

1 ST. AUGUSTINE - ST. JOHNS COUNTY AIRPORT AUTHORITY

2 Workshop

3 held at 4796 U.S. 1 North

4 St. Augustine, Florida

5 on Monday, February 10, 2003

6 from 2:04 p.m. to 3:51 p.m.

7 * * * * *

8 BOARD MEMBERS PRESENT:

- 9 SUZANNE GREEN, Chairman
- WAYNE "BUZZ" GEORGE, Secretary-Treasurer
- 10 JOSEPH CIRIELLO
- BOB COX
- 11 JOHN "JACK" GORMAN

12 * * * * *

13 ALSO PRESENT:

14 GEORGE McCLURE, Esquire, Rogers, Towers, Bailey,
15 Jones & Gay, P.A., 170 Malaga Street, St. Augustine,
FL, 32084, Attorney for Airport Authority.

16 EDWARD WUELLNER, A.A.E., Executive Director.

17 BRYAN COOPER, Assistant Airport Director.

18 * * * * *

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1 PROCEEDINGS

2 MR. GEORGE: Our Chairman said she that she
3 was not -- would probably be a little late, for
4 us to go ahead and get the meeting started. So,
5 let's do the Pledge of Allegiance to the flag.

6 (Pledge of Allegiance.)

7 MR. WUELLNER: Have we heard anything from
8 Mr. Gorman? Nothing that indicated he wouldn't
9 be here?

10 MS. OCHKIE: Correct.

11 MR. COX: You need to go to that. That's
12 you. It's got you all over it.

13 MR. GEORGE: Oh, is that right?

14 MR. COX: Yeah.

15 MR. GEORGE: All right.

16 MS. OCHKIE: Would you like for me to call
17 him?

18 MR. GEORGE: Let's get the workshop, you
19 know, started. I think that there were a couple
20 of things we were going to get.

21 The first thing, we're going to kind of go
22 through the organization of the Airport, you
23 know, Authority personnel-wise, you know, how we

24 function and stuff like that so that the new
25 members could feel a little bit more comfortable

4

1 with it. Then after that, we'll get into the
2 sunshine laws. I'll turn it over to Ed.

3 MR. WUELLNER: Okay. I'll try and walk
4 through this as quickly as possible, but what --
5 it is going to take a little bit of time, because
6 we felt from a Staff side that not only did you
7 beat me to the punch the day you asked for this
8 meeting, because that was one of the items I did
9 want to make sure we got accomplished here fairly
10 quickly. The other of course was the sunshine
11 law component of that, which I think we had
12 already kind of discussed to get into the -- into
13 the mix of meeting items.

14 What we decided to do is, rather than or in
15 addition to bombarding all the new members back
16 probably in I think it was late November, early
17 December when we gave you a big thick book of all
18 kinds of stuff and said, you know, kind of fend
19 for yourself, that the reality is that probably
20 doesn't happen, in that there's a lot of
21 information in there and it would be very helpful
22 to the new members in particular, and even old

23 members, because we have not done this quite in
24 this format before, get everyone on the same page
25 and understanding exactly what the Airport

5

1 Authority's obligations and role and
2 responsibilities and how that kind of trickles
3 back down to Staff and then kind of introduce
4 those key players so everybody can put a name to
5 a face of exactly what responsibilities are
6 around here.

7 And further, you know, incorporate the
8 sunshine stuff and -- and then hopefully leave
9 today with some bigger picture idea of exactly
10 what the Airport Authority as a whole is, but
11 then further what obligations you can expect the
12 staff to normally accomplish on your behalf on
13 the day-to-day basis; i.e., rather than five
14 individuals attempting to administer the airport
15 in five different ways, you have appointed or
16 delegated or contracted with an individual to act
17 in that capacity, you know, in a unison kind of
18 sense and then further use -- utilize the
19 additional staff and professional resources that
20 you contract for or employ to get the job done on
21 a daily basis.

22 With that, I'm going to -- we've just kind
23 of put a PowerPoint together to walk through the
24 key points of it. I have provided you with a
25 very detailed or fairly detailed book that in

6

1 some respects duplicates some of the information
2 you got back in November and December, and in the
3 case of Mr. Ciriello, a couple of years ago when
4 it came -- you know, detailed copies or copies of
5 the policies and some administrative stuff that
6 we may have handed out at that point.

7 There are some duplications in here. I
8 think in one case, the policy may have been
9 updated since perhaps when you last got them,
10 Mr. Ciriello. And there's at least one here
11 that's been adopted since the time that you came
12 on board.

13 But we want to kind of walk you through,
14 give you an idea what you've already collectively
15 as an Airport Authority accomplished and -- not
16 so much in project work, but accomplished as a
17 board in terms of administering the airport
18 daily.

19 So, we're going to walk you through there.

20 But you have a book here of some details.

21 Familiarize yourself with it. We're not going
22 to -- other than refer to some things that might
23 be in here for you to read at your leisure, we're
24 not going to walk through this book or anything
25 else. We want you to have that as kind of a

7

1 reference copy.

2 Only the first, say, 15 or 20 pages is a --
3 is a new document, one we produced to try to
4 explain -- the balance of it -- the balance of it
5 is largely a compilation of policies, documents
6 that are in our files, determinations from FAA
7 and FDOT, some administrative things that might
8 help you see exactly where we're coming -- coming
9 from when we make statements like, you know, you
10 really can't go that direction or, you really
11 have to go this direction or whatever. During a
12 meeting, it might you have the background for
13 some of that. We do encourage you to read that.

14 I've also enclosed in that book or next to
15 it, I'm not sure how it all fell apart, but
16 you've got a copy of the PowerPoint presentation
17 we're going to do today so you have an idea of
18 what -- something to walk away with and refresh
19 your memory.

20 As you go through, please feel free to make
21 notes on that. It's your copy. You know, do
22 what you -- do what you want with it. But the
23 presentation itself will be available if you, for
24 whatever reason, want a copy at home.

25 Basically, the key items we're going to try

8

1 and cover today is purpose and structure of the
2 Airport Authority, the applicability of rules and
3 regs or laws that are out there, the Authority's
4 responsibility as a whole. The airport
5 regulatory environment; that is, the area in
6 which the airport operates in terms of the
7 regulatory environment out there. Your
8 relationship to professional staff, not only
9 myself, but those you contract with, that you pay
10 for professional services on. Tenant and
11 third-party relationships; exactly how do those
12 relationships get established and how do we
13 maintain them daily. A little bit of an
14 organizational review, to give you an idea who
15 works for whom here and how that organizational
16 structure, because I'm never too sure anybody
17 gets that by the end.

18 The other is how directions to Staff that;

19 i.e., me specifically, are normally accomplished,
20 and the three different -- three or four methods
21 that that's routinely done, walk through that.

22 And then I want to just touch on some key
23 policies that have been adopted that we use
24 day-to-day to administer the airport.

25 And we won't go into great depth in those

9

1 policies. You have -- had copies of those.

2 You've got another copy of many of those here.

3 We'll hit the highlights, just give you the nuts

4 and bolts of what's in the policy, and if you

5 want it detailed, we'll be happy to do that. But

6 that's what we're going to try and accomplish

7 today.

8 The purpose and structure, which is the

9 first section, is we elected to hit you with some

10 historical notes relative to the airport. Not

11 all of this history's well-known.

12 But we thought we'd throw you -- throw it

13 out here, how the airport or aviation started in

14 St. Augustine in the 1890s with literally balloon

15 flights out of this area, just kind of -- so

16 we've had our fingers in aviation for going on a

17 hundred years here, also, in fact, actually more

18 than a hundred years now. We actually had
19 aviation going on in the St. Augustine area prior
20 to the Wright Brothers' first flight. So, it's
21 kind of a -- kind of an interesting
22 anecdotal-type thing that we've gone on that
23 long.
24 1911, the Curtis Aircraft Corporation
25 sanctioned some power boat races with some early

10

1 airplanes in 1911, and I am happy to report the
2 airplane did win, but -- and thank God, we'd
3 probably still be using boats instead of
4 airplanes, or at least set the tone.
5 The movie, The Perils of Pauline, you may
6 have seen that old barnstorming movie from the
7 early 1900s, a good portion of the aerial footage
8 was shot here in St. Augustine. Give you --
9 because it was just an ideal location for some of
10 that. If you ever get a chance to see that
11 movie, you might catch it; however, keep in mind
12 St. Augustine doesn't look anything like it does
13 today.
14 The first airport in the St. Augustine area
15 was built in 1928 but was not here. It was not
16 at this location. It was out off of State Road

17 16 out there and was literally a grass field that
18 kind of served as the basic airport, if you want
19 to say, at the starting point of airports in the
20 St. Augustine area, followed in 1933 with this
21 airport facility being kind of commissioned and
22 started.

23 Obviously, shortly thereafter, World War II
24 broke out. With that, the Navy kind of took over
25 the airport, made some key infrastructure

11

1 improvements, including paving runways and the
2 like. Put us on the map in a sense permanently,
3 like many other airports in the state in
4 particular, but all over the country through the
5 development of World War II assets.

6 We got it back following World War II and
7 there was a short three- or four-year period
8 where aviation was just explosive in terms of
9 development around the country. And we actually
10 had two scheduled airlines here and airmail
11 service in and out of this -- what would be this
12 airport. Of course, it didn't look quite the way
13 it is today. But that was short-lived.

14 By 1950, the airport was largely on the
15 verge of total collapse, you know, cracks and all

16 were filled with grass. The airport was largely
17 shut down. In fact, the whole property was
18 leased to the Moose Lodge here locally for a
19 dollar a year.

20 And I'm not exactly sure -- I've heard some
21 stories, but I'm not exactly sure what they did
22 to it for the next four or five years, at which
23 point the Fairchild Aircraft Corporation jumped
24 out at us, apparently, and revived the airfield
25 as an airfield, came in and manufactured what I

12

1 believe to be the old boxcar aircraft was -- was
2 actually constructed out of this facility and
3 lots of modifications done at that time.

4 That went on until I believe the 1976
5 closure of that facility here in the community,
6 at which point things got a little squirrely for
7 the airport economically.

8 Now, keep in mind a lot of the property that
9 Grumman operates today as well -- which was the
10 old Fairchild Corporation property, which was
11 never Airport Authority property that I'm aware
12 of, is property that was kind of set on the side
13 that was industrial development property that
14 private -- has always been in the private sector.

15 But during Fairchild's reign here, the
16 runways were extended, the -- and finally in
17 1963, the Airport Authority came into existence
18 following a referendum vote by this -- by the,
19 what would have been the airport -- or the City
20 of St. Augustine and the county, and it primary
21 was because the expense of operating an airport
22 was such that the city no longer wanted to do it,
23 didn't feel like there was a lot of potential
24 here for the facility, and as a result, just kind
25 of asked that a -- either the county take it over

13

1 or, in most cases, an authority is born out of
2 this, which is what happened here. The first
3 versions of the Airport Authority started in
4 1963, '64.

5 MR. GEORGE: Is that what happened about the
6 same time that a lot of other airports --

7 MR. WUELLNER: Yeah, it's very common
8 throughout the state. I think it's like one of
9 those, somebody had an idea and it caught on like
10 wildlife.

11 I can tell you with authority that the -- a
12 good example of another one is Hernando County,
13 Brooksville. I mean, you can just about clone

14 these dates, and that's exactly what went on over
15 there with another authority being born.

16 However, they ended up being reigned in
17 substantially in the late '70s and early '80s by
18 the Board of County Commissioners and ended up
19 back under the Board of County Commissioners'
20 purview with an authority but without authority
21 to the Authority. I know that sounds weird. But
22 the first FBO ended up on the field in the mid --
23 in the 1960s.

24 As I mentioned earlier, '76 Fairchild
25 announced its closure. Some very difficult

14

1 economic times in the mid -- mid-'70s there and
2 late '70s, prior to Grumman announcing that they
3 would set up shop in the old Fairchild.

4 Basically took over the entirety of that
5 industrial park that was over there. There was
6 only one other tenant at any time in there, and
7 that was a boat manufacturer that had been there
8 for apparently a few years during the hiatus of
9 aviation activity.

10 About the 1990s, I like to use the term the
11 airport kind of hit its stride. It -- the
12 legwork and the groundwork had been done in the

13 late '80s and early '90s by the Moser family, and
14 Aero Sport as it -- in its infancy kind of got
15 the airport some notoriety. It was still a small
16 general aviation airport from that perspective
17 with the only -- we end up with the nice assets
18 of the runway and all that being a function of
19 our, call it the industrial tenant, but Grumman
20 and Fairchild.

21 And I just made note of 2002 is when the air
22 traffic control tower opened. And of course
23 early this last month or late last month, the ILS
24 finally got commissioned. So, some giant steps
25 have been made.

15

1 During that '90s period also, especially the
2 late '90s, the airport, as evidence of that
3 growth, really got into the development business
4 relative to other construction projects; hangars,
5 taxiways, preservation of assets, a lot of things
6 that we didn't -- and it started anticipating the
7 need for additional property in that time line,
8 too, which is -- largely in the '80s and '90s is
9 when the majority of additional property's been
10 acquired by the Airport Authority for expansion,
11 literally --

12 MR. GEORGE: When did you come here?

13 MR. WUELLNER: -- doubling the physical
14 characteristics of the property.

15 MR. GEORGE: When did you come, here, Ed?

16 MR. WUELLNER: I got here in 1996, January
17 of 1996. So, I'm just finishing or finished my
18 seventh year early January, so...

19 MR. GEORGE: Okay.

20 MR. WUELLNER: I haven't begun the eighth.

21 All right. Next item I've got's the charter.

22 I'll let -- I'm going to let George kind of pick

23 it up from that and hit the highlights of the

24 charter.

25 MR. McCLURE: I wish I had the interesting

16

1 part. The three-ring-bound materials are the
2 things that I brought for you to -- to take with
3 you. I'm going to try and do this in a way that
4 you don't have to make reference to it today, but
5 can look at it as a resource for questions that
6 may come up in the future. I think in the
7 back --

8 (Mr. Gorman enters the room.)

9 MR. McCLURE: -- little pouch in these is
10 where you should see something that's captioned

11 at the top, Chapter 2002-347. If it's not in the
12 front, it's in the back. If it's not in the
13 back, it should be in the front. If you don't
14 have either one, I'll get you another copy of
15 this. But I'll go over it. You don't need to
16 read it now.

17 The original charter for the Airport
18 Authority was passed by the Florida legislature
19 in 1963. And then what would happen is that
20 periodically there would be amendments to the
21 statute that was passed in '63. And what they'd
22 do is they'd say, you know, "Section 4, Paragraph
23 3 is amended to read as follows."

24 And so you'd have to look at about four or
25 five different documents in order to figure out

17

1 what the current rules were that the airport
2 operated under.

3 Well, in 1999 or so, the legislature said we
4 want all the independent service districts to
5 come up with a codified charter, meaning put
6 everything in one document so that you can look
7 at it. And our time for getting that done was by
8 2003.

9 We beat it by a year and were able to

10 compile all of the changes that had been made,
11 and the legislature passed a single instrument,
12 and that's this House Bill 9 -- 939 that
13 represents the charter for the Authority.

14 We are what's called an Independent Special
15 Service District, and those are governed by
16 Chapter 289 of the Florida Statutes. And there
17 are other examples in St. Johns County. The
18 Mosquito Control District is an Independent
19 Special Service District. The Municipal Service
20 District in Ponte Vedra is an Independent Special
21 Service District. And what these are, are
22 independent units of local government that the
23 Florida legislature establishes to accomplish a
24 particular purpose.

25 In the case of the Mosquito Control

18

1 District, it's to provide extermination of
2 mosquitos through the area that it encompasses.
3 Municipal Service District is to -- to augment
4 county services in the Ponte Vedra area.

5 In our particular case, we have what was
6 probably not the best iteration of what our
7 authority and responsibilities were, but it's the
8 one that dates back to 1963, and that is that the

9 Airport Authority's purpose is to acquire,
10 construct, maintain, and operate airport
11 facilities, warehouses, hangars, repair
12 facilities, seaplane bases, and all other
13 facilities incident to the operation of airport
14 facilities. So, it's a very broad, although
15 obviously airport-related charge, that is the
16 major statement of the purpose of the Airport
17 Authority.

18 In addition to that, you are authorized to
19 engage in instruction, meaning aeronautical
20 instruction, research in aeronautical fields, and
21 to engage in the promotion of aeronautical
22 development. That's broad language that dates
23 back to '63. I'm sure that creative people could
24 read a lot of authority within the context of
25 that paragraph.

19

1 Thirdly, and this is one thing that was new,
2 at least in -- in expressing it clearly in the
3 charter when we recodified it in 2002, and that
4 is that the Authority is authorized to and has as
5 a purpose to conduct -- conduct such activities
6 as are necessary to create and support a
7 multimodal transportation system to interconnect

8 with and to support the airport activities.
9 This came up in the context of the -- the
10 discussion about whether or not AMTRAK was going
11 to locate a passenger service facility and the
12 thought that there would be a very supportive
13 environment to locate all of our important
14 transportation facilities in one area, to combine
15 bus service, train service, taxi service, rental
16 car service, airport service, all at one
17 location. And there was a question as to whether
18 or not the charter was broad enough to support
19 being engaged in the recruitment and assistance
20 in construction -- in constructing a multimodal
21 facility.

22 So, last year, the legislature gave us
23 their -- their stamp of approval, that if the
24 Authority wanted to engage in this, it could do
25 so, but only if it was in connection with and

20

1 supporting the airport services.

2 So, for example, this Authority would not
3 have the right to buy land out on State Road 16
4 and build a bus terminal or to get into something
5 that was not directly related to the airport
6 activities.

7 You're not required to do any of the things
8 that are contemplated under here. You are
9 authorized to do all of the things that are
10 contemplated under the purpose of the charter.

11 MR. GEORGE: George? Excuse me.

12 MR. McCLURE: Yes, sir.

13 MR. GEORGE: Who initiated the action at the
14 legislature to add this, or was this done with us
15 on a vacuum? Adding the --

16 MR. McCLURE: No.

17 MR. GEORGE: -- multimodal?

18 MR. McCLURE: I would say that it came at
19 our suggestion. It came at the Authority's
20 suggestion, because when the idea that -- that
21 you could have a single hub of transportation
22 services came up and the Authority board at that
23 time was saying, well, if we want to get involved
24 in this, is it clear that we can do so, we
25 requested the legislature to include this

21

1 language in the charter --

2 MR. GEORGE: Well, do you --

3 MR. McCLURE: -- in 2002.

4 MR. GEORGE: To your knowledge, do you know
5 if there was any objection to that?

6 MR. McCLURE: No --

7 MR. CIRIELLO: Yes.

8 MR. McCLURE: Uh-huh. Go ahead, Joe.

9 MR. CIRIELLO: Me. I didn't want it in

10 there --

11 MR. GEORGE: Okay.

12 MR. CIRIELLO: -- and everybody on the board

13 knew it, but I was always outvoted.

14 MR. GEORGE: Okay. Well, but the board

15 unanimously did it. So, I'm just trying to find

16 out was there any objections from county, city,

17 anybody else that was vocal on it.

18 MR. McCLURE: There -- to my knowledge,

19 there was no opposition, certainly at the

20 legislative level, to the inclusion of this. I

21 think that there were discussions occasionally

22 about what the appropriate location of a -- of a

23 multimodal facility should be, whether or not it

24 should be next to the airport or not next to the

25 airport.

22

1 So, I think that the discussion was not so

2 much whether, if it were done here, is the -- is

3 it okay for the Airport Authority to participate

4 in it, but rather should it -- is this the right

5 location?

6 MR. GEORGE: Okay. It's good to see that
7 that's in the charter --

8 MR. McCLURE: And if it were another
9 location, it's probably something that we can't
10 do.

11 MR. GEORGE: -- just in case it comes up
12 again.

13 MR. WUELLNER: I would also tell you that
14 not only was it done at Authority meetings,
15 multiple meetings was this brought up -- because
16 I know Mr. Ciriello brought up having it removed
17 from the tentative charter, if you will, or the
18 proposed charter.

19 It was -- that was done several times, voted
20 on by this board. But it also, as a matter of
21 requirement to get it into the legislative
22 process, another public hearing is required, and
23 that public hearing is conducted by the
24 legislators, the local legislative delegation,
25 which was done the -- I want to say the January

23

1 prior to the session.

2 They're required to have all of these things
3 out on the table, so to speak, in another public

4 meeting. And literally your legislator probably
5 won't bring it forward with any significant
6 public opposition, because one of the things
7 related to local bills are, if they're -- if
8 they're controversial, they don't want to deal
9 with them.

10 MR. GEORGE: Okay.

11 MR. WUELLNER: They certainly don't want the
12 entire state legislature bringing that local item
13 into focus.

14 MR. GEORGE: Okay.

15 MR. CIRIELLO: Yeah, I want to clear up
16 something. When I objected to that being put in
17 the charter, it wasn't so that I was 100 percent
18 against the idea.

19 It's my understanding, George, correct me if
20 I'm wrong, that according to the broad statements
21 of the charter, we could darn near do anything we
22 wanted. So I didn't think that we specifically
23 needed to mention the multimodal unit, because if
24 we wanted to, we could do it anyhow.

25 MR. GEORGE: Yeah.

24

1 MR. CIRIELLO: So, just -- that was mainly
2 why I didn't want to put it in there, because it

3 pinpointed specifically multimodal, when we could
4 do that without it being specific. That's the
5 main reason I objected to it, not the idea.

6 MR. WUELLNER: And one of the main reasons
7 it was in there, was in the area of being
8 preemptive. If the Authority spent money that
9 later was challenged as being outside of the
10 scope of authority and at some point it was
11 determined that indeed we were outside of the
12 original language when we -- when or if we ever
13 expended money on the multimodal facility, we
14 felt that -- a specific authorization in here
15 ended all discussion as to whether it was a legal
16 expenditure by the Airport Authority, whether you
17 ever did it or not. Again, it's not an
18 obligation.

19 MR. GEORGE: Okay. Well, thanks for the
20 background on it. That's -- that makes it a lot
21 clearer.

22 MR. McCLURE: One of the things that Joe was
23 talking about there that was included in the
24 charter language from the inception, which was
25 questions have come up about our warehousing land

25

1 for future purposes, such as the residential area

2 behind us or the industrial lots that are across
3 the street from us.

4 And so, in the context of that, there -- we
5 could have looked to language that probably was
6 originally intended for those purposes, and that
7 is a sentence that provides that property of the
8 St. Augustine-St. Johns County Airport Authority
9 may be utilized for purposes which are not
10 related to aviation. And so, that -- that
11 sentence probably could have been a hook to hang
12 our hat on, but we just thought that if it was
13 something that we wanted to get into, we ought to
14 say it specifically.

15 MR. GEORGE: Okay.

16 MR. McCLURE: In support of the purpose of
17 the Airport Authority, you're granted certain
18 charters under the -- certain powers under the
19 charter.

20 The charter, first of all, and of course
21 this is one that comes up every time you start a
22 budget meeting or a campaign, and that is the
23 authority to levy a tax, and that is that the
24 Airport Authority boundaries are coextensive with
25 those of the county.

1 The whole county is the area covered by the
2 Authority. And you're authorized in your
3 discretion to levy an ad valorem real property
4 tax on real and personal property within the
5 boundaries of the district up to .5 mills. And
6 I'm not sure that we calculated what the maximum
7 revenue that that could generate is. These days,
8 it's probably a bunch, given how much the
9 valuation has gone to.

10 MR. WUELLNER: It would have to be -- given
11 your existing millage rate, it would have to be
12 about 5.5 million, would be the total --

13 MR. COX: What's the millage rate now?

14 MR. WUELLNER: -- at today's tax base.
15 You're currently at 2.3 something.

16 MR. COX: Okay.

17 MR. WUELLNER: Or, excuse me, .23.

18 MR. COX: .23.

19 MR. WUELLNER: I do that all the time.

20 MR. GEORGE: Every year, it's come down.

21 MR. WUELLNER: Well, in the last three
22 years, it has.

23 MR. GEORGE: Okay.

24 MR. McCLURE: In addition to that, and the
25 little second bullet point there about enter into

1 contracts, et cetera, probably could be a whole
2 bunch longer, but it really is essentially you're
3 conferred the rights that any business entity
4 would have in order to carry out its function.

5 You can enter into contracts. You can hire
6 Mr. Wuellner. And the authority to hire an
7 airport manager is specifically expressed in the
8 charter. Hire consultants. Hire attorneys.
9 Hire accountants. Hire employees. You have the
10 right to sue and be sued in your own name.

11 You have the authority to make -- make
12 commitments as an authority to carry out those
13 purposes, enter into leases. You can acquire
14 real property. You can dispose of that property
15 if you find that it is surplus and that you don't
16 need it anymore. So, all of those things that
17 you would, as business people, associate with
18 just the normal activities of carrying out a
19 business.

20 In addition, for purposes of revenue
21 generation, you have the authority under the
22 charter to issue bonds and revenue certificates.
23 Now, revenue certificates are a peculiar animal
24 and they are that if you have an immediate
25 short-term need for cash, you have the authority

1 to give what are called revenue anticipation
2 notes, and that means that I'm going to get
3 revenue within the next year, and I need cash
4 now, so I'm going to pledge the revenue that I'm
5 going to get within the next year.

6 Usually, under Florida law, you cannot make
7 commitments which extend -- financial commitments
8 that extend in the form of bonds or loans or
9 things like that, beyond the fiscal year in which
10 you're -- you're presently operating, and that's
11 a limited exception to that.

12 In addition, bonds are pledges of the
13 Authority's assets. And there are two kinds of
14 bonds that can be issued. One is what's called a
15 full faith and credit bond. And a full faith and
16 credit bond says I am pledging the full faith and
17 credit of this Authority that this bond is going
18 to be repaid. And that means that if for some
19 reason, my revenue's short or I'm not getting the
20 revenue from leases or whatever it may be, I will
21 tax to the limit of my authority in order to get
22 the revenue to pay back the bonds. That kind of
23 bond requires a referendum to the electors in
24 your Authority boundaries, which means all of St.
25 Johns County.

1 The other kind of bonds are -- are
2 essentially revenue bonds, and that means that,
3 as a bond holder, you're the bank or whatever
4 that's going to lend the money, you want some
5 security for repayment. You can, without a
6 referendum, pledge a security interest in your
7 revenue.

8 So, if you say, look, I pledge -- I've got
9 leases from Grumman and from all of the people in
10 the hangars and from Aero Sport and from
11 Southeast Aviation and my revenue is the
12 following amount per year and I will pledge to
13 you an assignment of that revenue as security for
14 the bond that I need to raise this money with or
15 other sources of revenue that may exist, then you
16 can do that as an authority by your vote without
17 resorting to a referendum.

18 So, if, for example, you were to decide that
19 there were significant improvements or land
20 acquisition that you wanted to do but did not
21 want to go through the complex referendum
22 process, that is a route that you could follow
23 based only upon a majority vote of this
24 Authority.

25 MR. GEORGE: Would that apply in case

30

1 Customs wanted to move here and have a big
2 demand --

3 MR. McCLURE: Yes.

4 MR. GEORGE: -- for us to put facilities, we
5 could pledge the revenues trained from their
6 lease for the facility?

7 MR. McCLURE: Yes.

8 MR. GEORGE: Is there a limit?

9 MR. McCLURE: The only limit that you have
10 is a time duration limit on the bonds and that is
11 that the maturity of the bonds cannot exceed 40
12 years.

13 MR. GEORGE: Okay.

14 MR. McCLURE: And so you have -- and if
15 we -- I don't think we're going to get Customs to
16 sign a lease for 40 years.

17 I mean, anything short of that, and in terms
18 of -- and the experience of the hospital and
19 elsewhere gives us the realization that these
20 bonds are rated in terms of what they think the
21 strength of the revenue is that's going to come
22 in, what the length of time that the funds are
23 outstanding.

24 So, all of those things go into the factor
25 of what kind of interest rate you're going to get

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1 on the bonds, how they're going to be rated, all
2 of those kinds of issues.

3 MR. WUELLNER: Keep in mind you don't -- you
4 wouldn't be limited to just the revenue of
5 Customs in that example.

6 MR. McCLURE: Yes.

7 MR. GEORGE: I understand.

8 MR. WUELLNER: You can pledge all the
9 balance of the revenue of the Authority except
10 the tax base.

11 MR. McCLURE: And in addition, in order to
12 carry out the purposes that you have --

13 MR. WUELLNER: Just one more point, because
14 it occurred to me. You would have the ability to
15 pledge ad valorem revenues in this sense: As you
16 appropriate on an annual basis, you can
17 appropriate ad valorem revenues to pay the bond.
18 But you cannot use that as a guarantee of the --
19 of revenue.

20 MR. GEORGE: Okay.

21 MR. WUELLNER: You're not obligated -- or
22 you're not allowed to obligate future ad valorem

23 revenues beyond the current fiscal year.

24 MR. McCLURE: Good point.

25 MR. GEORGE: Gotcha.

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1 MR. WUELLNER: You could -- otherwise, it

2 falls into the --

3 MR. COX: So that wouldn't have to go to a

4 referendum, then.

5 MR. WUELLNER: Exactly. That would be a way

6 of bypassing the problem.

7 MR. McCLURE: Ed's -- Ed's point is very

8 well taken, and that is that this relates only to

9 what you can offer as security for the bond, not

10 what you can use to pay the bond.

11 So, you could have the comfort that you --

12 if for some reason there was a shortfall, future

13 boards would have the authority to use the ad

14 valorem to supplement it, but you cannot commit

15 them to do that, and the bond holder cannot have

16 that as a security, that you've made a covenant

17 that you will appropriate in the future.

18 MR. GEORGE: Okay.

19 MR. McCLURE: And lastly, and this was of

20 course the thing that previous boards have

21 wrestled around with some, and that's when to use

22 this and when not to use it, and that is that you
23 have a right of eminent domain.

24 And eminent domain is the authority of the
25 government to take by lawful process the private

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1 property of others when it is for a public
2 purpose and when you pay value for -- fair market
3 value for that asset.

4 And of course the real issue that you get
5 into most of the time is whether or not it's got
6 fair -- what the fair market value is. On
7 occasional -- in occasional circumstances, and it
8 is very rare but it has happened, sometimes
9 people will debate whether it's taken for a
10 public purpose.

11 And some have raised in some of these
12 meetings before about whether acquiring land when
13 you don't have an immediate plan of development
14 for it, whether or not that is for a public
15 purpose or not -- I'm getting beyond the scope of
16 the presentation, probably, but that's one that I
17 think we're comfortable with -- particularly with
18 the language of the charter being -- talking
19 about using it for nonaviation reasons and the
20 fact that we have master plans that support what

21 the expansion activities of the airport have
22 been.

23 But the two requirements for eminent domain
24 are that it's being taken for a lawful -- for a
25 public purpose and, number two, that you're

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1 paying fair market value for it.

2 The charter is not very long to read. Let
3 me go on to the next slide and talk to you about
4 a couple of things that have -- that came up
5 rather prominently before.

6 The Authority in the charter is granted to a
7 five-member board, and the five-member board has
8 the staggered terms that you're accustomed to.
9 The charter itself specifies your high rate of
10 remuneration and pay. And so, in order to get a
11 raise, you'd have to talk to the legislature
12 about it.

13 And the charter also provides, which is not
14 the case in some bodies around here, like the
15 City of St. Augustine Beach, a quorum is three
16 here. And that means under our rules, that a
17 majority of a quorum can act lawfully. So, you
18 could theoretically have two of five members make
19 a binding vote of this board. If only three

20 people showed up and it passed two to one, that's
21 a binding action. The City of St. Augustine
22 Beach's charter requires three votes for any
23 action, and so if they only have three show up,
24 they've got to be unanimous. But that's not the
25 case here.

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1 There are some limitations on membership,
2 and this is what got us in a big constitutional
3 argument a couple of years ago, and that was that
4 no one can be an employee of the City of St.
5 Augustine, the County of St. Johns, or the State
6 of Florida, except if you're a National Guard
7 member or a notary public; that's not construed
8 to be a position which -- which disqualifies you
9 from service.

10 There are a couple of things that have crept
11 into this and the legislature kept that language.
12 There was some question about whether or not --
13 because of our litigation on that issue, whether
14 people felt like it was antiquated or not. But
15 for whatever reason, our legislative delegation
16 and the legislature kept that language in.

17 One that we didn't talk to them about but
18 that in my office we scratched our heads about a

19 couple of times about, oh, my gosh, what are we
20 going to do if this ever comes up, is that it
21 technically says that no more than two of the
22 members of this board can be engaged in an
23 aviation business.

24 I don't know what an aviation business is.

25 I mean, there are some that you can say, yeah,

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1 well, of course, he's got a charter operation
2 that flies out of the airport, he's the FBO,
3 whatever it may be. If you have a machine shop
4 in -- on Dobbs Road and you're milling parts for
5 Grumman, I don't know if you're in the aviation
6 business or not.

7 And the question has come up in our just --
8 I mean, it's not like we sit around and have deep
9 theoretical conversations. This is more of an
10 over-the-lunch conversation. What do we do if
11 there -- if we have somebody who takes a job with
12 Northrop Grumman after he or she is already on
13 the board?

14 And I'm -- I'm confident that when this --
15 which dates back to the original 1963 charter,
16 I'm confident that what they didn't want to
17 happen was that the Authority became the fiefdom

18 of the people who made their living out at the
19 airport, that it wasn't the FBO and the -- and
20 Fairchild Hiller and somebody else who could pass
21 taxes to support their own particular activity.
22 They wanted representation by the county.
23 But the language can -- could conceivably
24 create some real confusion and difficulty.
25 Nothing -- nothing has come up yet, and knock on

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1 wood, it won't.

2 Lastly, and one thing that I think is
3 important is that the charter makes absolutely no
4 reference to any individual board member having
5 any authority. We don't have a mayor. We don't
6 have a county manager. We don't have anything
7 like that.

8 It provides that the board on an annual
9 basis votes to decide who its chairman is, who
10 doesn't have any more authority than the rest of
11 the members, other than to hold the gavel at the
12 meeting. But none of you individually are
13 granted any authority.

14 So if, for example, a board member were to
15 decide that there was a particular business
16 opportunity that was a good deal or you ought to

17 use So-and-So is the best qualified person on the
18 following job, we need to hire him right now and
19 go into Ed's office and say, "You really need to
20 do this," no matter how well-intentioned your
21 thought or your instructions or how accurate or
22 valid they are, Ed's responsibility and all --
23 everybody's responsibility on the staff and as
24 your consultants is to act on the policy of the
25 board that it -- that it adopts at a public

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1 meeting by an affirmative vote.

2 And so, oh, I don't know, if you were out on
3 the tarmac and you saw somebody fueling their
4 plane wrong and you went to say, "You know,
5 you've got to do this," or, "You've got to do
6 that," or, "I'm going to do whatever," well,
7 about the best you can do is give them your
8 advice and then come back to the next meeting and
9 say, "We have a problem in the following that I
10 observed and recognized and I think we ought to
11 adopt a policy."

12 You can certainly adopt policies that have
13 to be implemented and that you can point out to
14 the -- to the staff if they're not. You're
15 entitled to access to information, to

16 communication with all of your staff. But it is
17 important to remember that none of you
18 individually has any authority. It is the board
19 that has the authority collectively to make
20 policy and to see that it's carried out. See
21 what's on our next chart.

22 MR. GEORGE: I have a question --

23 MR. McCLURE: Yes, sir.

24 MR. GEORGE: -- of a similar nature. Let's
25 say that I wanted to see a listing of all the

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1 construction projects for the last five years,
2 what the cost of construction was and the annual
3 revenue that those were bringing in so that I
4 could determine a rate of return, you know, or
5 something of that nature.

6 If I go to Ed and ask him to do that and he
7 turns around to the accountant to ask him, then
8 we in essence are spending money, because I asked
9 for it. But I don't know when I get these
10 little -- I don't know how far -- I guess I'm
11 using Ed as, no, we need to get the -- going to
12 spend a lot of money with that, we need the board
13 to approve that. But I don't know how we go
14 about getting things on the agenda.

15 I know that there are a lot of things that
16 each one of the new people have talked about
17 during their campaign of things that they would
18 like to see. We're into the second month. And
19 it would be nice to have some vehicle that we all
20 could sit down and say, okay, here's what I think
21 the direction we ought to be going -- the
22 direction we ought to be going and come up with
23 some ideas.

24 I don't know -- with the sunshine laws, I
25 can't talk to them about them. And I can't ask

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1 Ed to go off and spend money on it. So, would
2 you comment on that, please?

3 MR. WUELLNER: Very near the end of this
4 presentation, we'll go over that. We had a
5 section, you probably noticed from the beginning,
6 that said directions to Staff --

7 MR. GEORGE: Okay.

8 MR. WUELLNER: -- and it gives the
9 methodologies or the methods that are available
10 to you collectively for providing direction to
11 us.

12 MR. GEORGE: Okay.

13 MR. WUELLNER: And some of that's very

14 formalized. Some of it's not. But it's kind of
15 established and, you know, can be modified as we
16 go. But I have some limited authority to
17 appropriate money, given via another policy that
18 the entirety of the board has given me
19 specifically.

20 MR. GEORGE: Okay.

21 MR. WUELLNER: So, you're not appropriating
22 it. By asking me or by coming through me, if the
23 resources need to be expended, we'll do it in
24 most cases. If it begins to look like it's an
25 excessive request, something that's -- that is

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1 going to be very, very expensive to answer, then
2 we'll probably ask you collectively --

3 MR. GEORGE: Fine.

4 MR. WUELLNER: -- to either appropriate the
5 money or validate that request so that, you know,
6 everybody's covered on it. There'll be a comfort
7 level that we'll help you find.

8 MR. GEORGE: Any of the board members have a
9 comment? Joe?

10 MR. CIRIELLO: I was going to ask another
11 question on this charter thing, but not related
12 to what you said.

13 MR. GEORGE: Okay.

14 MR. GORMAN: As far as agenda items?

15 MR. GEORGE: Yeah, about agenda -- how we
16 get things on the agenda.

17 MR. GORMAN: I think agenda items, at each
18 board meeting, at the end of the board meeting,
19 after Staff makes their agenda item
20 recommendations, the board should -- each
21 individual man should make their own -- make
22 their own agenda item recommendation.

23 MR. GEORGE: For the upcoming meeting.

24 MR. GORMAN: For the upcoming meeting, yes.

25 MR. WUELLNER: If we could, you've got a

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1 meeting conduct policy, that -- if you want to
2 modify that and make those inclusions, that's the
3 document we want to modify and do. We'll hit it
4 in a cursory fashion here. I know you already
5 have a copy of those in the big thick book of
6 stuff you probably didn't want to read.

7 MR. GEORGE: Oh, no. We read every bit of
8 it.

9 MR. WUELLNER: It's not a long policy.
10 There's a copy even made and included in this
11 document we gave you earlier today, too.

12 MR. GEORGE: Okay. As long as you're going
13 to cover it.

14 MR. WUELLNER: So we'll touch on it.

15 MR. GEORGE: I'm just -- I'm concerned that
16 I'm going to bog down your presentation. And
17 we're going to get closer to it. So, I'm sorry,
18 go ahead.

19 MR. WUELLNER: I think you're --

20 MR. McCLURE: Yeah.

21 MR. GEORGE: Joe had a --

22 MR. McCLURE: Joe had a question.

23 MR. WUELLNER: I'm sorry.

24 MR. CIRIELLO: Yeah. You're talking about
25 this charter and the codification and everything.

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1 Without pinpointing exactly, when did this latest
2 charter codification start? What, about a year
3 ago?

4 MR. McCLURE: It --

5 MR. WUELLNER: I want to say it was
6 technically ten days upon the final approval of
7 the Governor.

8 MR. CIRIELLO: Which was about a year ago.

9 MR. WUELLNER: Approximately.

10 MR. McCLURE: May of last year.

11 MR. CIRIELLO: Okay. Now, is -- is there
12 any rules that says that we can redo this
13 whenever we want or every so often or --

14 MR. WUELLNER: You can do it annually.

15 MR. McCLURE: Yeah, you can make any changes
16 that you want to make, but recognize that you've
17 got to convince our local legislative delegation
18 that it's a good idea, because it's a -- you
19 don't have the authority to amend the charter;
20 the legislature has the authority.

21 MR. CIRIELLO: Well, yeah, but --

22 MR. McCLURE: But if you had
23 recommendations, it's probably, for example, too
24 late this year, because you have to prefile all
25 special bills and go through that hearing process

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1 that Ed mentioned about local bills.

2 But I'll tell you that our charge was to
3 codify it, and with the exception of the
4 multimodal, we pretty much were just trying to
5 get the previous original charter, and I think
6 there were seven amendments all put in one
7 document. And there's probably room for
8 improvement in this charter.

9 Some of the language about revenue bonds and

10 things like that is a little fuzzy. It talks
11 about the board in some cases, the Authority in
12 some other cases. And that fuzziness makes bond
13 lawyers nervous.

14 MR. WUELLNER: The other -- the other
15 purpose of the codification was to bring in all
16 of the Florida Statutes that have been passed
17 since the last time.

18 So, there -- there were modifications to the
19 specific language. They weren't really directed
20 by the Authority; they were legislatively driven.
21 Such as they -- the State adopted different
22 bonding rules and regulations. Those are now the
23 current language that's in your charter. Just
24 little things like that.

25 That's one of the reasons the State required

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1 the codification of every special district, was
2 you had 4 -- it was something like 5,000 or
3 50,000, I can't remember. There's a ton of these
4 special districts all over the state all having
5 different, dissimilar rules necessarily, and the
6 whole idea here was to put them all on the same
7 page at least as of the end of 2003.

8 MR. CIRIELLO: The reason I bring this up is

9 I want these new board members to know that when
10 we was going through this charter codification,
11 if you guys remember, I was the -- objected to
12 the multimodal specifically being pointed out. I
13 objected to this, what you just described,
14 limitation of membership. I wanted that
15 expanded. I think this is too limited. And I
16 guess by law, I couldn't have done it even if I
17 got everybody to agree to it, take out that
18 eminent domain. You know I hate that with a
19 passion. But I --

20 MR. McCLURE: Well, actually, but you could
21 take it out.

22 MR. CIRIELLO: -- I made a promise more or
23 less to myself and anybody that was here at the
24 meetings hearing me that down the road when we
25 got a new board in place, that I didn't have

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1 three guys against me all at one time, that I was
2 going to bring this back up and try to get that
3 limitation changed. I think it's too
4 restrictive.

5 So, I'm just warning these guys right now
6 that I'm -- I don't know when I'm allowed to
7 bring it up or how I'm going to do it, but I'm

8 going to have some future discussion on trying to
9 change that part of the charter.

10 MR. McCLURE: Well, just to -- just to chuck
11 two cents in on the issue of -- just to restate I
12 think some of the advice that I gave Ed and some
13 of the board members back then is, what you have
14 to evaluate is -- is to what degree do you want
15 to limit options?

16 And there are times that even the
17 legislature, for example, has thought that's an
18 appropriate thing to do. The eight is enough
19 rule, you know, you can be in the legislature
20 eight years and then you've got to go, is an
21 example of limiting people's options. It's
22 saying we're going to take one candidate away
23 from you every eight years, or one potential
24 candidate.

25 In this case, the question is: Do you want

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1 to tie yourself to the mast and say I'm not going
2 to give myself the authority to do eminent domain
3 or do multimodal if I want to? Because there's
4 nothing that says that you have to. It's only
5 whether or not you want to --

6 MR. WUELLNER: Right.

7 MR. McCLURE: -- keep the option. And by
8 eliminating those options, you -- you can prevent
9 future boards from doing something that you don't
10 think is the right thing to do. But it is a
11 limitation of an option.

12 And in general, in -- with private clients,
13 we like to advise them, it's always best to keep
14 as many options open for as long as you can.
15 There are circumstances where I recognize it's
16 not that -- that may be something that a body
17 doesn't want to do.

18 So, I've got no -- no personal opinion about
19 whether eminent domain or multimodal is a good
20 thing to do or a bad thing to do. But in terms
21 of the charter, we were thinking that we couldn't
22 see a downside to at least including the
23 authorization.

24 MR. WUELLNER: And via process-wise, any
25 legislative change, we need to -- you know, if

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1 you want to do something like that in any year,
2 we typically need to get that out there and
3 working with the legislature by November, in most
4 cases, of each year. You can do it in January,
5 but you're going to wait the following

6 legislative year.

7 MR. GEORGE: Right. Okay.

8 MR. CIRIELLO: I want to concentrate on the
9 limitation of membership more than the eminent
10 domain --

11 MR. McCLURE: Right.

12 MR. CIRIELLO: -- and multimodal. Those
13 two, I can live with those.

14 MR. McCLURE: And I agree with Ed and I
15 actually think it might need to be even a little
16 bit earlier, because you would want to make sure
17 that if you instructed us to come up with some
18 language, that we got it done and to your
19 approval by late summer or early fall to then get
20 it to the legislative delegation, because their
21 staff likes to go through it and they spend a lot
22 of time making sure that they think everybody
23 that cares about it is comfortable with it.

24 And frankly, it's probably -- for y'all's
25 purpose, it's probably good in the year in

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1 between elections to do those kinds of things.
2 You don't have to worry about starting a process
3 that all of a sudden you get a new board in the
4 middle of. So this, if you're going to do this,

5 this would be a good year to do it.

6 The Florida legislature has adopted a
7 specific statute relating to public ethics. And
8 in the front of your book, hopefully you should
9 have this little 5 x 7 handbook that is the
10 Florida Commission on Ethics, 2003 Guide to the
11 Sunshine Amendment and Code of Ethics.

12 And it's a lot of text, I guess. It's not
13 that bad. It's maybe 20 pages long. That I
14 really think comes down to a common sense kind of
15 rule. And there is -- and listed in here, there
16 is an ethics hotline.

17 So, if you have any particular question
18 that -- that there's something going on that
19 you're uncomfortable with or you want some
20 advice, they encourage you to call that hotline.
21 It is -- there is no downside to it. It's not
22 like they say, "Oh, we've got to watch what this
23 guy's doing."

24 But it really come -- boils down to a few
25 simple things. Number one, acceptance of gifts.

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1 And that is that if -- it doesn't mean your wife
2 can't give you a Christmas gift, but it does mean
3 that if somebody who has some relationship to you

4 in your official capacity gives you a gift -- and
5 it used to be 50 bucks; I think it's now a
6 hundred bucks, is the standard that it's worth
7 over that amount -- then you cannot accept the
8 gift if you feel like it's being given to you
9 because of that -- of the position that you have
10 on this board.

11 So, if somebody wants to -- if -- if your
12 consultant comes in here and says, you know, "I'd
13 like to buy you lunch and take you for a round of
14 golf to talk with you about airport things," if
15 it's under a hundred bucks, you're okay to do it.
16 If it's over a hundred bucks, you're going to say
17 no. You cannot obviously solicit compensation.
18 That's a no-brainer.

19 You generally cannot vote on a matter which
20 would enure to your private benefit or detriment.
21 And I just put benefit here, but that includes
22 detriment. And typically this means financial
23 benefit or detriment, and it must be to your
24 special benefit or detriment. And that means
25 that if you're passing to increase taxes and you

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1 own property in this county, you're treated the
2 same way that everybody else is and it may have

3 some financial impact on you, you're not
4 precluded from voting on it. If however you have
5 a special benefit or detriment, you have --

6 MR. WUELLNER: Like your home or something.

7 MR. McCLURE: Yeah. If you were -- we were
8 going to buy your home and you were going to
9 approve that contract or you had an
10 airport-related business and you were going to
11 cast the vote in connection with approving the
12 lease agreement, something like that, you're --
13 you're not authorized to vote on it.

14 The ethics rules, the ethics handbook here
15 tells you the procedure for filing a memorandum
16 as to why you had a conflict and why you could
17 not vote. And the corollary that is surprising
18 to people sometimes is that if you do not have a
19 special benefit or detriment, you are required to
20 vote by Florida Statutes.

21 So, whereas in -- in a private board that
22 you may belong to you may choose to abstain from
23 a vote, you feel like you don't have adequate
24 information, your -- for whatever reason, there's
25 a personal reason why it may be awkward for you

1 or whatever, unfortunately on this body, unless

2 you have a conflict, a voting conflict, you
3 cannot abstain from voting. And lastly,
4 obviously, you can't use -- misuse your office,
5 and that is defined in the ethics rules fairly
6 clearly.

7 Now, this last one that's on the PowerPoint
8 is an example of my poor computing skills and
9 that is that there is no ethical violation to the
10 ownership, acquisition or operation of airplanes,
11 seaplanes, and lighter-than-air craft. That was
12 intended to be a bullet on the section involving
13 the powers of the Airport Authority.

14 So, you do have the power yourself as an
15 authority to own, acquire and operate planes,
16 seaplanes and lighter-than-air craft. And if
17 anybody -- and if anybody would like to acquire
18 the airport attorney aircraft for its operation,
19 I'll be happy to talk with you about that later.

20 MR. WUELLNER: The other -- the only other
21 point I'd make related to ethics or the -- the
22 filing of a conflict does require the specific
23 filing of a specific form with the Florida Ethics
24 Commission.

25 So, if you ever find yourself needing to

1 abstain for an actual conflict, talk to us; we'll
2 get you the right form. We usually keep the
3 latest and greatest version of it on file. If
4 not, we can get it off the -- their web site and
5 make sure you get the correct form filed. There
6 is a penalty for not filing the form or filing
7 the incorrect form in a timely manner, and you
8 can be brought up on charges based on that, too.

9 So, you will also -- another thing we didn't
10 really hit on, but you will be required -- you
11 had to file a financial disclosure form in order
12 to run. You will also be required to file that
13 annually. And that typically happens, I want to
14 say it's like June or July each year, that you'll
15 get that form probably to your house from -- it
16 will come from the Supervisor of Elections, and I
17 believe it's returned to the Supervisor of
18 Elections as one of their tasks.

19 I have to file that. There are literally a
20 handful of positions as well as all elected
21 officials have to file this form on an annual
22 basis. And it's -- you can be in trouble for not
23 filing that, too. They'll give you one chance to
24 get it corrected real quick and then you start
25 incurring fines and penalties, and you can be

1 removed from office.

2 MR. McCLURE: Thanks. The -- I didn't give
3 you a long list of bullets on the sunshine law,
4 because it's -- all we wind up doing is asking
5 what if, what if, what if, and be here the rest
6 of the afternoon talking about all of the
7 hypotheticals that we can all come up with.

8 The basic concept of the Florida sunshine
9 law -- and that's a term that's used all over the
10 country now, and the reason that they use it is
11 because Florida was really one of the first to
12 adopt it -- is to assure that the boards of
13 public agencies and units of local government
14 that conduct public business, conduct that public
15 business in the open, at meetings that are
16 advertised with notice to the public, and that
17 the notice has a -- that the public has an
18 opportunity to attend.

19 And people get in all kinds of arguments
20 about if you have a meeting in a room that's this
21 size and there are 5,000 people who want to come
22 because you're going to condemn all of north St.
23 Johns County, is it open to them or not and, you
24 know, reasonableness rules and whether your
25 agenda reasonably notifies people of the actions

1 that you're going to consider. And a lot of
2 those things that don't come up very often, but
3 sometimes do and we can all speculate about. But
4 it really boils down to assuring that public
5 meetings are conducted in the public.

6 Now, what's happened is that I think that
7 the statute was very -- obviously very well
8 intended. And what's happened is that to some
9 degree, I think it has gotten -- and this is a
10 editorial comment -- to the point where it has
11 hampered the ability of public bodies to conduct
12 public business on some occasions.

13 I suspect, in balance, the degree to which
14 you're hampered has been far less than the degree
15 to which we have assured that private deals and
16 many of the things that we used to associate with
17 political processes we've gotten rid of.

18 So, on balance, I'll bet you we've come out
19 ahead. But there still come times that you will
20 perhaps be frustrated by -- by this process.

21 A meeting is defined as a -- as any
22 communication between two or board (sic) members
23 related to an action which is or is reasonably
24 anticipated to come before the board.

25 So, it does not require a quorum. It

1 doesn't mean that three of you have to get
2 together before there's a sunshine law violation.
3 Anytime two of you get together to discuss a
4 matter which either is already before this board
5 or you can reasonably anticipate is going to come
6 before this board, that is a meeting and that's a
7 meeting which has to take place after notice and
8 that it's in the public, with the public having
9 an opportunity to attend.

10 Now we can get down into a couple of
11 specific examples. It obviously does not apply
12 when you have meetings with Staff. Ed doesn't
13 have a vote. I don't have a vote. Chris doesn't
14 have a vote. Bryan doesn't have a vote.

15 So, when you would wish -- for example, if
16 you decided that you wanted to come down and
17 review the progress of the Earth Tech litigation,
18 and you wanted to sit down and say, could you
19 explain to me what this means, what that means,
20 what the time frame is, whatever, it is not a
21 violation of the sunshine law for you to call me
22 up and do that, or for you to come in and visit
23 with Ed about the hangar policies or whatever it
24 may be.

25 What you cannot do is that you cannot use

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1 Staff or your consultants as a conduit for
2 polling what individual members want to do or
3 communicating with other members.

4 If you were to say, I think we ought to put
5 on the agenda a change to the -- to the
6 requirement that there -- or to the prohibition
7 for state officials being on the board, you can
8 say that here.

9 You could not say to Ed, "Ed, would you see
10 how the other board members feel about this and
11 whether or not it's worth even floating at the
12 meeting, because if I don't have any support, I
13 don't want to do it." You can't do that because
14 then you're using Staff as a way to get around
15 the requirements of the sunshine law.

16 You can communicate with Staff, but you
17 can't use Staff in order to -- to facilitate
18 communications with other members. And let me
19 tell you what I've produced in this three-ring
20 binder. And most of you seem to be more computer
21 literate than I.

22 What this is, and the center section of this
23 three-ring binder is the Government in the

24 Sunshine Law Manual, which is online and is
25 current and you can access. It's searchable.

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1 And so all of this information that you see in
2 here is obtainable from www.state.fl.us.

3 The -- the second thing that -- that I think
4 we started was to provide you --

5 MR. WUELLNER: You might want to mention
6 that the prohibition of using individuals to
7 communicate is not just with Staff.

8 MR. McCLURE: Right. In -- well, yeah, and
9 that's actually what I was going to get into
10 here.

11 Computers use -- that's okay. But it's
12 important not to miss it. One of the sections in
13 this that I think is important is the use of
14 computers, and that is, that we're all familiar
15 with bulletin board systems and discussion
16 threads now or those who use computers
17 frequently.

18 And communications that you may make to
19 Staff or anybody else that you generally post in
20 the public domain, number one, you should copy
21 all of those to Ed, because part of the public
22 records law that we talk about here requires that

23 we maintain a record of communications, not just
24 that it's open for somebody to see it wasn't in
25 secret, but we've got to maintain copies. That's

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1 why I sent Ed a copy of -- a hard copy, as well
2 as an electronic copy of any of the update memos
3 that we do. But the -- the attorney -- I'm
4 sorry. Yes, sir.

5 MR. GORMAN: Go ahead.

6 MR. McCLURE: The Attorney General's Office
7 has had occasion to discuss in an Attorney
8 General's opinion the use of computers. And you,
9 for example, could pose a question to Ed that you
10 copied the other board members on. You could
11 say, "Ed, I --" you know, "I became aware of the
12 following and they -- So-and-So is complaining
13 about the noise over Vilano Beach. Could you
14 look into it?" Copy, copy, copy, copy. That's
15 okay.

16 But the risk is that if the interpretation
17 is that that was a solicitation for a response
18 from your other board members, "What do you guys
19 think," and somebody responds, then the
20 Florida -- then the Attorney General says, I'm
21 sorry, that's an out-of-the-sunshine discussion

22 and is inappropriate.

23 So, we all kind of do these things. You
24 know, it's raised a question to me of let's say
25 somebody responds, who do they refer to the

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1 Commission on Ethics, the person who wrote it or
2 the person who responded or both or whatever?
3 So, it's -- these kinds of things can get fuzzy.

4 But you need to be cautious in those things
5 that you may communicate between meetings, that
6 they are not intended to create communication
7 between board members. Yes, Mr. Gorman.

8 MR. GORMAN: Good time to bring this up
9 under the sunshine law here. I understand
10 that -- recently that Mr. Wuellner briefed the
11 members of the local flying club on the
12 possibility of committing a felony or accessory
13 to felony by talking to board members by acting
14 as a conduit or whatever.

15 And while even this is an accurate -- if
16 this is an accurate point of law, it certainly
17 sounds intimidating, what it's effectively done
18 in so far as it stops the pilots from wanting to
19 talk to the board members. I mean, that's really
20 the bottom line, what happens.

21 And it's a point of law, I understand. So,
22 I don't -- is it normal procedure for an aircraft
23 manager to brief a local flying club that
24 happens, though, that all of these board members
25 are in this particular flying club? And I

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1 understand that and of course we all do.

2 MR. McCLURE: What you have to watch out
3 for, and let me -- let me see if I can demystify
4 that and make sure that -- and that is that the
5 communication to the Pilots Association or the
6 flying club or whatever is an accurate
7 communication.

8 And there are a couple of contexts in which
9 this can come up. Number one, there's nothing
10 about the sunshine law that prohibits multiple
11 board members from attending social functions
12 together.

13 As a matter of fact, and unfortunately they
14 don't -- we didn't paginate this web printout for
15 you, but there's a section in here that
16 specifically deals with social events. And you
17 can even have social events at which you're in --
18 multiple board members are invited because
19 they're board members.

20 If the Rotary Club says I want to have all
21 of the Airport Authority members here to talk
22 about the Airport Authority, and more than one of
23 you is there, that is -- participating in a forum
24 doesn't represent a violation of the sunshine
25 law.

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1 But if, for example, you go to a social
2 function and you begin discussing airport
3 business together, people are asking you in an
4 interchange to express opinions to each other
5 about what the airport ought to do, there's a
6 risk that that's a meeting, and there's a risk
7 that if -- if individual members, whether it's
8 Staff or whether it's the public are being used
9 for the conduit of information, then that's
10 something that can get you, as well as the person
11 who is acting as the conduit, in trouble.

12 MR. GORMAN: Essentially, this empowers
13 someone that wants to use the sunshine law as a
14 lever against a particular board member --
15 because they don't agree with an issue, it
16 empowers them to file on that issue, of, hey,
17 this was a social function, this happened.

18 MR. McCLURE: Right.

19 MR. GORMAN: With that empowerment, then
20 they can use that as a lever to be able to
21 actually stop the board member.

22 MR. McCLURE: She's going to change her
23 tape.

24 (Short pause.)

25 MR. McCLURE: There certainly is a risk that

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1 people abuse this because, as I mentioned, you
2 can get into context of hypotheticals, which --
3 which get to the point where it does render some
4 things absurd, the fact that you have a
5 discussion with people.

6 The comfort level that I've got for you is
7 that, in general, the -- the statute, luckily,
8 requires intent to be present in order for it to
9 be a violation. So, in order for somebody to get
10 in trouble, you have to intend or know that the
11 person is acting as a communicator of
12 information.

13 So, if someone were to say, "Jack, what do
14 you think about the -- the VOR and whether it has
15 to be back in service? And how much money do you
16 think is appropriate to put it back in service?"
17 And you give him an answer. And then that person

18 runs to Buzz and asks him the same question, and
19 then says, "And did you know that Jack says the
20 following," you're not -- you're not in trouble,
21 because you did not encourage the communication.
22 It wasn't done with your knowledge. It wasn't
23 being done at -- on your part with any intent to
24 get around the sunshine law.

25 MR. GORMAN: So, you're saying you have to

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1 specifically intend for that person to be a
2 conduit.

3 MR. McCLURE: Correct.

4 MR. GORMAN: If in fact an overhearing of a
5 conversation or whatever, then you are not
6 specifically.

7 MR. McCLURE: Right.

8 MR. GORMAN: This is -- this keeps the news
9 from happening.

10 MR. McCLURE: Right. It requires a specific
11 intent.

12 MR. GORMAN: I think I understand.

13 MR. McCLURE: Okay. The -- I'm sorry. Joe,
14 did I see your hand go up?

15 MR. CIRIELLO: Yeah. I'm a little confused
16 on what you guys are talking about. I have been

17 asked different times, and I just haven't gotten
18 around to doing it, to appear on the radio
19 station, it's a local talk show Wayne has, as a
20 board member. He's got commissioners on there
21 all the time, you know. Talk show, people call
22 in and ask questions of the commissioner, why are
23 they do this, why aren't they doing that.

24 Are you saying that if I did that, that I
25 would be breaking some kind of a rule or

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1 something that -- because I'm going on there, and
2 I'm a board member. I'm only giving opinions of
3 what I personally think, not one of the other
4 board members, because we have to do it as a
5 body.

6 One time when I attended round table
7 meetings, the guy that was the president at the
8 time said, maybe down the road one of these days
9 I'll have you come in and give a lecture -- not a
10 lecture, but a -- you know, a talk about the
11 airport, which would be my opinions, nothing
12 that's definite. You know, maybe we're going to
13 do this. Are you saying that I can't do that?

14 MR. McCLURE: Well, the whole idea of a
15 meeting is that there is an interchange of

16 information. And let me read you what the
17 sunshine law manual says, and you can see how
18 frustrating this thing can be.

19 In Attorney General's Opinion 94-62, the
20 Attorney General's Office concluded that "The
21 sunshine law does not apply to a political forum
22 sponsored by a private civic club during which
23 county commissioners express their position on
24 matters that may foreseeably come before the
25 commission so long as the commissioners avoid

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1 discussions among themselves on these issues."

2 So, I can see the five of you at the Rotary
3 Club where somebody says, "Do you think, Joe,
4 they ought to do a multimodal facility?" and you
5 say, "No, I don't think we should." And
6 Commissioner Cox turns around and says, "Well,
7 you know, I really disagree with you because..."

8 Well, is that -- are you, as this says,
9 avoiding a discussion between yourselves on this
10 issue? Don't ask me for advice on how that
11 specific one rules.

12 And let me read you the last sentence, which
13 will make you feel that much more comfortable.
14 "However, caution should be exercised to avoid

15 situations in which private, political or
16 community forums may be used to circumvent the
17 statute's requirement. The sunshine law is not
18 to be construed so as to frustrate all evasive
19 devices -- or is to be construed so as to
20 frustrate all evasive devices."

21 So, it says on the one hand, you're at
22 liberty together to attend a public forum, and I
23 assume that if the Airport Authority -- or the
24 Pilots Association, they're going to ask you an
25 opinion, but if the context is used to quote

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1 frustrate the intent because you're there saying
2 well, let's get together and decide what we're
3 going to do, it's an action in which you have to
4 be governed by your common sense.

5 The question came up before, for example, in
6 the City of St. Augustine Beach about -- and this
7 doesn't apply to y'all now because you're already
8 in office. But there were four candidates who
9 were running in the City of St. Augustine Beach
10 who were running as a slate. They all four
11 advertised together and appeared together and
12 said we're going to do this and we're going to do
13 that.

14 The sunshine law specifically applies to
15 members who have been elected but who have not
16 taken office yet. And the Attorney General's
17 opinion says you've got a duty not to use that
18 hiatus in order to reach agreements about what
19 you're going to do when you get into office.

20 Obviously, people's positions get known.
21 The paper can quote you on an issue, and some
22 other commissioner, some other Authority board
23 member is going to read that. So...

24 MR. WUELLNER: There's no opportunity in
25 those cases to respond.

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1 MR. McCLURE: To respond. Right. So, it's
2 the issue. It is the concept that there is an
3 interchange, and I guess the fear that either
4 actually or subliminally or covertly that there's
5 some negotiation and -- and agreement on a
6 particular course or outcome. And that's the
7 kind of thing that you have to most assiduously
8 avoid.

9 And what's very interesting is that the
10 legislature has exempted itself from the strict
11 application of the sunshine law. So, if I'm
12 Representative A and I want to go down to

13 Representative B's office and buttonhole him on
14 the way out of his office to say, "You know,
15 we've really got to get together and defeat this,
16 and if we do, I'll support your road construction
17 project," they can do it all day long.

18 MR. WUELLNER: In the case of the radio show
19 analogy, as long as one of you didn't call in and
20 have a debate, there's really nothing that's a
21 problem there. You're allowed to listen
22 collectively. But you get into trouble when more
23 than one of you want to participate in any kind
24 of discussion. It needs to be a public meeting
25 forum.

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1 MR. GORMAN: But you do understand the
2 problem of --

3 MR. WUELLNER: Sure do.

4 MR. GORMAN: -- being at a briefing like
5 that, galvanizing the attitude of a flying club
6 against speaking with a board member, because
7 they hear the words "committing a felony" or
8 "accessory to a felony" and they definitely dive
9 under the rug.

10 MR. WUELLNER: And we --

11 MR. GORMAN: And they don't understand.

12 They're just not interested in pursuing that.

13 MR. WUELLNER: And the hard part is
14 communicating that -- the discussion -- you know,
15 that you can have those one-on-one discussions.
16 And we -- you know, I made that point multiple
17 times during that same discussion: Please, talk
18 to your -- that's why they're there. But be
19 careful about facilitating things between
20 members.

21 MR. GORMAN: The leverage still exists
22 against the board member.

23 MR. WUELLNER: Well, you've got huge risks
24 there.

25 MR. McCLURE: Like I said, unfortunately, we

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1 didn't make the law, and there are -- there are
2 times that it is difficult.

3 The -- there are two exceptions and
4 basically only two exceptions to the sunshine law
5 requirement, and that is collective bargaining.
6 If you had a -- a union that was going to
7 unionize all of your employees, you can have
8 private sessions for collective bargaining.

9 And the second is as we've discussed in the
10 context of settlement negotiations in litigation

11 or discussions of strategy for purposes of
12 litigation expenses.
13 The downside for what happens if you don't
14 follow it is the little blurb that's in the front
15 that says Government in the Sunshine Law Manual,
16 what are the consequences if public board or
17 commission fails to comply with the sunshine law?
18 And the answer is it's a criminal offense. You
19 can have civil fines, as well. You can get
20 charged for attorney's fees and costs, and it's
21 embarrassing as all get out. So -- so of all of
22 that is what's contained in here.

23 The second section, and I don't want to get
24 past what the -- what I think is the meat, and
25 that is organization and structure with Ed. And

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1 just to flip over real quickly, the public
2 records law. You certainly can make notes to
3 yourself that are your private notes. They
4 belong to you. You send a letter to Ed, you send
5 a letter to me, it's a public document.

6 If any of the memos that I do to Ed, even if
7 it's about pending litigation, anybody in the
8 world can read, including the opponent in
9 litigation. Internal office memoranda in my

10 office, internal memoranda in Earth Tech or our
11 independent consultants belong to them and are
12 not yet public documents. But the moment they go
13 to you, the moment they go to Ed, they become a
14 public document and are available for inspection
15 and copying at reasonable charge to anybody who
16 wants to see them.

17 And there are limited inspect -- limited
18 exceptions. For example, personnel records are
19 public records. So, if somebody wanted to come
20 in here and take a look at -- at the job
21 performance of the lowliest person on the totem
22 pole, that's a public record. The --

23 MR. WUELLNER: However, their medical
24 history associated with their employment is not.

25 MR. McCLURE: Right. And there are some

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1 federal components that overlay this. The -- and
2 the importance of the public record is, number
3 one, that it is available for inspection by the
4 public; and, number two, we have certain
5 statutory requirements for preserving those
6 records and what we have to do when they're done.

7 So, that's why I say, when we -- when I do a
8 memo to y'all, I do one to Ed, because he's got

9 to keep a copy of it. And in the disposition of
10 any of these records is -- is strictly limited
11 by -- by state regulation. And the rest of the
12 stuff, as far as disposition of public property
13 and things like that, I think we can probably
14 skip, because it's already 3:15.

15 MR. WUELLNER: I was going to speak just
16 briefly to your governmental and fiduciary
17 responsibilities as a public board.

18 Obviously, you have limitations and
19 provisions within your charter that speak
20 specifically to inherently governmental or --
21 responsibilities as well as your fiduciary
22 responsibilities as a public entity.

23 You -- you need to be aware of the fact that
24 you're accountable to the public collectively
25 for -- for everything we do. Part of the charge

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1 that comes with the property as well as your
2 charter, and it's also a part of many of your
3 grant agreements, is that you operate for the
4 public benefit. That's an inherently
5 governmental function that private sectors don't
6 deal with.

7 But generally, you're going to make

8 determinations on items and tenants and things as
9 you go along that this is in the benefit of the
10 public, and you're going to have to operate for
11 the benefit of the public. You act as the
12 citizens of this community's representative in
13 negotiating agreements.

14 The others, the accounting function or the
15 function related to how we account for Authority
16 funds. We are an enterprise fund, as it's
17 defined which, to make its closest cousin, is
18 it's treated like a private sector business.

19 It's got its own set of accounting standards, but
20 literally it's a profit-and-loss-type business.

21 We're -- we're required to present basically
22 a budget that matches itself, an expenditure
23 budget that matches the revenue side. So, it's
24 treated like a business versus subsets of some
25 governments that get an appropriation but have no

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1 revenue generation component to it. So, we're --
2 we're our own enterprise fund within the
3 definition.

4 You're also a taxing district, which also
5 has some statutory obligations that go with it.

6 There's also a big long list of things that

7 normally are invisible to the individual
8 Authority members that are required in order to
9 facilitate a taxing district; i.e., reporting
10 that's required throughout the year and
11 specifically toward the end of the year with
12 audit requirements and the publication and
13 transmittal of those audits, as well as how the
14 actual assessment of ad valorem tax goes.
15 That's -- that's firmly regulated and controlled
16 by Florida Statute as to the process and the time
17 lines and the manner in which you get to levy ad
18 valorem tax if you choose to do so.

19 So, again, we try to keep you out of trouble
20 on that by minding the calendar that's
21 established by statute. But it's actually this
22 board's responsibility, as they are the entity
23 that's actually levying it, not Staff.

24 So, we keep you informed of that and try to
25 keep you out of trouble, but it is fairly

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1 cumbersome and it's very specific windows of
2 opportunity as you move through that process.
3 And that kicks off -- from a budget standpoint,
4 we'll typically present you a budget in June or
5 July of the year.

6 In July, you will have to notify the tax
7 collector of a TRIM notification, which starts
8 the clock -- actually starts about July 1st with
9 the clock when you have to respond to the tax
10 collector's office with what your intentions are,
11 what's the highest taxation level you intend to
12 look at for the year, and then you cannot go
13 above that number for the balance of your budget
14 efforts. You can go below it at any time you
15 wish. But it kind of sets the high-water mark,
16 if you will, of tax.

17 The public hearings are statutorily
18 mandated. They're mandated as to when they
19 occur, the time of day they occur, and the frame
20 of time that they occur during the calendar year,
21 all culminating eventually in an adopted budget
22 which results in a couple of resolutions that are
23 required to be adopted by this board, one being
24 the budget, the other being the actual assessment
25 of ad valorem taxation. There's a resolution

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1 specific to that. Those get then transmitted to
2 the local Property Appraiser's Office, as well as
3 the Tax Collector's Office and the county
4 government structure for actual inclusion in the

5 tax bills come November. Those are also then
6 copied to the State of Florida, where they're
7 reviewed and made sure that we complied
8 statutorily with everything, including the
9 advertisement of those meetings.

10 If we're found to meet that, we get a letter
11 back from the State that says we have concurred
12 that you did it correctly and as such are
13 authorized to levy ad valorem for the upcoming
14 year; or we identified this infraction, it may or
15 may not be important, you do better next time;
16 or, in some cases, you've -- you've blown your
17 chance of collecting ad valorem tax for a current
18 year. That's one of the reasons we try to -- in
19 the last -- recent years, is tried to establish
20 now a reserve fund within the budget. In the
21 event something that has changed that -- or
22 something develops that keeps you from being able
23 to assess ad valorem, you can at least make it
24 through one more year and hopefully get it right
25 going into the following year, in a worst-case

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1 scenario.

2 Moving on, other -- the environment the
3 airport operates in general is extremely

4 regulatory. It's probably among the most
5 regulatory environments in any type of business,
6 probably only exceeded by the nuclear regulatory
7 business or generation -- power generation,
8 probably being the only other one that has more
9 regulations than aviation does.

10 A lot of those come from grant assurances.
11 You have copies of grant assurances in this book.
12 I encourage you to read them over, but there's a
13 laundry list of both federal and state grant
14 assurances that you're obligated to do.

15 A lot of times when we speak up at meetings
16 and say you can't do it this way or you can't do
17 that or something, it's probably a result of an
18 assurance that came out of the grant, or even in
19 some cases, it was an -- an attachment to the
20 deed to the property.

21 There are actual things that go with the
22 deed, because it was a federal deed transmitted
23 eventually to the Airport Authority, that -- that
24 you have some obligations there. If you choose
25 not to operate as an airport, as an example, the

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1 property doesn't -- you don't have the ability to
2 sell it for something else, like a shopping mall

3 or a new Wal-Mart. Literally, the airport would
4 revert back to the federal government and become
5 their property again for disposal as they see
6 fit.

7 And frankly, in the -- the shortage of
8 airports around the country, what most likely
9 scenario would be, is it would be turned over to
10 the State of Florida and the State of Florida
11 would operate it as a public airport.

12 So, if the -- if there's an underlying
13 objective ever to just dissolve the airport, it's
14 not going to be that simple in terms of the
15 property interest and the operation of the
16 airport. You can get rid of the Authority, but
17 the airport's going to exist until the federal
18 government decides otherwise.

19 Some things come out. One's revenue
20 related. You know, the airport has an obligation
21 that all revenues generated as a result of this
22 facility or the operation of the airport must be
23 expended on the development and operation and
24 maintenance of the airport.

25 So, we can't divert public funding or monies

1 that are specifically intended for the

2 development of the airport, which is your sole
3 function, can't be diverted to build a roadway in
4 the south part of the county or collect a new
5 dump or whatever.

6 And that was part of the reason, and those
7 of you that followed our little skirmish with the
8 county over impact fees, there were specific
9 grant assurance requirements that prohibited us
10 from paying impact fees in our mind. The county
11 asserted that because we assess ad valorem, it
12 fell outside of that window.

13 Ultimately, the federal government agreed
14 with the county and said as long as you're
15 appropriating tax dollars for that purpose and
16 not revenue generated on the airport, it's okay
17 for them to collect impact fees from you.

18 They literally wussed-out on -- you know, I
19 hate to use that term, but the federal government
20 had told us that we weren't allowed to do it, and
21 then in a reversal, by the time it got to
22 Washington, D.C. after the lawsuit was filed
23 jointly by us and the county, agreeing to do
24 that --

25 MR. GEORGE: Yeah.

1 MR. WUELLNER: -- the federal government
2 decided, well, no, taxation is not -- is not
3 revenue in the strictest sense, and as such, you
4 can appropriate that revenue as you see fit. By
5 being able to do that, you pulled it outside of
6 the guise of how you're using your quote unquote
7 revenue. So, that was a sidestep the county did,
8 but it worked and now we're back paying impact
9 fees as -- as they intended.

10 Permit requirements. Obviously, there are
11 tons of things we do that require any level of
12 permit, everything from local building permits
13 all the way up through Water Management permits.
14 DEP, EPA-type permits are not uncommon on
15 specific airport-type projects. You have
16 industrial discharge permits that are -- that are
17 required by the EPA. You have Storm Water
18 Management permits that are required. You have
19 DEP permits.

20 Specifically the quickest one coming to my
21 mind is the operation of the wash rack facility
22 requires a DEP permit and compliance with that
23 permit on an ongoing basis to keep us all out of
24 trouble. Discharges of stormwater, runoff from
25 pavement areas, paint shop activities, you name

1 it, there's some regulatory agency that's got
2 their finger in there, that's got some rule set
3 up that you have to comply with collectively and
4 somebody has to administer the day-to-day
5 operation of it. That's what Staff does.

6 Agency interactions. Sometimes it's not
7 regulatory, but it's negotiations, such as when
8 you get into environmental permitting.
9 Frequently, the relationship of mitigation, how
10 much property you have to give in exchange for
11 destruction of wetland or something along that
12 line is a function of negotiation within a
13 defined context with that permitting agency.

14 So, that -- that kind of interaction goes
15 on, sometimes on a day-to-day basis, depending on
16 the project, to -- and plus there are provisions
17 in general law. Just because you're a
18 governmental entity doesn't mean you don't have
19 to comply with other governmental entities' rules
20 and regulations on everything, everything from
21 speed limit of vehicles, how they operate, to you
22 name it. Those entities are still -- still have
23 purview in most cases over the Airport Authority
24 activity.

25 There was a -- back in the '80s -- just to

1 brief you on, there was a thought that the
2 Authority did not have to -- did not have to
3 secure building permits from the county, that
4 it -- because it was its own governmental entity,
5 as such, could sidestep that process, do this
6 stuff on their own.

7 Attorney General Opinion from the state came
8 back and said in the absence of specific language
9 in your charter that authorizes you to do that on
10 their behalf or in place of, then you're
11 obligated to whatever the county's rules are.

12 So, you -- you have to comply with
13 everything from building permits, fire marshal
14 edicts, zoning, comprehensive plan issues. So,
15 we work on a Staff basis to try and make our
16 interests merge very well with what the county's
17 interests are in their general-purpose
18 governmental structure. So, you know, that gets
19 very interesting.

20 I was asked today, I think it was -- I think
21 it was you, Joe, that asked me about how did the
22 tower get built, the air traffic control tower
23 get built to the height it is, because it -- it
24 appears on the first glance to exceed the
25 building limitation, the height limitations that

1 are about countywide.

2 Well, the reason that we were able to build
3 the tower without any real interference from the
4 county and -- for most part, was because when we
5 developed -- when the county developed the Land
6 Development Regulations and the revisions to the
7 zoning code, the Airport Authority
8 representatives were proactive with the county
9 and made sure that specific provisions were made
10 relative to the air traffic control tower. We
11 knew it was on the horizon some day.

12 Whether you build it now or you build it in
13 ten years, some day, it's going to conflict with
14 the county ordinance, so let's get a -- some
15 chicken scratch in the legislation that the
16 county's doing to provide for a tower so that we
17 don't have that argument whether it's permissible
18 and we don't have to go through all the -- an
19 amendment to the county code in order to get it
20 done.

21 So we -- those are the kind of things that
22 are done day in and day out. That's an example
23 of some of the general law stuff that comes out
24 all the time.

25 FAA and DOT, you've got -- some of those

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1 assurances that you've got with FAA and DOT, I
2 kind of lumped them together. There are some
3 minor nuance differences between them, but
4 largely the more restrictive entity's going to
5 cover it anyway. But you've got to keep the
6 airport open to the public.

7 Most of your projects have to be -- have a
8 useful life that exceeds 20 years. So, if you
9 build something or buy something, you've got to
10 hold on to it a minimum of 20 years before some
11 of those grant restrictions start to clear.

12 Every time you do something new, especially
13 with FAA, that 20-year line goes out 20 more
14 years. So, every time you take new money, the
15 bar gets shoved a little bit further out. You
16 might have had one that would expire this year,
17 as an example, I don't know, but you took money
18 this year for federal grants so it's now 20 years
19 out on the horizon again.

20 It has to be open and fair and reasonable
21 basis to the public, as well as our lease
22 agreements with tenants have to be on a fair and
23 reasonable basis. So, I can't negotiate a

24 horrendous agreement with one company and attempt
25 to hose the next company -- I hate to use those

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1 terms and vernaculars. But, generally, Tenant A
2 and Tenant B should expect similar terms. So,
3 it's very important that we develop standards as
4 we go through that are easily transmitted to
5 everybody and easily enforced.

6 We're required to maintain a level of safety
7 at the airport through FAA. Maintenance of the
8 airport. We're required to maintain the facility
9 and keep it open and safe to the public, do it on
10 a nondiscriminatory basis; that is, from the --
11 from its simplest form and, you know, race,
12 gender, creed kind of things, to it's more
13 complicated, keeping it on an even playing field
14 for individual tenants who might want to use the
15 airport.

16 There were prohibitions on revenue use,
17 which I already discussed. We're required to
18 have an airport layout plan and that our plans be
19 consistent with other governmental entity plans.
20 That's one of the reasons the Airport Master Plan
21 is now referenced in the county comprehensive
22 code, so that our plan agrees with their plan and

23 everybody's signed off on the general --
24 generalities of the plan, as well as Regional
25 Planning Council plans. Those things get run

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1 through them. And then at next level, the
2 systems plan for the state. So, you know,
3 there's got to be that continuity among plan
4 levels and as well as -- and disadvantaged
5 business enterprise. DBE is what that stands
6 for.

7 But our contracting on the public sector,
8 especially as it relates to federal grants,
9 require us to in a sense set aside 14 percent of
10 federal jobs and make sure that those are given
11 to disadvantaged business enterprises, which
12 might be minority owned, might be women-owned
13 businesses, those types of things.

14 We -- and that includes planning projects as
15 well as construction projects. So, engineering,
16 planning, design, surveying, all of those things,
17 we need to have a total project value of about 14
18 percent that's been awarded to disadvantaged
19 business enterprises as a requirement. It's a
20 very difficult program to administer, but it's
21 required. It's absolutely applicable to FAA

22 projects. And FDOT likes you to kind of head
23 that direction.

24 Next one I've got's just permit requirements
25 that are out there. Corps of Engineers,

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1 obviously they have -- they have jurisdiction of
2 habitats and wetlands, among other things.
3 Constant interaction with them. Every time you
4 go into a permitting situation, you can count on
5 Corps of Engineers at least having a letter in
6 your file that says "We're not interested." Even
7 if they -- even if they -- and in some cases,
8 they are the permitting entity.

9 Marine Fisheries, which is a federal agency,
10 has got more and more jurisdiction over habitat
11 as it surrounds most projects, and especially as
12 it relates to wetlands and waterways.

13 DEP/EPA quality -- deals with obviously
14 environmental quality and industrial waste
15 discharges. I mentioned the wash rack as an
16 example. But literally any tenant we have or any
17 tenant, anybody that uses our property as a
18 transport mechanism for waste discharge, that is
19 flows through our facility, maybe falls under one
20 of these requirements of these federal agencies.

21 Water Manage District's interested in runoff
22 quality. The county's interested in runoff
23 quality as it comes off of here. The FAA is
24 interested in bird strikes, obviously, and
25 aeronautical activity.

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1 I always throw the example out, anytime you
2 start a project here that's likely to have
3 federal funding, you've got very opposing
4 viewpoints relative to the project. You've got
5 the Airport Authority desiring to construct
6 something. You've got the FAA saying, "Will it
7 create a bird strike hazard?" You've got the
8 Water Management District saying, "Will it create
9 a water quality issue?" And you've got the
10 county saying, "How much water are you intending
11 to flow through this project into some other
12 public body?"

13 And you've got to rectify in every project
14 those three entities and come up with some sort
15 of permitting mechanism that allows everybody to
16 sign on the dotted line and have a project. And
17 that is no easy task anymore. Everybody's got
18 very divergent views on how this is going to be
19 done in the future.

20 And of course you've got -- we're required
21 to create, as an example, wetlands or stormwater
22 man -- stormwater ponds out there to handle water
23 quality issues, which simultaneously in most
24 cases, handle the county's water quantity issue.
25 Because you detain the water and allow it to go

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1 out there slowly the county's okay with that.

2 But you've got the FAA saying every time you
3 dig a hole and put water in it, it's now a bird
4 attractant and, as such, we don't allow them. So
5 now how do you -- you know, you've got two other
6 entities saying you have to and these guys saying
7 you can't. Obviously, we've got to come to terms
8 on every project to how we do this. It's -- it's
9 interesting.

10 Obviously other inter -- interactions we do
11 are with system plans. Planning councils,
12 zoning, DRC and building permits, all of the
13 state administrative agencies as it surrounds ad
14 valorem taxes. Well, just general government
15 within the state. You've got reports and permits
16 and filings that are required all throughout the
17 year, depending on what -- what the specific item
18 is.

19 You've got reports that are requested by the
20 legislative branch related to airports in general
21 sometimes. FAA and FDOT permitting for projects,
22 as well as they control most of the issues
23 related to regulatory environment of how the
24 airport's permitted to use -- to just operate,
25 let alone do construction projects. All the FARs

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1 apply. All the FDOT statutes apply to us, too.

2 I know I'm glossing over some of these, but
3 I'm trying to get you an idea of just what all
4 this board has to try and rectify through Staff.

5 So, when you see something that looks like
6 it's just a yes or no, it's probably never that
7 simple. And there's a lot that -- that every
8 time you accept a grant or accept something, that
9 in a sense gets dumped back to Staff to either
10 negotiate or make work on a -- on a daily basis.

11 Your relationship or -- I think we hit
12 these, too, didn't we? Oh, I'm just running
13 through the last of the list, but state statutes,
14 you've got administrative rules, requirements,
15 FARs under the -- on the statutes, reporting
16 mandates, and of course everything locally, you
17 have more rules and more ordinances to deal with

18 almost every year.
19 Your relationship to professional staff.
20 You have a couple of levels of that. One is me
21 in particular. I'm contractual to the Airport
22 Authority, unlike any other employee of the
23 airport. They're -- they're true employees in
24 that sense. My relationship is defined
25 contractually with this board.

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1 And additionally, contractual services
2 include legal services, the accountant services,
3 the day -- the monthly compilations we do, as
4 well as audit services that are required on the
5 annual side of the accounting picture. Plus, you
6 use typically planning -- planning services and
7 engineering services of private sector things
8 that are all defined contractually.

9 MR. GEORGE: When do these contracts come up
10 for renewal?

11 MR. WUELLNER: It varies.

12 MR. GEORGE: Yours, for --

13 CHAIRMAN GREEN: Mine comes up relatively
14 soon in the scheme of things. You have an agenda
15 item at your meeting later this afternoon related
16 to my contract, just whether we're going to

17 continue to move forward. My actual contract
18 expires at the end of September of this year.

19 MR. GEORGE: Okay.

20 MR. WUELLNER: You have other agreements
21 that are out there another two or three years for
22 other of these professional services. Others,
23 because of the threshold value, such as your
24 compilation report, don't really fall under the
25 requirements where you would formalize a

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1 contract. In other words, it's kind of
2 month-to-month based on the value.

3 MR. GEORGE: Got you.

4 MR. WUELLNER: Relationships with third
5 parties. Obviously you've got leases and
6 operating agreements out there with a myriad of
7 folks. Most of those parameters are established
8 by your minimum operating standards, which is a
9 policy document that you adopt or that has been
10 adopted by the Authority in the past.

11 It is a document that we'll probably get
12 back to you within this year, because it does
13 need a fresh look periodically, and I've never
14 been overly thrilled with that document's
15 construction and some of the parameters in there

16 and I think this board needs to get really
17 proactive in developing a set of operating
18 standards that are enforceable and meaningful to
19 folks who are looking to lease property and
20 conduct some type of business activity on the
21 airport. And that's the document how you do
22 that.

23 You also have other policies that affect the
24 operating agreements or other leases, such as
25 T-hangar leases, you don't have a minimum

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1 operating standard for, but you've got a policy
2 document out there on airport rules and
3 regulations that clearly have application to
4 T-hangar leases.

5 Contracts and agreements. You've got a
6 policy, a purchasing policy document that we'll
7 be bringing to you in the next couple of months
8 that hopefully is going to now bring into the --
9 to all of the new Florida Statutes relating to
10 purchasing the threshold values and the like,
11 because we want to get that document modified and
12 brought back up to a real strong current
13 document. It's about a six-year -- five- or
14 six-year-old document as it stands right now.

15 So, we're going to get that to you. It also
16 spells out how bids are -- how we go about
17 soliciting bids and requests for qualifications
18 in the case of professional contracts.

19 You have two different methodologies there
20 that are required by Florida Statutes as to how
21 you award. Some of that's controlled locally.
22 You can nuance how you do the specific task, but
23 there's an overall statute probably that's
24 requiring you to do it in the first place.

25 And also public relations, things we do

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1 normally on your behalf, some public speaking,
2 meetings with -- everything. You name it, any
3 type of meeting that we do on your behalf.
4 Anything from the intergovernmental committee,
5 meetings with tenants, meetings with prospective
6 tenants. It's a pretty broad range of things
7 that are out there from a public relations
8 standpoint.

9 I developed the organizational chart to try
10 and give you an idea of just how -- from a Staff
11 perspective, how things function. Obviously,
12 I'm -- the executive director there is the -- is
13 the actual position that liaisons with this board

14 directly. That's facilitated by contract and by
15 job description, both of which you ultimately
16 control. But largely, I act as the staff
17 interface for everybody else that works here.
18 And they report directly to me, not the board
19 directly, based on the organizational structure.

20 You have three basic headings here. One's
21 administrative, the other's operations, and the
22 third is maintenance. They're pretty
23 straightforward, but things like our accounting,
24 which is a fiscal -- fiscal assistant -- I don't
25 know if Donna's in here. If you don't know

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1 Donna, I would encourage you to get to know her,
2 but she handles the yeoman's work as it relates
3 to financial part of the Airport Authority in
4 terms of data entry and maintaining the books and
5 the like.

6 That's then followed on monthly by our CPA.
7 The CPA looks at those records on a monthly basis
8 and determines if there's anything that's been
9 done inappropriate or -- and presents that
10 financial reporting back to you.

11 Donna's here in the gray. Get to know her.
12 If you've got specific questions of how we do

13 things or, you know, the -- I'm sure she'll be
14 willing to help you do that or figure it out.
15 Next item is purchasing and coordinating.
16 That's Ms. Cindy Hollingsworth, who's the lady in
17 kind of the beige color there. But she literally
18 handles all our acquisitions for the airport as
19 well as we'll be doing contract administration on
20 our con -- things like construction contracts and
21 consultant contracts and the like, making sure
22 that those are in complete compliance with our
23 rules and Florida Statutes before a
24 recommendation's brought to this board for award.
25 And then, subsequently, once an award's been

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1 made, making sure that those T's and I's get
2 crossed and dotted respectively every day so that
3 we don't have situations developed because we're
4 not into the details like we should, such as the
5 terminal project. This is one of the adjustments
6 in an organizational structure we've made since
7 the terminal project to make sure that internally
8 we're doing a much better job of administration
9 of contracts, as well as purchasing things. And
10 that's over her responsibility.

11 And then Christine Ochkie, who handles the

12 receptionist duties, you always find her usually
13 at the door when you come in. But her side job
14 with us, if you will, and probably the more
15 important in terms of how much gets done, is our
16 property management function. She does the
17 day-to-day interaction with all our tenants, in
18 particularly the rental homes.

19 Those of you that aren't aware of just the
20 scope of that operation alone, the Authority has
21 approximately 60 rental homes that we administer
22 every day. You have 60 tenants beyond the
23 aviation side of your organization. And if
24 you've ever owned a piece of rental property, you
25 probably have some idea of what it's like to deal

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1 with a single tenant in a rental home.

2 You can imagine what it's like to do that
3 all day long with 60 individuals, with something
4 wrong all day long with somebody. It's a
5 24-hour-a-day, 7-day-a-week, 365-day-a-year type
6 of job. And she's on call 24 hours a day every
7 day of the year, unless she arranges otherwise,
8 to handle those complaints, and is willing to do
9 that.

10 Operation's primarily Bryan Cooper. He also

11 assists me in administrative. In the event I
12 can't do something or I'm out of town and Bryan's
13 here, Bryan's essentially delegated that
14 responsibility during that period of time. But
15 handles all of the airfield-related issues.
16 That's another big scope job.

17 Keeping us in compliance with our Part 139
18 certificate's another key item of his, which
19 requires frequent inspections, almost daily in
20 most cases, to assure the lighting's working
21 properly, pavements are usable the way they are,
22 properly marked. All of those kinds of things
23 are his responsibilities.

24 In the event of deficiencies, that then goes
25 over to the maintenance side of the house, and

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1 those records are kept also because we're
2 required to report any deficiencies in 139 and
3 report how we rectified the problem that was
4 noted during the inspections.

5 Maintenance side, Mr. Kevin Harvey is back
6 there in the blue denim shirt, but Kevin handles
7 our maintenance operations as a supervisor for
8 six employees under him who are broken into two
9 divisions: One being overall maintenance; that

10 is, they'll do just about anything we ask them to
11 do on the property and do an absolutely fantastic
12 job of keeping this Authority, the infrastructure
13 working around here.

14 The other side of that's on the landscape.
15 We undertook a lot of landscape and
16 beautification projects in the last five or six
17 years with the help of Florida DOT, and these
18 guys do everything from making sure the grass is
19 cut on all airfield areas, which is over 200
20 acres of property that's maintained every week,
21 especially during the growing season, plus
22 thousands and thousands of linear feet of
23 shrubbery and vegetation and fresh flower
24 plantings and the like around your signs and
25 along Estrella Avenue, the terminal area, the

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1 north end, you name it. These guys are
2 responsible for maintaining that.

3 These guys also take on from time to time,
4 as I shove it down their throat, big projects
5 that we couldn't normally afford to do outside of
6 our organization, such as all of the home-run
7 cabling and recabling of the airfield was done
8 in-house. All of the runway markings and

9 upgrades that were done in the last year
10 associated with the ILS and just general
11 maintenance, all done in-house. All of these are
12 more than two-month-long projects in themselves.

13 They're the guys that are out there right
14 now disassembling the two hangars from the
15 terminal side. So, we have -- we have an
16 absolutely great group of guys that go to the
17 wall for us day in and day out, not with just the
18 routine stuff, but also the big project stuff
19 that saves hundreds of thousands of dollars
20 annually.

21 There are four -- I promised earlier. There
22 are four primary ways that y'all communicate with
23 us. And those are literally policies and
24 procedure. We present our best guess as to how
25 we think we would want to operate. You folks

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1 tweak that. Give us direction as to, no, we
2 can't accept that, or we want it done this way or
3 whatever.

4 You -- those policies are ultimately
5 developed and processed by this board and
6 implemented by Staff. That's one way of getting
7 information to us on how you want things done or

8 don't.

9 The other is specific direction in meetings.
10 I've had specific direction given to me usually
11 every meeting of something you want accomplished
12 or some way you want it happen. Agenda items are
13 frequently what I would consider specific
14 direction. We've -- we've asked for specific
15 allocation of this collective Authority to do
16 something, sign a contract, sign a lease, you
17 name it. Do this for you. Do that. That's --
18 that's how that normally comes as specific
19 direction.

20 Informational requests are processed
21 individually, normally. Sometimes it's by the
22 board. They'll ask for what about the return on
23 investment of all the T-hangars in the last five
24 years, something like that. That's an
25 information request that we would act

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1 collectively on the board.

2 If you had that same question as an
3 individual, we'll try to put the same thing
4 together. Again, when it becomes a significant
5 time issue or a significant cost issue and it
6 exceeds what I really get comfortable with, which

7 is a fairly high threshold, then we'll bring it
8 back to the board and ask for specific direction
9 so that the entire board's aware of the
10 appropriation of money to do this task, or
11 perhaps the task needs to get modified back into
12 a scope that's reasonable, or expanded for
13 that -- in some cases.

14 The other is just informal meetings.
15 We'll -- we'll include individual Authority
16 members as they may ask or have an interest in a
17 topic area; i.e., U.S. Customs. When we're
18 talking with them, we're including Mr. Ciriello
19 in that, kind of thing.

20 There's an agenda item later dealing with
21 the VOR. We're asking to include Mr. Gorman, as
22 he sees fit or wants to be involved in those kind
23 of meetings.

24 It's not unusual to have a representative
25 assigned to the county's intergovernmental

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1 committee and represent the Authority's interest,
2 as that needs to be an elected official. There
3 are lots of informal meetings we do around here
4 to keep Authority members informed on, especially
5 areas that are -- they have a specific interest

6 in.

7 Key policy documents, and I'm not going to
8 go through these, but obviously you have a
9 personnel policy that covers the Authority's
10 relationship to its employees.

11 Purchasing covers all our acquisitions and
12 contract administration and professional services
13 and how we buy and do things within the idea of
14 spending money.

15 The other is leasing. You have a lease
16 policy -- again, all of these are bound in your
17 thing and you also have another copy of it -- on
18 how we value property, the process we go through
19 there, how we establish lease rates and rental
20 rates when we go through the processes, and how
21 we go about leasing activities on the property.

22 This is a document that's about four or five
23 years old and, again, we're going to be looking
24 at that over the next year or so, too, and make
25 sure it gets actually -- absolutely current again

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1 on all of the latest changes in statutes and
2 federal rules as it relates to leasing.
3 Occasionally those change and the policies fall
4 behind a little bit and we're going to catch them

5 all back up.

6 (Ms. Green enters the room.)

7 MR. WUELLNER: Investments. You have an
8 investment policy that was adopted and is
9 required by Florida Statutes and it deals with
10 how your surplus funds are handled. Exactly
11 where does the money be -- is it kept? What
12 investments are proper and legal? You make those
13 decisions. That policy's then implemented by us.
14 And we can go over the details of any of these
15 policies at some future point, or when you have
16 an interest individually, we can go through those
17 and see how they're done.

18 And obviously, rules and regulations is
19 probably the other key item that governs a lot of
20 the activities that go on on the airport. And
21 that's a document that's only a couple of years
22 old, but is constantly being tweaked to keep it
23 current and functional for all of the activities.
24 It probably needs some tweaking, too, as related
25 to now being under tower operations that I'm sure

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1 there's some adjustments in the language that
2 weren't thought of originally, but need to be
3 done now.

4 In summary, it's a complicated air --
5 operating environment that the airport sits in.
6 It's a highly regulated thing. You've got to at
7 some point find a way to trust the professionals
8 you have working for you, not only Staff, but
9 consultants and attorneys and accountants and the
10 like. You know, if we're not happy with the
11 individuals or the firms involved, then we can go
12 through the process of reselecting those
13 professionals. But as collectively as a board,
14 you've got to get comfortable and trust those
15 things. They're not as simple as yes, noes or
16 why didn't you do this or why did you do this.

17 There's a big picture that's very hard to
18 grasp sometimes, and you've got to learn to trust
19 that to some degree. It doesn't mean you always
20 agree with it, and that's where the policy side
21 of it interacts with it.

22 The other is use your -- obviously, you
23 know, use your real life experience, the stuff
24 you've run through in your life, to temper what's
25 out there that you get from professionals.

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1 We tend to get a little -- a little
2 tunnel-visioned at times on how to do things, or

3 this is how everybody's doing it and it's just
4 simpler to do it that way, and we need to get
5 smacked around every once in a while and woken up
6 that this isn't the best way to do it or have we
7 looked at other ways.

8 And every once in a while, y'all come up
9 with a great idea that's just not being
10 implemented out there that we plow new turf on.
11 And we're -- we're happy to do that, because we
12 want to do it the best way possible, too, for our
13 size. And we want you to be informed as we go
14 through this stuff.

15 There's no intention ever by Staff to hide
16 information from you or not give you the full
17 truth on it. It's just not -- ethically, I have
18 a problem with that.

19 You may not -- I've always said you may not
20 like the answers you get from me, but they'll at
21 least be the answer. We can -- we work on
22 getting a solution that everybody can agree to,
23 but the answer you get will at least be
24 forthright. Again, you may not like it.

25 The other is, be aware you're in a public

1 forum when you're in these meetings, too, and

2 it's not the forum from at least a Staff
3 perspective. And I hope you agree with this;
4 this is not the point to be bashing your -- your
5 professional staff or organizationally.

6 If we've got problems, let's get them
7 solved. Let's work from a positive point of
8 view, versus a negative point of view. We can
9 get -- the negatives, there's plenty of that out
10 there. We'll get those things resolved as
11 they're pointed out.

12 Give -- give Staff a chance to resolve some
13 of those professional things before we make them
14 issues in a public forum. And let us know how we
15 can help you do your job and we're out of here.

16 Wow.

17 MR. GEORGE: Ed, thanks a lot. George,
18 thank you a lot. Are there any public comment on
19 this workshop? Not public comment from a meeting
20 that we're going to have at 4 o'clock, but this
21 workshop that most of you weren't here?

22 (No public comment.)

23 MR. GEORGE: Okay. I appreciate very much
24 the input being brought to spec. I think that
25 some of the things that you pointed out about the

1 different agencies that we do have to deal with,
2 and rules and regulations, point out why we need
3 professionals like you, you know, and your staff
4 to keep us out of trouble and keep us on the
5 straight and narrow, and we appreciate everything
6 that the staff is doing, very much so. Let me
7 open up for comments. Mr. Cox?

8 MR. COX: (Shakes head.)

9 MR. GEORGE: Joe?

10 MR. CIRIELLO: No.

11 MR. GEORGE: Jack?

12 MR. GORMAN: (Shakes head.)

13 MR. GEORGE: Okay. Then we'll adjourn the
14 meeting and we'll crank back up in eight minutes.

15 (Whereupon, the workshop concluded.)

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1 REPORTER'S CERTIFICATE

2

3 STATE OF FLORIDA)

4 COUNTY OF ST. JOHNS)

5

6 I, JANET M. BEASON, RPR-CP, RMR, CRR, certify that I

7 was authorized to and did stenographically report the

8 foregoing proceedings and that the transcript is a true

9 record of my stenographic notes.

10

11 Dated this 24th day of February, 2002.

12

13

JANET M. BEASON, RPR-CP, RMR, CRR

14 Notary Public - State of Florida

15 My Commission No.: DD102224

16 Expires: April 30, 2006

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