

Gulf Consortium Meeting
November 29, 2018, 4:00 p.m. EDT
Tampa Marriott Waterside Hotel & Marina
700 S Florida Ave
Tampa, FL 33602

Board Members in Attendance: Commissioner Chris Constance (Charlotte), Commissioner Scott Carnahan (Citrus), Gary McAlpin (Collier), Tim Alexander (Dixie) - Phone; Commissioner Grover Robinson (Escambia), Commissioner Joseph "Smokey" Parrish (Franklin), Warren Yeager (Gulf), Commissioner Wayne Dukes (Hernando), Jim Taylor (Hillsborough) Commissioner Betsy Barfield (Jefferson), Commissioner John Meeks (Levy) Charlie Hunsicker (Manatee), Commissioner George Neugent (Monroe), Commissioner Jack Mariano (Pasco), Andy Squires (Pinellas), Commissioner Lane Lynchard (Santa Rosa), Commissioner Charles Hines (Sarasota), LaWanda Pemberton (Taylor), David Edwards (Wakulla), Larry Jones (Walton), Michael Sole (Governor's Appointee) - Phone, and Pam Anderson (Governor's Appointee) - Phone

Agenda Item #1 – Call to Order and Roll Call

Chairman Grover Robinson (Escambia) called the meeting to order at 4:06PM (EST), once a quorum was present. He noted that the General Counsel Report would be moved to the end of the Agenda before public comment.

Agenda Item #2 – Public Comment

None.

Agenda Item #3 – Approval of September 27, 2018 Minutes

Chairman Robinson presented the September 27, 2018 minutes of the Gulf Consortium. A motion to approve the minutes as presented was made by Commissioner Wayne Dukes (Hernando) and seconded by Warren Yeager (Gulf). The motion passed unanimously.

ACTION: APPROVED

Agenda Item #4 Manager's Report

Chairman Robinson (Escambia) recognized Valerie Seidel (The Balmoral Group) who gave an update on the status of the SSEP. Significant progress had been made toward Implementation, policy reviews were completed with Coordinators and the Executive Committee –with helpful feedback from both. OSAs and Audits were obtained from each County and a review of OSA and Audit findings from each County were completed to be summarized to identify action items required for discussion with Council. The first required RESTORE training had been completed that morning with additional training the next day (Friday) and the coming Monday. Several calls with Council were completed to discuss policies and approval processes. Minor tweaks may still need to be addressed in the policies. No one at Council was available for the November meeting, but going forward Council should be able to provide a report at future board meetings. There was a contract with Leon County included in the agenda packet which adds a layer of compliance assurances and Balmoral had discussions with scientific staff at NERRs for BAS, monitoring reviews. Due to the first grant bundle being conceptual design, there is still time to finalize. Next, Valerie spoke about the other manager issues which included a Dashboard updated online with all the project data to make the SEP accessible and easy to reference. There were fewer procurements anticipated than originally thought, contract due dates were on the website prominently and staffing changes had been made to address communication shortfalls. A timeline was proposed for rolling out the grants which would be addressed in further detail during Dan Dourte's Agenda Item. Valerie handed the floor to Warren Yeager who presented

Chairman Robinson (Escambia) with an award recognizing his leadership while chair on the board. Jessica Bizba (NWF) also presented the Chairman with a cake from Matt Posner (Escambia).

Agenda Item #4b– Status of Planning Grant Award and Work Orders

Valerie Seidel gave an update on the planning grant. There was one final progress report due on November 30th. To date 17 payment request totaling \$2,735,183 had been submitted to Council and paid. There were no questions on this item. No action was necessary.

Agenda Item #4c– Manager’s Report – Financials

William Smith (The Balmoral Group) gave an update on the Financial Statements for the Gulf Consortium which were included in the agenda packet and updated through September 2018. A net income of 49,000 was shown to date. There were no questions on this item. No action was necessary

Agenda Item #5 – Status of Bucket 2 Projects

Phil Coram (DEP) gave an update on the award of 7 projects – from NFWF GEBF, totaling \$53M – including 20,000 acres to be purchased in Dixie County, 3 turtle projects and an oyster bay in Pensacola. He noted about the effects of Hurricane Michael and that all but one of the projects can go forward. There will be a public webinar on December 13th to discuss the NRDA plan. It’s expected that plan will be finalized in February. RESTORE pot 2 projects are planned to be submitted in May of 2019. Chairman Robinson noted the importance at this time of exploring all the leveraging opportunities among RESTORE act funding streams.

Agenda Item #7 – Grant Preparation and Submission – Project Milestones and Timing

Dan Dourte (The Balmoral Group) brought to the board the request for Board approval of candidate project milestones for Year 1 of SEP implementation. He said that they worked from the sequencing that was approved from the SEP which resulted in 123 project milestones, across 23 counties for a total Pot 3 cost of about \$79,000,000. A list of these projects was included in the agenda packet as well as the web interface. Dan Dourte laid out quarterly cutoffs for the Grants about one month before GC Board meetings which would allow time for proposal review so they can be reviewed at the Board Meetings. The purpose of the guidelines was to avoid overloading RESTORE Council with 50 grants at a time. Commissioner Scott Carnahan (Citrus) was concerned about bundling the grants every quarter and asked if that was something that Council had requested. He had some projects that would be ready to go especially land acquisition or matching grant funds projects. Dan Dourte replied that it was a strong recommendation from Council but that grants could be submitted at any time. Balmoral would be able to submit the grants even if they were after the deadline. Commissioner Jack Mariano (Pasco) asked if they had to wait until January; Dan Dourte replied they could submit them now which would be beneficial because they could start the review. Chairman Grover Robinson (Escambia) commented that they would have to work with Council and be patient with them ultimately. The motion to approve subrecipients and Gulf Consortium management to proceed with grant development for the grant types and timelines described was made by Commissioner Wayne Dukes (Hernando), seconded by Commissioner Scott Carnahan (Citrus). All in favor, none opposed.

ACTION: APPROVED

Agenda Item #8– Amendment to Interlocal Agreement with Leon County for Fiscal Agent Services

Valerie Seidel (The Balmoral Group) presented to the Board a contract amendment with the Leon County Clerk for Fiscal Agent Services. Leon County Clerk was contracted to provide Fiscal Agent Services by the Gulf Consortium in 2014. The proposed amendment provides for compensation at a cost of up to an

estimated ten basis points. This was allowed for during budgeting. Leon County Clerk had previously been performing the services at no cost. Commissioner Scott Carnahan (Citrus) made the motion to approve the contract amendment with Leon County Clerk, Warren Yeager (Gulf) seconded the motion. All in favor, none opposed.

ACTION: APPROVED

Agenda Item #9– Gulf Consortium Policies and Procedures for RESTORE Council Review

Valerie Seidel (The Balmoral Group) presented the Gulf Consortium Policies and Procedures for Board consideration and approval. Policies had been developed to address conduct, communications, accounting and financial management, internal controls, grants management and subrecipient policies. In most cases policy language was based on RESTORE Council language where available or Pinellas County since they were the first to receive approval of their OSA. The policies were reviewed in separate meetings with Executive Committee on October 24, November 7 and November 15th, with RESTORE coordinators on October 23rd and November 13 and with RESTORE Council on October 11th and November 13th. Comments received were incorporated and legal review completed prior to the policies being combined into one document. A comments summary was included by request of the Executive Committee. Additional minor edits would still be required per Council but we hope no substantive changes will have to be made. Charlie Hunsicker (Manatee) asked about the ethical requirements on page 59 of the conduct policy and thought the language was too broad. Lynn Hoshihara replied that was referencing Chapter 112 and that the language was in the SEP itself. Commissioner Chris Constance (Charlotte) asked to change the consultant reference in the policy to “managing consultant and general counsel” and Commissioner Betsy Barfield (Jefferson) agreed that the consultant reference should be clarified as suggested by Commissioner Constance. Lynn Hoshihara reiterated that the language was already in the SEP but they could change it. Larry Jones (Walton) commented on section 2.3 waiver and 4.5 revision of specifications in the procurement policy which Valerie Seidel clarified was to accommodate immaterial items and that language was included in several other counties procurement policies. Larry Jones (Walton) asked about section 13.6 (option for waiver in the Procurement Policy) which Valerie Seidel replied it was informal criteria that could be waived only if the Consortium voted to do so. Larry Jones (Walton) said that 13.12.5 in the Procurement Policy seemed subjective due to the use of “may” instead of “shall”. Valerie Seidel commented that they could change the language to “shall”. Larry Jones (Walton) commented on page 186 of the policies and asked if the Consortium was considered a political entity to which Lynn Hoshihara replied that the Consortium is considered an entity created by an interlocal agreement pursuant to Chapter 163. Commissioner Jack Mariano (Pasco) asked about page 28 section 11.4 who would review the procurements. Valerie Seidel (The Balmoral Group) replied that a committee would be assigned similar to the past audit review process. Commissioner John Meeks (Levy) made the motion to approve the policies with the changes pointed out, Commissioner Chris Constance (Charlotte) seconded adding the note of a spellcheck on page 5. All in favor, none opposed.

ACTION: APPROVED

Agenda Item #6a – Officer Elections Briefing

Chairman Robinson (Escambia) recognized Lynn Hoshihara (NGN) who reminded the board of the voting process for the 2019 calendar year. The election will be held at the first meeting of 2019 which was currently scheduled for January 31, 2019. Nominations would need to be submitted to the General Manager by January 10, 2019 with written approval by their respective Board of County Commissioners received by

January 31. No action was required at this time. Another reminder would be sent out in January. Chairman Robinson(Escambia) noted that he would not be running for chair this election.

Agenda Item #6b – Termination of ESA’s Agreement for Consultant Services

Lynn Hoshihara (NGN) brought to the board a request to terminate ESA’s agreement for Consultant Services upon receipt of outstanding items pursuant to the contract agreement. ESA has requested their agreement be terminated in writing on or before December 31 subject to delivery of any remaining public records by the ESA Consultant Team. Commissioner Betsy Barfield (Jefferson) asked for a waiver in the contract that excluded ESA from providing services on Pot 3 monies. She asked for it to be considered at the next meeting. Commissioner Wayne Dukes (Hernando) made the motion to approve the termination of ESA’s contract, Scott Carnahan (Citrus) seconded. All in favor, none opposed.

ACTION: APPROVED

Agenda Item #6c – Review of The Balmoral Group’s Agreement for Management Services

Lynn Hoshihara (NGN) brought to the board a discussion about renewing Balmoral Group’s contract for Management Services which was set to expire on April 30, 2019. She noted that the contract is up for automatic one year renewals unless the Board provides 30 days’ notice to Balmoral of non-renewal. Regardless of the option Balmoral’s agreement would need to be amended to include the pre award costs which were not included in the original contract. Going out to RFP would delay the process at this stage and the timeline discussed by Mr. Dourte could not be accomplished. Chairman Robinson (Escambia) commented that they are in the middle of the process and if Balmoral is stopped the Consortium would not be able to go forward as planned. They must finish what they were doing. Commissioner Chris Constance (Charlotte) commented that they can renew the contract but also wanted to look into going out to RFP at the same time. Commissioner David Edwards (Wakulla) commented that Balmoral had made efforts to change and should be given another year, otherwise the Consortium stops dead in their tracks and he made the motion to approve Option 1 for a one-year renewal of The Balmoral Group’s contract. Commissioner John Meeks (Levy) seconded the motion. Commissioner Scott Carnahan (Citrus) asked what the penalty would be if Balmoral did not get the work done in time and wanted a financial penalty included. Lynn Hoshihara replied that the agreement could be terminated at any time with a 30-day notice of termination from the Board. Commissioner Chris Constance (Charlotte) asked who would create the bid package for the RFP. Lynn Hoshihara replied that General Counsel would be involved because the current Manager could not be involved in drafting the scope unless they opted not to compete. Commissioner Chris Constance (Charlotte) advised that a mechanism should be developed soon to prepare development of an RFP for Consortium Management. Commissioner Mariano (Pasco) supported the idea of a penalty clause in the contract and commended management’s recent efforts in policy development. Warren Yeager (Gulf) agreed that an RFP would be beneficial to identify the best organizations to support efforts in the implementation phase, but did not want to slow the current process down. Larry Jones (Walton) reminded the group that the existing 30-day termination clause would be maintained in a new contract; so that the renewal is similar to a 30-day contract. Seconded by Commissioner Wayne Dukes (Hernando). All in favor, none opposed.

ACTION: APPROVED

Agenda Item 14 – Public Comment

None

New Business

Lynn Hoshihara (NGN) said that she was asked to provide a guidance document regarding conflict of interest and ESA's contract. She said that the ESA Consultant Team is only conflicted from the 69 projects in the SEP and working directly with the consortium on implementation. No guidance document was required. Commissioner Chris Constance (Charlotte) brought a new business item. He wanted to put a discussion on the next Agenda about the 23 Gulf Consortium Counties creating a coalition of counties to work on issues such as red tide/water quality. Commissioner Jack Mariano (Pasco), Commissioner John Meeks (Levy), and Commissioner Charles Hines (Sarasota) were also interested and discussed how to figure out where the remaining 25% of Triumph funds went. Warren Yeager (Gulf) commented that it had to be related to economic development to get the money and Commissioner Jack Mariano (Pasco) said that would be easy due to the recent red tide event, which created many economic issues. Commissioner Joseph "Smokey" Parrish (Franklin) commented that they should not focus on what happened to the money already distributed and focus instead on the next phase of funds coming in, which Chairman Robinson (Escambia) agreed with. Commissioner Chris Constance (Charlotte) also commented about the FAC Water Quality Committee that one of the Gulf Consortium Board Members should be on that committee.

Agenda Item 15 – Next Board Meeting

The next board meeting is to be held at the Commission Chambers in Tallahassee on Thursday January 31.

There being no further business, the Committee adjourned at 6:25 pm (EDT).

Respectfully submitted,

Grover Robinson
Chairman