptly” made available for public inspection.

52. “UNAPPROVED DRAFT” of the April 16, 2018 Board of County Commissioners Meeting were not released until June 8, 2018 (See Exhibit "Q") despite multiple public records requests for Meeting Minutes.

53. It took a period of Fifty-three (53) days before even a Draft of the BOCC Meeting Minutes were released to interested parties upon request, and were clearly labeled as an "UNAPPROVED DRAFT".

54. By the time that the Draft Minutes were made available on June 8, 2016, Thirty-seven (37) days had elapsed since BOCC Chair, Fred Hawkins, Jr. had already issued the Letters dated May 2, 2018 ("Hawkins Official Act") (See Composite Exhibit "A", attached) memorializing the "Official Action" that was taken at the April 16, 2018 BOCC Meeting.

55. The BOCC has demonstrated a pattern and practice of delays in approving and recording the BOCC Meeting Minutes throughout the year of 2018. On average, (by arithmetic mean), it has taken Ninety-six (96) days to approve BOCC Meeting Minutes as evidenced by BOCC Meeting Minutes approved during the period of January 8, 2018 through December 31, 2018 (See Tabulation, Exhibit "S").

56. Osceola County has a and practice of delays in promptly Recording the BOCC Meeting Minutes as reflected below:

**Pattern and Practice of Delays in Recording BOCC Meeting Minutes**  
(Compiled from Osceola County Board of County Commissioners Records as of 12/21/18 )

BOCC Meeting Date	Date Minutes Approved	Number of Days Until Minutes
----------------------	-----------------------------	---------------------------------

8/15/17	2/5/18	174
9/18/17	1/8/18	112
10/9/17	2/5/18	119
10/16/17	2/5/18	112
11/13/17	3/19/18	126
11/20/17	1/8/18	49
11/27/17	5/7/18	161
1/8/18	6/4/18	147
2/5/18	5/7/18	91
2/12/18	6/4/18	112
2/19/18	5/7/18	77
3/5/18	5/7/18	63
3/12/18	7/16/18	126
3/19/18	5/7/18	49
4/2/18	7/16/18	105
4/9/18	7/9/18	91
<b>4/16/18</b>	<b>7/9/18</b>	<b>84</b>
5/7/18	8/6/18	91
5/14/18	8/6/18	84
5/21/18	8/6/18	77
6/4/18	10/15/18	133
6/11/18	8/20/18	70
7/9/18	9/10/18	63
7/16/18	10/15/18	91
8/6/18	11/5/18	91
8/13/18	11/5/18	84
8/20/18	11/5/18	77
9/10/18	12/10/18	91
9/17/18	12/3/18	77
10/1/18 *	12/10/18	70
<b>Average Days Minutes are Recorded</b>		<b>96</b>
10/8/19 and more recent		*Not Available

57. As of the date of this First Amended Complaint, the last meeting date of any Recorded Minutes of BOCC Meetings is October 1, 2018, and for BOCC Meetings on or after 10/8/18, the approved Meeting Minutes have still not been recorded as of 12/21/18 based on inspection of Recorded Meeting Minutes by Osceola County Board of County Commission Clerk, Delores Whaley.

58. The delays in promptly preparing and recording minutes prevent the public from having the ability to participate in open government, express their opinions and give input regarding the decisions being made by their Elected Officials and violates Florida Statutes Section 286.011(2) that requires:

**“Public meetings and records; public inspection; criminal and civil penalties.** - ...The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.”

59. Furthermore, members of the public are forced to appeal decisions and incur Legal fees before they have access to the Recorded BOCC Meeting Minutes that are germane to their concerns over the Actions taken by the BOCC.

60. Although undefined in Florida Statutes Chapter 286, Black's Law Dictionary contains the following definition of the word “promptly”:

**PROMPTLY:**

Adverbial form of the word “prompt,” Which means ready and quick to act as occasion demands. The meaning of the word depends largely of the facts in each case, for what is “prompt” in one situation may not be considered such under other circumstances or conditions. To do something “promptly” is to do it without delay and with reasonable speed.

61. Pursuant to Section 286.011 (2) “...The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

**286.011 Public meetings and records; public inspection; criminal and civil penalties.—**

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

62. Injunctive relief is available for a violation of Florida Statutes, Section 286.012(2)(“The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state”), and Declaratory relief is available under Chapter 86, Florida Statutes if no statutory remedy for declaratory relief is otherwise specifically stated.

### **REQUEST FOR RELIEF COUNT 3**

Plaintiffs seek an order of this court declaring that the April 16, 2018 decision including official recorded minutes was in violation of Florida Sunshine Law, sections 286.011(2) Florida Statutes, enjoining the violation of sections 286.011(2) Florida Statutes, remanding the decision on the subject proposition to the BOCC for reconsideration at a noticed “cure” meeting at which public comment on the proposition will be taken and the proposition reconsidered after an opportunity for public comment after which minutes shall be promptly recorded pursuant to Florida Statutes, Section 286.012(2), and awarding statutory attorneys’ fees for the violation of 286.011 and such other relief as this court deems just and proper.

/s/ Ralf Brookes Attorney  
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Cape Coral, FL 33904  
(239) 910-5464;  
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# BOARD OF COUNTY COMMISSIONERS



May 2, 2018

Mr. Jim Zboril  
President, Tavistock Development Company  
6900 Tavistock Lakes Boulevard, Suite 200  
Orlando, FL 32827

## **Subject: Osceola Parkway Extension Project Alignment / Split Oak Forest**

Dear Mr. Zboril:

Thank you for your continued conversation on this issue. Your willingness to provide this significant land parcel and move the utility plant is a crucial element in moving this project forward, while helping enhance and expand Split Oak Forest and protecting the Lake Ajay neighborhood.

I received your letter (dated April 13, 2018) and reviewed it during our Osceola Board of County Commissioners meeting on April 16, 2018. What followed was a shared discussion with the other board members, community, and Charles Lee from Audubon Florida.

It is the consensus of the Osceola County Commission that we support and will act upon the conditions outlined in your letter. To ensure those points are addressed; we have scheduled a meeting with the Florida Communities Trust (see attached letter) on May 15, 2018, to discuss this issue at the state level. At this meeting, we will express Osceola County's support of Alignment 1A East through Split Oak in combination with the proposed 1,400 +/- acre compensating land expansion of Split Oak and surrounding environmental areas. Further, we will seek clarity on the required parties and specific steps necessary to obtain the release of the right-of-way through Split Oak.

Osceola County is aware of the challenges regarding relocation of the utility plant. County staff will assist with all necessary requirements and approvals to facilitate the move. Additionally, they have clear direction that Tavistock Development Co. is not required to replace the development program lost as a result of the compensating land package, the revised Osceola Parkway Extension alignment, and the need for one or more utility plant sites within the NED.

The Board also offers its help to work with our various environmental permit divisions on maximizing the mitigation value in the compensating land and our support in modifications to the utility agreements with Toho Water Authority for the relocated plant and interim service. It is our understanding that the County's cooperation will have no significant cost or expense our administrative time.

Please feel free to contact me with any questions or concerns you may have. Once again, we appreciate your willingness to make such broad concessions to make this transportation corridor possible while protecting our environment and existing residential communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Hawkins, Jr.", is written over a horizontal line.

Fred Hawkins, Jr.  
Chair  
Osceola County Board of County Commissioners

407-742-2000

**Osceola County**

1 Courthouse Square • Kissimmee, Florida 34741

*District I*  
**Peggy Choudhry**

*District II*  
**Viviana Janer**

*District III*  
**Brandon Arrington**

*District IV*  
**Cheryl L. Grieb**  
*Vice Chair*

*District V*  
**Fred Hawkins, Jr.**  
*Chair*

# BOARD OF COUNTY COMMISSIONERS



May 2, 2018

Ms. Linda Reeves  
Land & Recreation Grants Section Manager  
Florida Communities Trust  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Greetings Ms. Reeves:

I am writing to update you on recent developments related to the proposed Osceola Parkway Extension and its potential impact on the Split Oak Forest Wildlife and Environmental area. We recently secured a major environmental win for the project that provides a reasonable option for the parkway expansion while also adding substantial acreage to Split Oak and surrounding environmental areas.

*District I*  
*Peggy Choudhry*

*District II*  
*Viviana Janer*

As you know, the existing Split Oak trust documents allow a linear facility to run through a portion of the property. Given the environmental significance of this particular land, we take considerable care in balancing the regional transportation needs of our area (as outlined by the Governor's East Central Florida Corridor Task Force Final Report on December 1, 2014) and any impact it may have on Split Oak Forest WEA.

*District III*  
*Brandon Arrington*

The Osceola County Board of County Commissioners supports the Osceola Parkway Extension Alignment 1A East through the very southern part of Split Oak (see attached graphic). This alignment will allow approximately 1,400+/- acres of additional land including scrub jay habitat to be placed into perpetual conservation in conjunction with Split Oak as well as the adjoining areas of Moss Park and Isle of Pines. The actual area of impact for the road right-of-way is estimated at 66 acres, so the compensation contemplated is very meaningful at a factor of 21:1.

*District IV*  
*Cheryl L. Grieb*  
*Vice Chair*

While the Osceola Parkway Extension is currently going through a refresh of the project development and environment study to finalize alignments and associated feasibilities, we believe alignment 1A East is the most feasible alignment possible and contributes to an enormous expansion of Split Oak Forest – a win-win result. We request your assistance to help us understand the required parties and specific steps necessary to obtain the release of right-of-way associated with this alignment.

*District V*  
*Fred Hawkins, Jr.*  
*Chair*

We look forward to meeting with you soon to further discuss how to best move this project forward.

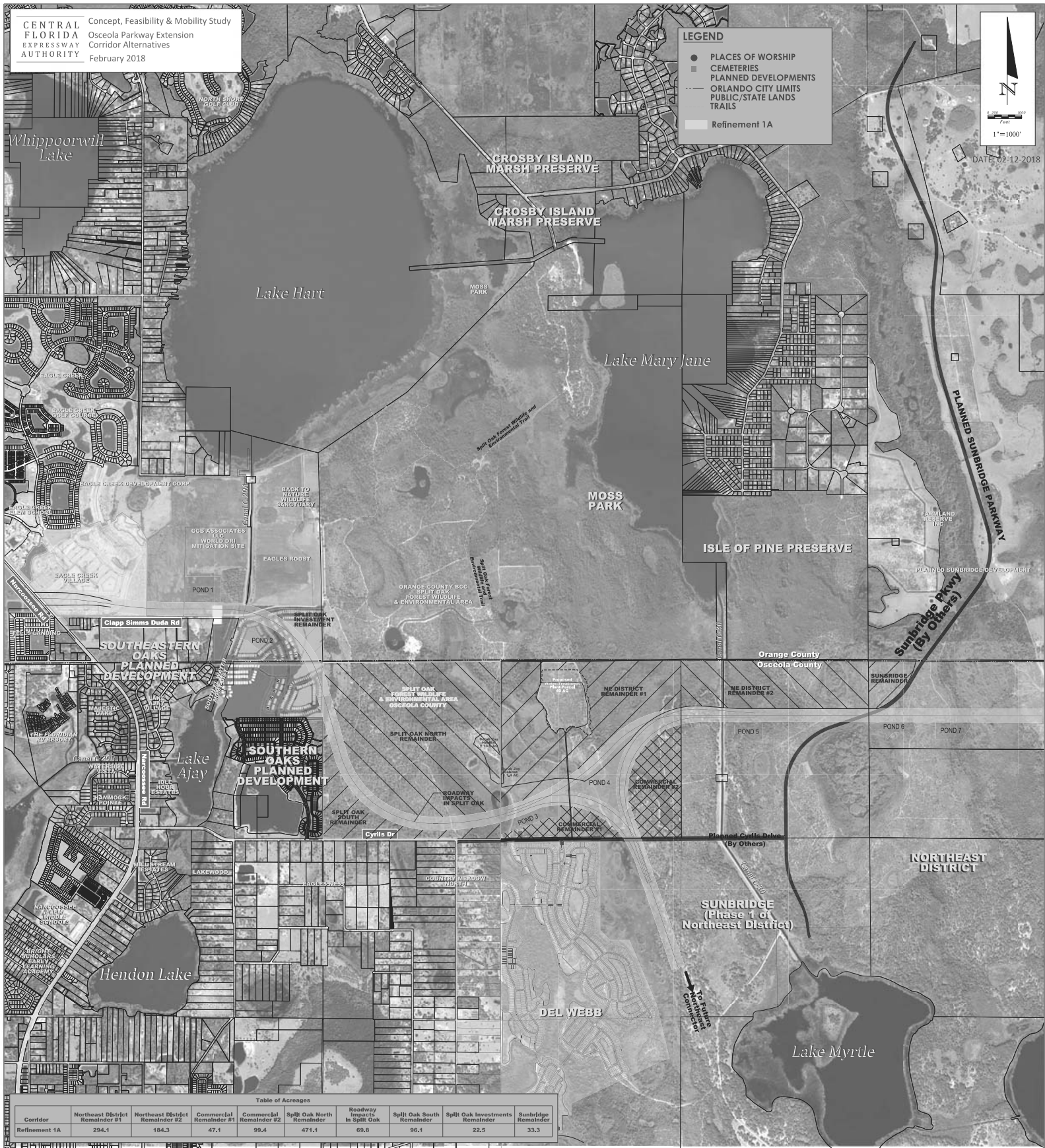
Sincerely,

A handwritten signature in cursive script, appearing to read "Fred Hawkins, Jr.", is located below the word "Sincerely,".

Fred Hawkins, Jr.  
Chair  
Osceola County Board of County Commissioners

407-742-2000

**Osceola County**  
1 Courthouse Square • Kissimmee, Florida 34741





## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email on December 28, 2018 to

### **E-service recipients selected for service:**

<b>Name</b>	<b>Email Address</b>
Alan S Zimmet	<a href="mailto:azimmet@bmolaw.com"><u>azimmet@bmolaw.com</u></a>
	<a href="mailto:nakins@bmolaw.com"><u>nakins@bmolaw.com</u></a>
	<a href="mailto:cmiller@bmolaw.com"><u>cmiller@bmolaw.com</u></a>
Kimberly Andreu Hendee	<a href="mailto:khendee@bmolaw.com"><u>khendee@bmolaw.com</u></a>
	<a href="mailto:nakins@bmolaw.com"><u>nakins@bmolaw.com</u></a>
	<a href="mailto:cmiller@bmolaw.com"><u>cmiller@bmolaw.com</u></a>
Ralf G Brookes	<a href="mailto:ralfbrookes@gmail.com"><u>ralfbrookes@gmail.com</u></a>
	<a href="mailto:ralf@ralfbrookesattorney.com"><u>ralf@ralfbrookesattorney.com</u></a>
Andrew W Mai	<a href="mailto:andrew.mai@osceola.org"><u>andrew.mai@osceola.org</u></a>
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