



**Gulf Consortium Agenda
August 26, 2015, 9:00 – 10:00 a.m. Eastern
Hilton St. Petersburg Bayfront
Grand Bay South
Pinellas County**

1. Call to Order
2. Pledge
3. Public Comment
4. Opening Remarks
5. Approval of June 19, 2015 Minutes
6. Project Management Briefing: Development of SEP
Doug Robison
Environmental Science Associates
7. Planning Grant Application Report (Progress on Iterative Process)
Lisa King
Langton Associates
8. Adoption of Budget for FY 2015/2016
9. Approval of Consortium's 2016 Meeting Calendar
10. Report of the Committee of the Eight Disproportionately Affected Counties
11. Interim Manager's Report
 - Update on Independent Auditor for FY 2014/2015
 - Deepwater Horizon Restoration Partners Update
 - Update on General Counsel Services Contract
12. General Counsel's Report: Permanent Manager RFP and Direction
13. New Business



14. Public Comment
15. Upcoming 2015 Meetings
 - Board Meeting
 - Wednesday, November 18, 2015
 - 9:00 – 11:00 am, ET
 - Omni Amelia Island Plantation – Nassau County*
16. Adjourn

**Gulf Consortium Directors, Alternates and Governor's Appointees
AS OF August 26, 2015**

County	Director and Alternate
Bay	Comm Mike Thomas, Director; Comm George Gainer, Alternate
Charlotte	Comm Christopher Constance, Director; Comm Tricia Duffy, Alternate
Citrus	Comm Scott Adams, Director; Ken Cheek, Water Resources Director
Collier	Comm Tom Henning, Director; Comm Donna Fiala, Alternate; Director Gary McAlpin, 2nd Alternate
Dixie	Tim Alexander, Director of Emergency Management; Administrator Mike Cassidy, Alternate
Escambia	Comm Grover Robinson, Director; Comm Doug Underhill, Alternate
Franklin	Comm Cheryl Sanders, Director; County Administrator Alan Pierce, Alternate
Gulf	Warren Yeager, Director; County Administrator Donald Butler, Alternate
Hernando	Comm Wayne Dukes, Director; Administrator Len Sossamon, Alternate
Hillsborough	Comm Les Miller, Director; Comm Ken Hagan, Alternate
Jefferson	Comm Betsy Barfield, Director; County Coordinator Parrish Barwick, Alternate
Lee	Comm John Manning, Director; Comm Larry Kiker, Alternate; Kurt Harclerode, 2nd Alternate
Levy	Comm John Meeks, Director; County Coordinator Fred Moody, Alternate
Manatee	Comm Carol Whitmore, Director; Charlie Hunsicker, Natural Resources Dept., Alternate
Monroe	Commissioner George Neugent, Director; Comm David Rice, Alternate
Okaloosa	Comm Kelly Windes, Director; Comm Carolyn Ketchel, Alternate
Pasco	Comm Jack Mariano, Director; Comm Mike Wells, Alternate
Pinellas	Susan Latvala, Director; Coastal Manager Andy Squires, Alternate
Santa Rosa	Comm Lane Lynchard, Director; Comm Rob Williamson, Alternate
Sarasota	Comm Charles Hines, Director; Laird Wreford, Natural Resources Manager, Alternate
Taylor	Comm Jim Moody, Director; Dustin Hinkel, County Administrator, Alternate

**Gulf Consortium Directors, Alternates and Governor's Appointees
AS OF August 26, 2015**

Wakulla	David Edwards, County Administrator, Director; Comm Ralph Thomas, Alternate
Walton	Comm Sara Comander, Director; Comm Cindy Meadows, Alternate
Governor's Appointees	Pam Anderson, Panama City; Peter Bos, Destin; Lino Maldonado, Niceville; Collier Merrill, Pensacola; Mike Sole, Tallahassee; Neal Wade, Panama City

Notice of Meeting/Workshop Hearing

OTHER AGENCIES AND ORGANIZATIONS

Gulf Consortium

The Gulf Consortium announces a public meeting, to which all persons are invited.

DATE AND TIME: August 26, 2015, 9:00 – 10:00 am, Eastern Time.

PLACE: Hilton St. Petersburg Bayfront, 333 1st Street South, St. Petersburg, Pinellas County, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Gulf Consortium will meet to discuss the progress of the planning grant application; the progress of the general counsel services contract; the budget for FY 2015/2016; the Consortium's meeting calendar for 2015/2016; and conduct other business.

A copy of the agenda may be obtained by contacting: Ginger Delegal at 850-922-4300 or gdelegal@fl-counties.com; or, see www.FACRestore.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ginger Delegal at (850)922-4300 or gdelegal@fl-counties.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Ginger Delegal at (850)922-4300 or gdelegal@fl-counties.com; or, see www.FACRestore.com.

**Gulf Consortium Board of Directors
August 26, 2015**

**Agenda Item 5
Approval of June 19, 2015 Board of Directors Minutes**

Statement of Issue:

This agenda item proposes approval of the June 19, 2015 Board of Directors minutes.

Options:

- (1) Approve the June 19, 2015 minutes, as presented; or
- (2) Amend and then approve the June 19, 2015 minutes.

Recommendation:

Motion to approve the June 19, 2015 Board of Directors meeting minutes, as presented.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim Manager
On: August 21, 2015

Attachment:

Draft 6/19/15 Minutes

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

**Gulf Consortium Meeting
June 19, 2015, 10:00 a.m. (ET)
Sawgrass Marriott
1000 PGA Tour Boulevard
Ponte Vedra Beach, St. Johns County, Florida**

Board Members in Attendance: Commissioner Mike Thomas (Bay), Commissioner Christopher Constance (Charlotte), Commissioner Scott Adams (Citrus), Mr. Gary McAlpin (Collier), Commissioner Jody Robson (Dixie), Commissioner Grover Robinson (Escambia), Commissioner Cheryl Sanders (Franklin), Commissioner Warren Yeager (Gulf), Commissioner Wayne Dukes (Hernando), Commissioner Betsy Barfield (Jefferson), Commissioner John Meeks (Levy), Mr. Charlie Hunsicker (Manatee), Commissioner George Neugent (Monroe), Commissioner Nathan D. Boyles (Okaloosa), Commissioner Jack Mariano (Pasco), Mr. Andrew P. Squires (Pinellas), Commissioner Rob Williamson (Santa Rosa), Commissioner Charles Hines (Sarasota), Commissioner Jim Moody (Taylor), Mr. David Edwards (Wakulla), Commissioner Sara Comander (Walton) and Mr. Mike Sole.

Agenda Item #1 – Call to Order

Commissioner Grover Robinson (Escambia) called the meeting to order at 10:01 am (ET).

Agenda Item #3 – Public Comment

Jessica Koelsch - National Wildlife Federation

Agenda Item #4 – Approval of March 25, 2015 Minutes

Commissioner Grover Robinson (Escambia) presented the minutes from the March 25, 2015 meeting of the Gulf Consortium. A motion to approve the minutes was presented by Commissioner George Neugent (Monroe) and seconded by Commissioner Warren Yeager (Gulf).

ACTION: APPROVED

Agenda Item #5 – Planning Grant Application Progress Report

Ms. Ginger Delegal, Interim Manager, gave an overview of the agenda item which included a proposed letter from the Consortium to the Restoration Council requesting an extension of the June 22, 2015 deadline for submission of the planning grant application. Ms. Delegal then introduced Lisa King with Langton Associates who further briefed the Board on the progress of the planning grant application to date. The Board questioned Ms. King on whether the Council would be receptive to the deadline request and Ms. King responded in the affirmative. After further discussion by the Board, a motion to approve the proposed letter to the Restoration Council was made by Commissioner Chris Constance (Charlotte) and seconded by Commissioner George Neugent (Monroe).

ACTION: APPROVED

Ms. Ginger Delegal, Interim Manager, gave a brief overview of the agenda item to the Board explaining the intent of granting interim delegation of authority to the Executive Committee. Commissioner Chris Constance (Charlotte) commented to the Board that the Executive Committee meetings are publicly noticed and could be attended by any Board member should they desire. There being no questions or further comment, a motion to approve was made by Commissioner Mike Thomas (Bay) and seconded by Commissioner Cheryl Sanders (Franklin) to delegate interim authority to the Executive Committee for

approval on any and all submissions of the planning grant application, with the requirement of action reports to the Board at their regularly scheduled meetings.

ACTION: APPROVED

Agenda Item #6 – Acceptance of the Evaluation Team Report for Procurement of General Counsel Services and Authorize Negotiation of Contract

Ms. Ginger Delegal, Interim Manager, presented this agenda item to the Board and introduced Shelly Kelley, Purchasing Director for Leon County, Florida and Chairman of the Evaluation Team, Raymond Sandroock, County Administrator for Charlotte County. The Chairman recognized Ms. Kelley and Mr. Sandroock and disclosed his personal relationship with the law firm of Clark, Partington Hart, Larry, Bond & Stackhouse in that the firm represents his family's estate. Ms. Kelley gave a brief overview of the selection process by the Evaluation Team and the manner in which they arrived at their recommendation. The Board questioned Ms. Kelley and Mr. Sandroock on the initial evaluation versus the personal interviews of the final two firms as well as the rate differential between the two firms. Ms. Kelley and Mr. Sandroock both addressed the Board's questions. There being no further questions or comments by the Board, a motion was made by Commissioner Chris Constance (Charlotte) and seconded by Commissioner Rob Williamson (Santa Rosa), to accept the Evaluation Team's recommendation and authorize the negotiation of a contract with Nabors, Giblin & Nickerson. Said motion passed unanimously.

ACTION: APPROVED

Agenda Item #7 – Approval of Resolution No. 2015-02 Relating to Fiscal Agent Services and Grant Administration Services

Ms. Sarah Bleakley, Interim General Counsel, presented to the Board Resolution 2015-02 relating to fiscal agent services and grant management services for consideration and adoption. A brief overview included the Resolution's intent and the recommendation of approval by the Executive Committee. There were no questions or comments by the Board and a motion was made to approve Resolution 2015-02 by Commissioner George Neugent (Monroe) and seconded by Commissioner Betsy Barfield (Jefferson). The motion passed unanimously.

ACTION: APPROVED

Agenda Item #8 – Approval of Interlocal Agreement with Leon County Clerk of Court for Fiscal Agent Services

Ms. Sarah Bleakley, Interim General Counsel, presented this item to the Board and gave an overview of the proposed Interlocal Agreement with the Clerk of the Court for fiscal agent services. There being no questions or comments by the Board, a motion to approve the proposed Interlocal Agreement with the Clerk of the Court for fiscal agent services was made by Commissioner George Neugent (Monroe) and seconded by Commissioner Betsy Barfield (Jefferson). Said motion passed unanimously.

ACTION: APPROVED

Agenda Item #9 – Approval of Second Amended Interlocal Agreement with Leon County for Grant Administration Services

Ms. Sarah Bleakley, Interim General Counsel, presented this item to the Board. There were no questions or comments by the Board, a motion to approve the proposed Second Amended Interlocal Agreement with Leon County for grant administration services was made by Commissioner George Neugent (Monroe) and seconded by Commissioner Betsy Barfield (Jefferson). Said motion passed unanimously.

ACTION: APPROVED

Agenda Item #10 – Approval of Task Order 3 (Public Involvement Phase I)

Ms. Ginger Delegal, Interim Manager, presented this item to the Board and gave a brief overview of proposed Task Order 3 and introduced Doug Robison with Environmental Science Associates and Tiffany Busby with Wildwood Consulting for a more detailed overview of Task Order 3 and to respond to questions by the Board. Mr. Robison gave a detailed review of the objectives of Task Order 3 and Ms. Busby presented the proposed goal and objectives of the Goal Setting Workshop to be held on August 26, 2015, including a questionnaire or survey which would be distributed to the Board for response. Questions were posed to Mr. Robison and Ms. Busby ranging from advisory committees, the timeline of events prior to and after the Goal Setting Workshop. The Board also stressed the time sensitivity in distributing the questionnaire/survey. Mr. Robison and Ms. Busby both responded to their respective questions and, there being no further questions or comments by the Board, a motion to approve Task Order 3 was made by Commissioner Mike Thomas (Bay) and seconded by Commissioner Chris Constance (Charlotte). Said motion passed unanimously.

ACTION: APPROVED

Agenda Item #11 –Adoption of Purchasing Policy for Management Services – Amendment to Resolution 2015-01

Ms. Sarah Bleakley, Interim General Counsel, presented to the Board the Purchasing Policy for Management Services (Amended Resolution 2015-01) for consideration and adoption. A brief overview included the Resolution’s intent and the recommendation of approval by the Executive Committee. There were no questions or comments by the Board and a motion was made to approve amended Resolution 2015-01 by Commissioner George Neugent (Monroe) and seconded by Commissioner Mike Thomas (Bay). The motion passed unanimously.

ACTION: APPROVED

Ms. Bleakley next presented to the Board the Request for Proposals for Management Services for consideration and approval. A brief overview included the RFP’s intent and composition of the Evaluation Team which will be comprised of five (5) members including a representative from DEP, a county attorney from the 8 disproportionately impacted counties, a county attorney from the remaining 15 counties, a county manager from the 8 and a county manager from the 15 counties. Ms. Bleakley also mentioned that the proposed RFP contained a scrivener’s error in that the date for release was to be June 23, 2015 and not June 22, 2015. There being no questions or comments by the Board, a motion was made to approve the Request for Proposals for Management Services and composition of the Evaluation Team, with the amendment of the date, by Commissioner Sara Comander (Walton) and seconded by Commissioner Jack Mariano (Pasco). The motion passed unanimously.

ACTION: APPROVED

Agenda Item #12 –Adoption of Resolution 2015-03 Relating to Clean Water Act Fine Parity

Chairman Grover Robinson (Escambia) turned the meeting over to Commissioner Warren Yeager (Gulf) to present to the Board the proposed Resolution 2015-03 related to the Clean Water Act Fine Parity. The Chairman also recognized former U.S. Representative Steve Southerland. A brief discussion ensued by the Board including Mr. Sole who questioned the necessity of this resolution and its purpose in relation to developing the state expenditure plan. Commissioner Chris Constance (Charlotte) requested that it be forwarded to all of Florida’s congressional delegation. There being no questions or further comments, a motion was made to adopt Resolution 2015-03 with the amendment to add all of Florida’s congressional delegation by Commissioner Jack Mariano (Pasco) and seconded by Commissioner Mr. Charlie Hunsicker (Manatee). The motion passed unanimously.

ACTION: APPROVED

Agenda Item # 13 - Interim Manager's Report

Ms. Ginger Delegal, Interim Manager, updated the Board on Deepwater Horizon Restoration Partners activities since March, 2015. Ms. Delegal announced that the Restoration Council had formally approved Florida's Planning State Expenditure Plan and congratulated the Board on its efforts in that regard. Ms. Delegal further stated that Consortium staff continues to meet regularly with the Governor's Office as well as DEP. There were no questions or comments by the Board and no action was required.

Lastly, Ms. Delegal gave a brief overview of the project management briefing agenda item and introduced Doug Robison with Environmental Science Associates who gave a detailed update to the Board on the development of the State Expenditure Plan. Discussion by the Board ensued on water projects, scientific updates on the Gulf's status and water quality items to be addressed. No action was required.

Agenda Item #14 – New Business

The Chairman recognized retiring FAC Executive Director Chris Holley and thanked him for his work on the Consortium. Mr. Holley addressed the Board thanking them for their work.

Agenda Item #15 – Public Comment

Darryl Boudreaux, Eustary Programs
Janet Bowman, The Nature Conservancy

Agenda Item #16 – Upcoming 2015 Meetings

The next meeting of the Consortium Board of Directors will be held on August 26, 2015 at 9:00 am ET at the Hilton, St. Petersburg Bayfront in Pinellas County. The Goal Setting Workshop will begin immediately following the adjournment of the Board meeting.

Agenda Item #17 – Adjournment

There being no further business, the Board adjourned at 11:26 am (ET).

Respectfully submitted,

Grover Robinson
Chairman

**Gulf Consortium Board of Directors
August 26, 2015**

**Agenda Item 6
Project Management Briefing: Development of SEP**

Executive Summary:

This agenda item provides a brief update on the activities of the ESA Consultant Team since the June 19, 2015 Gulf Consortium meeting.

Background:

Since the June 19, 2015 Gulf Consortium meeting the ESA Consultant Team has focused on preparing for the August 26 Goal Setting Workshop and communicating with the Consortium members.

As part of its Initial Comprehensive Plan, the Restoration Council has developed goals, objectives, and guiding principles to guide the selection of projects, programs and activities to be funded under the Council Funded Component (Pot #2) and Spill Impact Component (Pot #3) of the RESTORE Act. While the Florida State Expenditure Plan (FSEP) must be consistent with the Council's goals and objectives, there is flexibility to accommodate Florida-specific priorities. The anticipated outcome of this workshop will be a compilation of Florida-specific goals and objectives that represent the consensus of the Gulf Consortium. These goals and objectives will be used by the ESA Consultant Team as the framework for the development of the FSEP. In addition, these goals and objectives will be presented back to the Consortium Board, in a written form, for the Board's final review and approval at its November 18 meeting.

In developing Florida-specific goals and objectives it is important that the Consortium members openly discuss and debate two fundamental questions with regard to the priority distribution of Spill Impact Component funds: what should the money be spent on, and on where should it be spent? Addressing these questions early on will help set the stage for the development of both goals and objectives, as well as setting future criteria for sorting, evaluating and ranking eligible projects, programs and activities proposed for consideration.

Following the June 19, 2015 Gulf Consortium meeting, the ESA Consultant Team prepared and distributed a questionnaire and supporting informational materials to the Consortium members to express their individual thoughts and opinions on the two fundamental questions as well as other related matters. Following the distribution of the questionnaire, the consultant team conducted follow-up telephone interviews with each Consortium member to further discuss their responses and opinions. The questionnaire responses were compiled and analyzed, and the results will be presented at the workshop to set the stage for the day's discussion.

Responses to the questionnaire and follow-up interviews were excellent and productive. Only one questionnaire was returned incomplete, and one Board member was not available for a follow-up interview due to being out of the country on vacation. In addition to the questionnaire activity, the consultant team continued to schedule and conduct face to face meetings with Consortium members.

The Executive Committee, at its meeting of August 20, 2015, approved the attached agenda for the Goal Setting Workshop scheduled for August 26, 2015 in Pinellas County. The Workshop is being facilitated by Tiffany Busby with Wildwood Consulting. Her short bio is attached for reference.

Analysis

None.

Options:

This agenda item is informational only. No action required.

Fiscal Impact:

None

Recommendation:

No Board action is required.

Attachments:

8/26 Workshop Agenda.

Tiffany Busby Bio.

Prepared by:

Ginger Delegal

Florida Association of Counties

Interim Manager

On: August 21, 2015



AGENDA
FLORIDA GULF CONSORTIUM
GOAL SETTING WORKSHOP
WEDNESDAY, AUGUST 26, 2015

- 9:00 AM – 10:00 AM** **Business Meeting**
- 10:00 AM – 10:15 AM** **Break**
- 10:15 AM – 10:30 AM** **Review of Workshop Goals and Productivity Rules**
- Discussion Format
 - Productivity Rules
 - Workshop Goals
 - Future Topics For Discussion (but not today)
- 10:30 AM – 11:45 AM** **Presentations** (15 minute presentations/10 minutes for questions)
- 10:30 AM – 10:55 AM**
- *Summary of Tentative Deepwater Horizon Oil Spill Settlement* – Doug Robison, Environmental Science Associates and Mike Langton, Langton Associates
 - RESTORE Act (Clean Water Act fines)
 - Breakdown by RESTORE Act Pots
 - Breakdown by Gulf States
 - Payment Schedule
 - Natural Resource Damages
 - Economic Damages
 - Local Claims
 - Potential Leveraging Opportunities
- 10:55 AM – 11:20 AM**
- *Summary of Other Ongoing Gulf Restoration Projects and Planning Activities in Florida*--Phil Coram, Florida Department of Environmental Protection and Kelly Samek, Florida Fish and Wildlife Conservation Commission
 - On-Going Restoration Projects to Date
 - NRDA
 - NFWF
 - MOEX
 - Restore Pot 2 – Council Draft Funded Priorities List (FPL)
 - Review of proposed projects Gulf-wide
 - Review of Florida-specific projects
 - Schedule for final FPL
 - NFWF – Florida Gulf Environmental Benefit Fund

Restoration Strategy

- Mission and focus
- Planning process
- Schedule

11:20 AM – 11:45 AM

- *Review of State Expenditure Plan Requirements and Allowable Uses for Pot 3 Funds*—Doug Robison, Environmental Science Associates and Ann Redmond, Brown and Caldwell
 - Legal and Review Requirements of State Expenditure Plans
 - Council Goals and Objectives
 - Eligible Projects, Programs and Activities for Pot 3
 - Infrastructure Limitation
 - Summary of Projects Included in the DEP Project Portal

11:45 AM – 12:15 PM

Break for Box Lunch Distribution

12:15 PM -- 12:45 AM

Summary of Questionnaire Results

- Outcomes
- Gulf Council Goals & Objectives
- Types of Projects
- Geographic Distribution of Projects

12:45 PM – 1:30 PM

Discussion on Florida Goals and Objectives

- BP Settlement Implications
- Review Draft Florida Goals
- Discuss Primary and Secondary Considerations
- Discuss Any Additions Under Consideration
- Document Any Consensus Reached
- Review Draft Florida Objectives
- Discuss Primary and Secondary Considerations
- Discuss Any Additions Under Consideration
- Document Any Consensus Reached

1:30 PM – 2:45 PM

Geographic Distribution of Projects

- Reminder of Survey Responses
- Facilitator's Summary/Suggestions
- Consensus Discussion: Should geography be a primary consideration in Florida's plan?
- Consensus Discussion: Should a portion of the funding be allocated to each county or coastal watershed?
- Consensus Discussion: Should the disproportionate counties receive more of the funding?
- Document Any Consensus Reached

2:45 PM – 3:00 PM

Break

3:00 PM – 4:15 PM

Economic and Environmental Projects

- Reminder of Survey Responses
- Facilitator's Summary/Suggestions
- Consensus Discussion: Do we need to define allocations for either economic development or environmental projects?
- Consensus Discussion: Should some Pot 3 funding be designated to study the long term threat/impact of oil remaining in the Gulf and/or other rigs that may have similar structural issues?
- Document any Consensus Reached

4:15 PM – 5:00 PM

Wrap Up and Public Comments

- Facilitator's Summary
- Feedback
- Chairman's Comments
- Public Comments

5:00 PM

Adjourn

Biography of Tiffany L. Busby

Tiffany Busby has facilitated committees and meetings related to natural resource-related plans throughout Florida. Prior to starting Wildwood Consulting in 2000, Tiffany was the Director of the Charlotte Harbor National Estuary Program where she facilitated the creation of the original Comprehensive Conservation and Management Plan (CCMP) for Charlotte Harbor which includes the Peace and Myakka River basins as well as Lemon Bay, the tidal Caloosahatchee River, and Estero Bay. As the Manager of the Georgia Coastal Management Program in Brunswick, Georgia from 1996-1998 she drafted the state's Coastal Zone Management Plan and facilitated the state's Coastal Advisory Committee.

For the past 15 years with Wildwood Consulting, Tiffany has facilitated numerous planning efforts involving local governments including 18 basin management action plans (BMAPs) implementing water quality standards for various Florida watersheds and springsheds as well as the 2008 Lower St. Johns River SWIM Plan. In 2011, Tiffany was an invited speaker at the National Academies of Science, Natural Research Council *Committee on the Review of EPA's Economic Analysis of Final Water Quality Standards for Nutrients for Lakes and Flowing Waters in Florida*.

She is currently elected the Vice President of the Florida Stormwater Association (FSA) and is the past chair of the FSA Legislative and Agency Relations Committee. Tiffany has a Master's Degree from the Duke University School of the Environment and a Bachelor's Degree in Business Administration from the University of Texas at Austin.

Tiffany can be reached at TLBusby@wildwoodconsulting.net or at 904-797-2721.

**Gulf Consortium Board of Directors
August 26, 2015**

**Agenda Item 7
Planning Grant Application Report**

Executive Summary:

Discuss the progress in preparing the Planning Grant Application for submission to the Restoration Council.

Background:

The Planning State Expenditure Plan was submitted to the Restoration Council for approval by the Governor on April 2, 2015. The Council had a 60-day review period. On May 21, 2015, the Council formally approved Florida's Planning State Expenditure Plan.

Langton Associates, a part of the ESA Consultant Team has been working to prepare the planning grant application for the Consortium's review and approval. Currently, the total request for the grant is \$4,851,525.00, over a planning horizon that extends back from August 22, 2014 (pre-award costs), forward two (2) years, to September 30, 2017. A detailed breakdown of a proposed budget plan was included in the PSEP, approved by the Consortium Board and the Restoration Council. Currently, Langton is working with the Restoration Council staff on behalf of the Gulf Consortium in an iterative, progressive application process.

On July 1, 2015, the Consortium received correspondence from the Council waiving the 30-day deadline for submission of the planning grant application, agreeing to the collaborative process of reviewing documents and providing assistance so the planning grant application approval is achieved and noting the request for the process to be completed and approved by September 30, 2015.

Council staff provided an extensive list of documents to be reviewed and Consortium staff began uploading documents to a sharable drive, Google Drive. Once all documents requested were uploaded, a conference call was held on August 7, 2015 during which the Restoration Council staff provided helpful guidance for the next iteration.

In addition, Consortium staff has been working with Langton Associates to obtain the Consortium's registration on grants.gov. The first two steps are complete.

Once the application is approved, the Consortium and the Council will negotiate and enter into a grant agreement. The grant will be funded thereafter.

Fiscal Impact:

Under Task Order 1, ESA agreed to develop the PSEP and the preparation of a grant application for planning funds. Task Order 1 provides that payment to ESA is contingent upon the receipt of federal planning grant monies. Upon receipt of those funds, ESA will be paid \$15,000 for its services for the planning grant application preparation, and \$35,980 when the Council approves the grant, for a total of \$50,980.

Options:

This agenda item is informational only. No action required.

Attachments:

None.

Recommendation:

No action is required at this time.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim General Manager
On: August 21, 2015

**Gulf Consortium Board of Directors
August 26, 2015**

**Agenda Item 8
Adoption of the Budget for FY 2015/16**

Executive Summary:

Seeking approval of the FY 2015/16 Budget for the Gulf Consortium and the county allocations for FY 2015/16.

Background:

The proposed budget for 2015/2016 will be a continuation of the transition budget that was adopted for 2014/15 by the Gulf Consortium. This budget is intended to provide the Interim Manager (Florida Association of Counties), the General Counsel (Nabors, Giblin & Nickerson, P.A.), and the Consortium Board with minimal resources to support the continued operation of the Gulf Consortium.

Analysis:

The planning grant application process for the Consortium's costs in developing the State Expenditure Plan is underway. However, preliminary indications are that many of the operational costs of the Gulf Consortium will not be eligible for funding through the grant. For the costs that are eligible, to the extent that they are "indirect" or "administrative" they are subject to a 3% cap, applied to the grant award (e.g., 3% of \$4.8 million is \$144,000). To the extent that costs, currently funded by the Consortium's budget are lawfully allocated as "direct" or "program" costs of the grant itself, they are reimbursable at significantly higher levels by the grant. The determination of these allocations, particularly as related to the General Counsel contract and the Interim Manager contract will be uncertain for a while.¹ Accordingly, for the Consortium to continue to operate, the county contributions will need to continue during 2015/16. Therefore, the Interim Manager is proposing a continuation of the transition budget from 2014/15, with minor changes.

- The county allocations will remain the same. That spreadsheet is attached hereto. The counties will be invoiced, in two equal installments in October 2015 and in March 2016.
- The \$7500 grants writer budget item from 2014/15 will roll over to 2015/16 and be added to an additional \$7500 for 2014/15, amounting to a full \$15,000 item for the grants writer to assist in obtaining planning grants for the Gulf Consortium's work in developing the State Expenditure Plan.
- A \$7500 expenditure item has been added to the Meeting and Travel Expenses Line Item. This \$7500 is added to the 2014/15 amount of \$8,550, for a total of \$16,050 in this item. This item will be used to fund meeting room rentals, AV

¹ The contract with the ESA Consultant Team for the development of the SEP appears at this point to be more favorably certain.

needs, and travel expenses of the General Counsel and Interim Manager for Consortium meetings.

- All other revenue and expenditure items remain the same as 2014/2015.

The Board should anticipate that when the process for obtaining planning grant funds is finalized that a budget amendment may be necessary during FY 2015/16.

The Executive Committee is recommending adoption of the Gulf Consortium Budget and the county allocations as attached for FY 2015/16.

Options:

- (1) Approval of the FY2015/16 proposed budget and county allocation amounts;
- (2) Provide other direction.

Fiscal Impact:

As indicated in the county allocations and proposed budget that is attached for FY 2015/16. The total proposed budget is \$155,050.

Attachments:

- Proposed Annual Budget 2015/16.
- Adopted Budget to Actual 2014/15.
- Cash Flows Statement 2014/15.
- Expense Register Detail 2014/15.
- Gulf Consortium FY 2015/16 Allocations.

Recommendation:

Board approval of the proposed 2015/2016 budget and county allocation amounts.

Submitted By:

Ginger Delegal
Florida Association of Counties
Interim General Manager
On: August 21, 2015

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

Gulf Consortium
Proposed Annual Budget
October 1, 2015 - September 30, 2016

	Proposed Budget FY2016	Adopted Budget FY2015	Projected Actuals FY2015
Revenues			
Interim County Funding	140,050	140,050	140,050
Cash Carryforward*	15,000	7,500	-
Total Revenues	155,050	147,550	140,050
Disbursements			
Consulting-Administration	60,000	60,000	60,000
Consulting-Legal & Expenses	60,000	60,000	60,000
Meeting and Travel Expenses*	16,050	8,550	8,550
Miscellaneous	1,000	1,000	1,000
Annual Audit	3,000	3,000	3,000
Grant Writer*	15,000	15,000	-
Total Disbursements	155,050	147,550	132,550
Revenues Over (under) Disbursements	-	-	7,500

Cash Carryforward:

*Cash Carryforward amount of \$15,000 is comprised of unused funds from FY2014 and FY2015;
Funds split equally between GrantWriter and Meeting & Travel Expenses*

Gulf Consortium
Adopted Budget to Actual
October 1, 2014 -July 31, 2015

	FY15 Budget	FY15 Year To Date Actual*
Revenues		
Interim County Funding	140,050.00	140,050.00
Cash Carryforward	7,500.00	
Interest Income	-	18.08
Total Revenues	147,550.00	140,068.08
Disbursements		
Consulting-Administration	60,000.00	30,000.00
Consulting-Legal	60,000.00	40,000.00
Meeting and Travel Expense	8,550.00	1,582.94
Miscellaneous	1,000.00	706.50
Audit Expense	3,000.00	3,000.00
Grant Writer Expense	15,000.00	-
Total Disbursements	147,550.00	75,289.44
Revenues Over (under) Disbursements	-	64,778.64

**Cash Basis of Accounting for Interim Reporting*

Gulf Consortium
Cash Flows Statement
October 1, 2014 -July 31, 2015

Beginning Cash Balance	10/1/2014	21,467.79
Deposits- FY15 County Funding	140,050.00	
Deposits- Interest	18.08	
Net Cash Provided		<u>140,068.08</u>
Expenses- FY 15 Expenses	(75,289.44)	
Expenses- FY 14 Expenses	(13,174.25)	
Net Cash Used		<u>(88,463.69)</u>
Ending Cash Balance	7/31/2015	73,072.18

Gulf Consortium
Expense Register Detail
 October 1, 2014 to September 30, 2015

Check #	Payee	Date	Total Amount	FY2015 Expenses					FY2014 Expenses					Description	
				Consult-Admin	Consult-Legal	Meeting & Travel	Misc	Audit	Consult-Admin	Consult-Legal	Meeting & Travel	Misc	Audit		
1057	FL Department of State	10/2/2014	39.20												Meeting Notice September 10, 2014
1058	FL Department of State	10/17/2014	35.00				35.00								Meeting Notice October 2, 2014
1059	Nabors Giblin Nickerson	10/17/2014	5,635.05						5,000.00	635.05					September 14 Consulting and Expenses
1060	FL Department of State	10/30/2014	38.92				38.92								Meeting Notice October 8, 2014
1061	FL Dept of Economic Opp	10/30/2014	175.00				175.00								2014-15 Annual Special District Fee
1062	FL Association of Counties	11/24/2014	12,500.00	5,000.00							7,500.00				Aug (1/2), Sept, Oct 14 Consulting
1063	FL Department of State	11/24/2014	36.68				36.68								Meeting Notice October 30, 2014
1064	FL Department of State	12/2/2014	75.04				75.04								Meeting Notice Nov 5 & Nov 12, 2014
1065	FL Association of Counties	12/16/2014	5,000.00	5,000.00											Nov 14 Consulting
Reversal	FY13 NGN Accrual was 72.45 too high										(72.45)				
1066	FL Association of Counties	1/30/2015	5,000.00	\$ 5,000.00											Dec 14 Consulting
1067	FI Department of state	2/3/2015	72.66				\$ 72.66								Meeting Notices: Jan 9, 2015, Jan 14, 2015
1068	Nabors Giblin & Nickerson	2/10/2015	21,020.11		\$ 20,000.00	\$ 1,020.11									Legal: Jan 15 (5178.59); Dec 14 (5220.28); Nov 14 (5591.84); Oct 14 (5029.40)
	BANK FEES	3/19/2015	30.00				\$ 30.00								Bank Fees to be reimbursed
1069	Warren Averett, LLC	3/24/2015	\$ 3,000.00								\$ 3,000.00				Audit
1070	FI Department of State	3/24/2015	\$ 35.14				\$ 35.14								Meeting Notices: 3/12/15
1071	FL Association of Counties	3/30/2015	\$ 10,000.00	\$ 10,000.00											Jan, Feb 15 Consulting
1072	FI Department of state	4/21/2015	\$ 33.74				\$ 33.74								Meeting Notices: 3/18/15
	BANK FEES	4/28/2015	\$ 30.00				\$ (30.00)								Bank Fees Reimbursed
1073	Florida Association of Counties	5/5/2015	\$ 5,000.00	\$ 5,000.00											March 15 Consulting
1074	Nabors Giblin Nickerson	5/5/2015	\$ 10,562.83		\$ 10,000.00	\$ 562.83									Legal: Feb 15 (5088.57)and March 15 (5474.26)
1075	Nabors Giblin Nickerson	6/10/2015	\$ 10,126.20		\$ 10,000.00		\$ 126.20								Legal: April 15 (5042.20) and May 15 (5084)
1076	FL Department of State	7/14/2015	\$ 78.12				\$ 78.12								Meeting Notices: 6/5/15 and 6/23/15
				30,000.00	40,000.00	1,582.94	706.50	3,000.00	60,000.00	60,000.00	7,945.78	838.48	3,000.00		

**GULF CONSORTIUM
FY2015/16 ALLOCATIONS**

County	Total Amount	October 2015 Invoice 1	April 2016 Invoice 2
Bay	8,270	4,135	4,135
Charlotte	8,270	4,135	4,135
Citrus	8,270	4,135	4,135
Collier	8,270	4,135	4,135
Dixie	2,000	1,000	1,000
Escambia	8,270	4,135	4,135
Franklin	2,000	1,000	1,000
Gulf	2,000	1,000	1,000
Hernando	8,270	4,135	4,135
Hillsborough	8,270	4,135	4,135
Jefferson	2,000	1,000	1,000
Lee	8,270	4,135	4,135
Levy	2,000	1,000	1,000
Manatee	8,270	4,135	4,135
Monroe	8,270	4,135	4,135
Okaloosa	8,270	4,135	4,135
Pasco	8,270	4,135	4,135
Pinellas	8,270	4,135	4,135
Santa Rosa	8,270	4,135	4,135
Sarasota	8,270	4,135	4,135
Taylor	2,000	1,000	1,000
Wakulla	2,000	1,000	1,000
Walton	2,000	1,000	1,000
	140,050.00	70,025	70,025

Amounts to be invoiced in equal installments

**Gulf Consortium Board of Directors
August 26, 2015**

**Agenda Item 9
Approval of Consortium's Proposed 2016 Meeting Calendar**

Statement of Issue:

This agenda item presents the time periods for the regularly-scheduled meetings for the Gulf Consortium Board of Directors during 2016.

Background:

The time periods are as follows:

FEBRUARY

Wednesday, February 3, 2016, 10:00 am – 12:00 pm, ET
Tallahassee, Leon County
In conjunction with FAC Legislative Day.

MARCH

Open

APRIL

Mid-April stand-alone meeting: location and time to be determined

JULY

Friday, July 1, 2016, 10:00 am – 12:00 pm, ET
Hyatt Regency Orlando, Orange County
In conjunction with FAC Annual Conference

AUGUST/SEPTEMBER

In conjunction with FAC Policy Conference. FAC Policy Conference has not been scheduled for a date certain; however, in 2015, that conference is at the end of August.

OCTOBER

Open

NOVEMBER/DECEMBER

In conjunction with FAC Legislative Conference. FAC Legislative Conference has not been scheduled for a date certain; however, in 2015, that conference is scheduled for mid-November.

Analysis:

These proposed time periods for regularly-scheduled Board meetings are provided based on an assumption that the Consortium desires to keep travel expenses and impacts to a minimum by being able to attend multiple meetings at the same location and time period. In addition, during 2016, more meetings will likely be required as the Consortium begins to engage in the active development of Florida's State Expenditure Plan. Those dates are not yet known.

The Executive Committee approved the direction of the proposed 2016 Meeting Calendar at its August 20, 2015 meeting.

Options:

- (1) Approve the direction of the proposed 2016 Meeting Calendar; or
- (2) Other direction provided to staff.

Recommendation:

Motion to approve the direction of the proposed 2016 Meeting Calendar.

Attachments:

None.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim General Manager
On: August 21, 2015

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved_____; Approved as amended_____; Defeated_____.

**Gulf Consortium Board of Directors
August 26, 2015**

Agenda Item 10

Report from Committee of the Eight Disproportionately Affected Counties

Executive Summary:

The Chair of the Committee of the Eight Disproportionately Affected Counties will report on the Committee's recent meeting regarding the Committee's statutory duties to Triumph Gulf Coast, Inc.

Background:

The Interlocal Agreement creating the Gulf Consortium provides the Board with the power to establish committees. See, § 4.01(A)(18), ILA. In November, 2012, the Board approved the establishment of the Committee of Eight Disproportionately Affected Counties, consisting of the Director (or Alternate) of each of the following counties: Bay, Escambia, Franklin, Gulf, Okaloosa, Santa Rosa, Wakulla and Walton. The Committee met and recommended an allocation formula among themselves for the Pot 1 distributions under the RESTORE Act. At the Board meeting which approved the Committee's formula, the Board approved a motion allowing the Committee to continue its existence, subject to Executive Committee approval of its meetings.

The Legislature created Triumph Gulf Coast, Inc. in the 2013 Regular Session. Regarding the Committee of the Eight, that law provides: "the chair of the Committee of 8 Disproportionally Affected Counties, or his or her designee, shall be available to consult with the [Triumph] board of directors and may be requested to attend meetings of the board of directors . . . [but] shall not be permitted to vote on any matter before the board." § 288.8014(8), *Fla. Stat.*

Following the release of information about the settlement with B.P., the Triumph Board scheduled a meeting on August 18, 2015. The chair of the Committee of the Eight (Warren Yeager, Gulf County RESTORE Act Coordinator) has been requested to be present at that meeting. To allow the members of the Committee of the Eight to provide advice and suggestions to the Chair, a meeting of the Committee was scheduled and properly noticed for August 17, 2015 via conference call.

Options:

This agenda item is informational only. No action required.

Attachments:

8/17/15 Minutes of the Committee of Eight Disproportionately Affected Counties.

Prepared by:

Sarah M. Bleakley
Nabors, Giblin & Nickerson, P.A.
Interim General Counsel
On: August 21, 2015

Gulf Consortium
Committee of Eight Disproportionately Affected Counties
August 17, 2015, 2:00 p.m. (Eastern)
Florida Association of Counties
Leon County, Tallahassee, Florida

Committee Members in Attendance Telephonically: Commissioner Mike Thomas (Bay), Commissioner Grover Robinson (Escambia), Alan Pierce on behalf of Commissioner Cheryl Sanders (Franklin), Warren Yeager (Gulf), Commissioner Kelly Windes (Okaloosa), Commission Lane Lynchard (Santa Rosa), David Edwards (Wakulla) and Commission Sara Comander (Walton).

Others in Attendance Telephonically: Jim Muller (Bay County Restore Act Coordinator), Valerie Sale (Bay County), Commissioner Ralph Thomas (Wakulla County) and Sheree Keeler (Wakulla County).

Agenda Item #1 – Call to Order

Warren Yeager, as Chair of the Committee (Gulf) called the meeting to order at 2:01 pm (ET).

Agenda Item #2 – Public Comment

There was no public comment.

Agenda Item #3 – Public Notice

Ms. Ginger Delegal, Interim Manager of the Gulf Consortium, informed the Committee that an emergency meeting had been publicly noticed in the Florida Administrative Rules Register and posted on the Gulf Consortium website at www.FACRestore.com. The notice was published on August 13, 2015.

Agenda Item #4 – Motion to Confirm Chairman’s Declaration of an Emergency

Ms. Sarah Bleakley, General Counsel to the Gulf Consortium, briefed the Committee on the agenda item and the need for the Committee to confirm the Chairman’s actions in declaring the emergency meeting. Mr. Yeager briefed the Committee on events leading up to calling the emergency Committee meeting and the need to quickly discuss the Committee’s role in Triumph Gulf Coast, Inc. before its inaugural meeting. Mr. Yeager further stated that the presumed Chairman of the Triumph Board of Directors had requested that Mr. Yeager attend the meeting, in his capacity as Chairman of the Committee of the Eight Disproportionately Affected Counties, scheduled for Tuesday, August 18, 2015. There were no questions or comments by the Committee and a motion to confirm the declaration of emergency was made by Commissioner Sara Comander (Walton), seconded by David Edwards (Wakulla) and passed unanimously.

Agenda Item #5 –Discussion of Statutory Responsibilities of the Committee to Triumph Gulf Coast, Inc.

Ms. Ginger Delegal presented this agenda item to the Committee for consideration and discussion by briefly giving an overview of the Triumph Gulf Coast meeting agenda, the Gulf Coast Economic Corridor

Act Summary and the Gulf Coast Economic Corridor Act Statutory language. Mr. Yeager then prompted the Committee for any comment and to open discussion regarding his attendance at the Triumph Gulf Coast meeting scheduled for Tuesday, August 18 and the Committee's voice, as a whole, at the meeting. Committee discussion ensued with various Committee members voicing their support of the Chairman's attendance and for the Committee to present a unified front to the Triumph Board. Further discussion ensued on the Chairman extending the Committee's future assistance to the Triumph Board should it be necessary and/or requested. There was no further action required by the Committee on this item.

Agenda Item # 6 – Public Comment

There was no public comment.

Agenda Item #7 – Adjournment

There being no further business, the Committee adjourned at 2:27 pm (ET).

Respectfully submitted,

Warren Yeager, Chairman
Committee of Eight Disproportionately Affected Counties

**Gulf Consortium Board of Directors
August 26, 2015**

**Agenda Item 11
Interim Manager's Report**

Executive Summary:

This agenda item provides a brief report on certain agenda items to be covered by the Interim Manager at the Gulf Consortium Board Meeting.

Update on Independent Auditor for FY 2014/2015

This agenda item provides a brief update on securing the Independent Auditor for FY 2014/15.

State law requires entities such as the Gulf Consortium to submit an annual audit to the Chief Financial Officer. Regarding hiring an auditor, section 218.319, Florida Statutes, requires a specific audit selection procedure be followed, including the establishment of an audit committee to develop evaluation factors, to provide for the public announcement of the request for proposals, and to evaluate and rank the proposals for the governing body's consideration.

The Consortium's audit for FY 2013/2014 was conducted by Warren Averett. It was competitively procured by the Consortium and a contract was entered into on December 1, 2014.

Resolution 2014-02 established a procurement policy for the competitive selection of an independent financial auditor to prepare the Consortium's audit for the 2013-14 fiscal year. Under Resolution 2014-02, renewals of the financial auditor may be approved by the Executive Committee. Renewals of the contract may be approved by the Executive Committee as well.

The Executive Committee, at its meeting of August 20, 2015, approved the renewal of Warren Averett's contract to conduct the independent financial audit for FY 2014/15. The Consortium paid \$3,000 for the FY2013/2014 audit. The same contract amount is the proposed expenditure in the 2015/16 budget.

Update on Deepwater Horizon Restoration Partners

This agenda item provides information about the Deepwater Horizon Restoration Partners activities since June, 2015.

Restoration Council

Consortium staff continues to meet and speak regularly with Council staff, with the latest substantive call being on Friday, August 7, 2015. A more detailed report is addressed in Agenda Item 4.3.

The Council released its draft Funded Priorities List report on August 13. This [link](#) is to that report and several other, pertinent documents related to the draft FPL. One of the workshops on the draft FPL will be held in Pinellas County on August 26, 2015 at 6:00 p.m.

State Partners:

Consortium staff continues to meet regularly with the Governor's Office and with DEP. Specifically, the Interim Manager and General Counsel met with the Governor's Office on Tuesday, August 11, 2015, and has had multiple conference calls and conversations with DEP staff since the June 2015 Board meeting.

Federal Partners:

FAC staff, on behalf of the Consortium, continue to communicate with Florida Congressional delegation members on the start-up progress of the Consortium as it actively pursues the development of Florida's State Expenditure Plan.

Update on General Counsel Services Contract

Report on progress in negotiating the permanent General Counsel Services Contract.

The Consortium hired the firm of Nabors, Giblin & Nickerson on October 22, 2012, to provide Interim General Counsel services to the Consortium. The original contract contained a one year term. That term was then extended in September 2013 until "the effective date of the Consortium's hiring, engaging or retaining a permanent General Counsel, unless an earlier expiration date is mutually agreed to in writing." In anticipation of planning grant funds, the Consortium went through the procurement process of hiring a permanent General Counsel.

On June 19, 2015, the Board voted unanimously, to accept the Evaluation Team's recommendation and authorize the negotiation of a contract with Nabors, Giblin & Nickerson.

Since the June 19 Board meeting, Consortium staff, along with Sarah Bleakley, the Consortium Interim General Counsel, has been engaged in an iterative planning grant approval process with the Restoration Council. Much of this process is focused on determining which Gulf Consortium costs are allowed under and allocated to the planning grant. The answers to those inquiries are not yet final, making financial commitments by the Consortium for items like, general management and general legal services, as funded from the planning grant, imprudent at this time.

No new fiscal impact at this time for permanent General Counsel services; the Interim General Counsel contract with Nabors, Giblin & Nickerson will continue, under its terms, at the \$250 per hour rate, not to exceed \$5,000 per month.

Options:

This agenda item is for informational only. No action is required.

Attachment:

None.

Recommendation:

No Board action is required.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim General Manager
On: August 21, 2015

**Gulf Consortium Board of Directors
August 26, 2015**

Agenda Item 12

General Counsel Report: Permanent Manager RFP Update and Direction

Executive Summary:

Based on the crystallization by Council's staff of the planning grant restrictions prohibiting the recoupment of costs associated with the Consortium's management services, this agenda item informs the Board of Directors that the management procurement was suspended prior to the due date of responses and seeks Board approval of that action. The Executive Committee has recommended approval of the suspension.

Background:

On October 19, 2012, the Consortium hired the Florida Association of Counties (FAC) to provide Interim Management Services to the Consortium. The original contract contained a one-year term. That term was then extended in September 2013 until "the effective date of the Consortium's hiring, engaging or retaining a permanent Manager, unless an earlier expiration date is mutually agreed to in writing."

In anticipation of planning grant funds, the Consortium began the process of hiring a permanent Manager by approving the issuance of a Request for Proposals (RFP) utilizing the procurement services of Leon County Purchasing Department. The RFP was issued on June 23, 2015.

During the pendency of the RFP, Consortium staff began the iterative process of fine-tuning the planning grant application with the Gulf Restoration Council's CFO and grant staff. As the back and forth with the Council staff continued, it became apparent that no planning grant funds would be allowed for much of the costs of the day-to-day work performed by the Manager of the Consortium. Previously, Council staff had been reluctant to opine on this issue. However, with the iterative process in place and coordination between the Council and Consortium formally approved and underway by both staffs, the Council staff's opinion became clearer: Planning grant funds may be recouped only for the direct and indirect costs expended on the development of the State Expenditure Plan, and no recoupment would be allowed for costs associated with the more general functions of the Consortium as a governmental entity, such as meeting preparation, coordination with Restoration partners, and activities associated with Florida law compliance.

Based on the crystallization of the Council's advice, it became evident that the Consortium would not be reimbursed with federal funds for the overwhelming majority of costs associated with the Manager's functions. Consequently, the RFP process was suspended by Leon County Purchasing Division on July 15,

2015 at the direction of the interim General Counsel, who was charged with oversight of the procurement by the Board.

Every individual who expressed an interest in responding to the RFP was notified individually by the Purchasing Division and a formal notice was published on the website. The interim General Counsel notified every member of the Evaluation Team appointed to review the responses. Additionally, the members of the Executive Committee were notified.

The Executive Committee adopted a motion on August 20th, recommending the Board approve the suspension of the manager procurement.

Analysis:

The Consortium's management contract with FAC continues until the Consortium hires a permanent manager. That contract calls for the Consortium to pay a flat rate of \$60,000 annually. However, in developing the fiscal information required for the grant application, the true cost for FAC's services are more than triple the \$60,000 annually. Assuming that the RFP respondents would have proposed a more realistic amount than the current rate, it did not seem prudent to continue the procurement process given that no federal funds will be available to recoup the Consortium's costs for management services and the Consortium's only other potential source of revenue would be an increased contribution by the member counties.

Fiscal Impact:

There are no costs directly associated with suspending the RFP. The overarching question is how management services necessary for the functioning of the Consortium will be provided and paid for now that the Council staff has indicated that no federal grant funds are available for that purpose. The Consortium's contract with FAC for those services will continue without further action of the Board until a permanent manager is hired or an earlier expiration date is mutually agreed to in writing. The contract calls for payment to FAC of \$60,000 annually.

Options:

- (1) Recommend approval of a motion confirming the suspension of the RFP for management services; or
- (2) Provide other direction.

Recommendation:

Recommend approval of a motion confirming the suspension of the RFP for management services.

Attachments:

None.

Prepared by:

Sarah M. Bleakley
Nabors, Giblin & Nickerson, P.A.
Interim General Counsel
On: August 21, 2015

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.