



Gulf Consortium Agenda
August 22, 2013 9:30 a.m.-12:00 (EDT)
Sheraton Sand Key – Gulf Meeting Room
1160 Gulf Blvd.
Clearwater Beach, FL 33767

1. Call to Order
2. Consent Agenda
 - a. Minutes Approval
 - b. Updated List of Directors/Alternates
 - c. Financial Report
3. Report from National Association of Counties (NACO)
4. Update on Natural Resource Damage Assessment (NRDA)
5. Plan Funding Alternatives
6. Draft Statement of Services
7. Rules Review Process
8. Update by Florida Department of Environmental Protection (FDEP)
9. Update by Florida Fish and Wildlife Conservation Commission (FWCC)
10. Selected Counties Activities to Implement RESTORE
 - a. Pinellas
 - b. Hillsborough
 - c. Pasco
11. Educational Presentations – Tampa Bay
 - a. Dr. Bill Hogarth, FL. Institute of Oceanography
 - b. Ms. Suzanne T. Cooper, Tampa Bay Regional Planning Council
 - c. Ms. Holly Greening, Executive Director, Tampa Bay National Estuary Program
12. Future Meetings Information:
 - a. September 18, 2013 10:00 am – Noon EST Marriott West Palm Beach



- b. Potential October meeting that may coincide with 5 State Regional Meeting in Pensacola - TBD
 - c. November 13, 2013 9:00 am – 11:00 am EST Daytona Hilton
13. Public Comment
14. Adjourn

Gulf Consortium Board Meeting Agenda Item #2.a

August 22, 2013

Clearwater Beach, Florida

Statement of Issue or Executive Summary: The Gulf Consortium is a public entity under Chapter 119, Florida Statutes (F.S.) and as such, meetings are required to have minutes.

Background: The attached minutes summarize actions taken at the last Gulf Consortium Meeting held June 28, 2013, 10:00 am – 12:00 pm EDT at the Tampa Marriott Waterside 700 South Florida Ave, Tampa, FL 33602

Analysis: The attached accurately reflects Consortium actions.

Options:

- 1) Approve a motion to accept minutes as presented.
- 2) Amend minutes.

Fiscal Impact: None.

Recommendation:

Approve a motion that approves minutes.

Division and Staff Person's Name: Doug Darling, Florida Association of Counties.

Moved _____; Seconded _____.

Action: Approved____; Approved as amended____; Defeated_____.

Gulf Consortium Meeting
June 28, 2013 10:00 a.m. – 12:00 p.m. (EDT)
Tampa Marriott Waterside Hotel
Hillsborough County

Directors / Alternates in Attendance: Commissioner Christopher Constance (Charlotte), Richard Wesch, County Attorney (Citrus), Commissioner Donna Fiala (Collier), Mike Cassidy, County Manager (Dixie), Commissioner Grover Robinson (Escambia), Commissioner Cheryl Sanders (Franklin), Commissioner Wayne Dukes (Hernando), Commissioner Lesley Miller (Hillsborough), Commissioner Betsy Barfield (Jefferson), Commissioner Tammy Hall (Lee), Commissioner Carol Whitmore (Manatee), Commissioner George Neugent (Monroe), Commissioner Dave Parisot (Okaloosa), Commissioner Jack Mariano (Pasco), Commissioner Susan Latvala (Pinellas), Commissioner Christine Robinson (Sarasota), Commissioner Jim Moody (Taylor), Commissioner Ralph Thomas (Wakulla), Commissioner Sara Comander (Walton)

Agenda Item #1 – Call to Order

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

Agenda Item #3 – Consent Agenda

Mr. Chris Holley, FAC Executive Director, presented the consent agenda containing minutes from the May 17, 2013 Gulf Consortium Board of Directors' (Board) Meeting in Monroe County, an updated list of Directors/Alternates, the Financial Report and a copy of the Memorandum of Understanding with the Executive Office of the Governor. During the presentation of the Financial Report, Mr. Holley informed the Board there was \$14, 600 remaining from the last allocation paid by the Consortium. Discussion ensued. A motion to forward that balance to the Florida Association of Counties for administrative services on behalf the Consortium was presented by Commissioner Dave Parisot and seconded by Commissioner Sara Comander.

ACTION: PASSED

A motion to approve the consent agenda was presented by Commissioner Christopher Constance and seconded by Dixie County Manager Mike Cassidy.

ACTION: PASSED

Agenda Item #4 – Florida Association of Counties' Continued Involvement in Gulf Consortium Management

Mr. Chris Holley, FAC Executive Director, briefed the Board on the Florida Association of Counties' continued involvement in the management of the Gulf Consortium. Discussion ensued. A motion to direct the Board's General Counsel to evaluate the process required to transition to a permanent manager and for the Florida Association to prepare a budget for desired level of support for the

next fiscal year was presented by Commissioner Tammy Hall and seconded by Commissioner Carol Whitmore.

ACTION: PASSED

Agenda Item #5 – Update on Procurement Partnership with Leon County

Mr. Chris Holley, FAC Executive Director, informed the Board that discussions with Leon County regarding procurement services for the Gulf Consortium were ongoing. The procurement process is anticipated to be heard as an agenda item at the July 9, 2013 meeting of the Leon County Board of County Commissioners. Discussion ensued regarding the development of the State Plan. A motion allowing the Executive Committee, in conjunction with the Consortium Interim Manager and Interim General Counsel, to develop a draft RFP for development of the State Plan was presented by Commissioner Tammy Hall and seconded by Commissioner Carol Whitmore.

ACTION: PASSED

Agenda Item #6 – Leon County Clerk of Court Fiscal Agent Proposal

Mr. Chris Holley, FAC Executive Director, briefed the Board on Fiscal Agent services needed by the Gulf Consortium to ensure reporting requirements are met, accountability and transparency. Discussions with the Leon County Clerk of Courts have been ongoing. A motion directing staff to continue discussions with Leon County Clerk of Courts to provide Fiscal Agent services to the Gulf Consortium was presented by Commissioner Whitmore and seconded by Commissioner Tammy Hall.

ACTION: PASSED

Agenda Item #7 – Gulf Consortium Comments on Council Draft Initial Comprehensive Plan

Ms. Deena Reppen, FAC Legislative Director, let the Board in a discussion on the comments to be submitted to the Federal Gulf Coast Ecosystem Restoration Councils' Draft Initial Comprehensive Plan. A motion to submit the Boards comments to the Council was presented by Commissioner Tammy Hall and seconded by Commissioner Donna Fiala.

ACTION: PASSED

Agenda Item #8 – Delegation of Approval for Methodology Developed by the Committee of 15

Mr. Chris Holley, FAC Executive Director briefed the Board on the formation of the Committee of 15 for the purpose of recommending a methodology for computing allocation and expenditures of Pot #1 to the US Treasury. That information has been requested to be reported to the US Treasury by August 22, 2013, which is prior to the next Consortium meeting. A motion delegating the Chair of the Gulf Consortium the authority to forward the results of the Committee of 15 meeting to the US Treasury in accordance with their deadline was presented by Commissioner Constance and seconded by Commissioner Barfield.

Agenda Item #9 – Presentation by Ms. Janet Bowman, Nature Conservancy

Mrs. Janet Bowman, Director of Legislative Policy and Strategies, The Nature Conservancy, gave a brief presentation regarding Watersheds of the Forgotten Coast.

Agenda Item # 11 – Public Comment

The Board heard public testimony:

1. Jessica Koelsch, representing National Wildlife Federation
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Agenda Item #12 – Adjourn

There being no additional items for discussion, the Board adjourned at 11:29 am.

Gulf Consortium Directors and Alternates

August 22, 2013

County	Director and Alternate
Bay	Comm Mike Thomas Director; Comm George Gainer, Alternate
Charlotte	Comm Christopher Constance, Director; Comm Tricia Duffy, Alternate
Citrus	Comm Rebecca Bays, Director; Richard Wesch, County Attorney, Alternate
Collier	Comm Tom Henning, Director; Comm Donna Fiala, Alternate; Director Bill Lorenz, 2nd Alternate
Dixie	Tim Alexander, Director of Emergency Management; Administrator Mike Cassidy
Escambia	Comm Grover Robinson, Director; Comm Gene Valentino, Alternate
Franklin	Comm Cheryl Sanders, Director; County Administrator Alan Pierce
Gulf	Comm Warren Yeager, Director; Tan Smiley, Alternate
Hernando	Comm Wayne Dukes, Director; Comm David Russell, Alternate
Hillsborough	Comm Les Miller, Director; Comm Ken Hagan, Alternate
Jefferson	Comm Betsy Barfield, Director; County Coordinator Parrish Barwick, Alternate
Lee	Comm Tammy Hall , Director; Comm John Manning, Alternate
Levy	Comm Ryan Bell, Director; County Coordinator Fred Moody, Alternate
Manatee	Comm Carol Whitmore, Director; Charlie Hunsicker, Natural Resources Dept., Alternate
Monroe	Comm George Neugent, Director; Mayor David Rice, Alternate
Okaloosa	Comm Dave Parisot, Director; Comm Kelly Windes, Alternate
Pasco	Comm Jack Mariano, Director; Comm Henry Wilson, Alternate
Pinellas	Comm Susan Latvala, Director
Santa Rosa	Comm Lane Lynchard, Director; Comm Jim Melvin, Alternate
Sarasota	Comm Nora Patterson, Director; Laird Wreford, Natural Resources Manager, Alternate; Comm Christine Robinson 2nd Alternate
Taylor	Comm Jim Moody, Director; Jack Brown, County Administrator, Alternate
Wakulla	David Edwards, County Administrator, Director; Comm Ralph Thomas, Alternate
Walton	Comm Sara Comander, Director; Comm Cindy Meadows, Alternate

**Gulf Consortium Board Meeting Agenda Item
August 22, 2013
Consent Agenda Item # 2.c**

Statement of Issue or Executive Summary: At previous Gulf Consortium meetings, a request was made, and approved by Directors, that financial status reports are provided at each Gulf Consortium meeting.

Background: Gulf Consortium member counties have contributed to the operation of the Consortium during this transition phase of establishment.

Analysis: The sheets below provide a recap of revenue and expenses to date compared to budget.

Options:

- 1) Approve a motion to accept the financial reports as presented.
- 2) Provide other direction.

Fiscal Impact: None.

Recommendation: Approve a motion that approves financial reports.

Division and Staff Person's Name: Doug Darling, Florida Association of Counties.

Moved _____; Seconded_____.

Action: Approved____; Approved as amended____; Defeated_____.

Gulf Consortium
Transition Budget to Actual
October 1, 2012 - July 31, 2013

	Revised Interim Budget*	Year To Date Actual
Revenues		
Interim County Funding	133,869.00	130,904.00
Total Revenues	133,869.00	130,904.00
Disbursements		
Consulting-Administration	60,000.00	35,000.00
Consulting-Legal & Expenses	65,000.00	25,578.79
Meeting and Travel Expense	8,000.00	4,981.40
Miscellaneous	869.00	653.92
Total Disbursements	133,869.00	66,214.11
Revenues Over (under) Disbursements	-	64,689.89

Statements Prepared on Cash Basis

**Revised Interim Budget includes 3/27/13 invoicing of \$70,029*

**Gulf Consortium
Expense Register Detail
October 1, 2012 to July 31, 2013**

Check #	Payee	Date	Total Amount	Consult-Admin	Consult-Legal	Meeting & Travel	Misc	Description
Debit	Suntrust	1/17/2013	105.51				105.51	Printing Costs - Checks
1001	FAC (Darling-Oct, Nov, Dec, Jan)	2/27/2013	20,955.18	20,000.00		955.18		Admin Consulting Expenses and travel (Oct - Jan)
1002	FAC (Reimb Direct Expenses)	2/27/2013	1,820.68			1,633.18	187.50	Meeting Expenses and Logo Creation
1003	FL Department of State	2/27/2013	32.68			32.68		Meeting notice 1/18/2013
1004	FL Department of State	2/27/2013	47.88			47.88		Meeting Notice 2/15/2013
1005	Nabors Gblin	2/27/2013	5,015.62		5,015.62			Oct 22-31 consulting (2550) plus expenses (2465.62)
1006	VOID	-						VOIDED CHECK
1007	Nabors Gblin	2/27/2013	5,086.14		5,086.14			Nov 2012 consulting (5000) plus expenses (86.14)
1008	FL Dept of State	3/14/2013	31.73			31.73		Meeting Notice 2/26/2013
1009	Nabors Gblin & Nickerson	3/14/2013	5,273.00		5,273.00			Feb 2013 Consulting (5000) plus expenses (273.00)
1010	Nabors Gblin & Nickerson	3/14/2013	5,145.50		5,145.50			Jan 2013 Consulting (5000) plus expenses (145.50)
1011	Nabors Gblin & Nickerson	3/14/2013	5,058.53		5,058.53			Dec 2012 Consulting (5000) plus expenses (58.53)
1012	City of Tallahassee	3/14/2013	111.35			111.35		Room Rental -Chambers 4/5/13
1013	EBLRTF	3/19/2013	75.00				75.00	Exec Branch Lobbyist Reg- Reepen, Delegal, Holley
1014	Florida Legislature	3/19/2013	60.00				60.00	Legislature Lobbyist Reg - Reepen, Delegal, Holley
1015	FAC	3/28/2013	6,029.41	5,000.00		1,029.41		Feb 2013 Admin (5000) plus expenses (1029.41)
1016	FL Department of State	4/24/2013	43.51				43.51	Meeting Notice 4/5/2013
1017	FAC	5/13/2013	10,151.73	10,000.00		151.73		Mar 2013 Admin (5000); Apr 2013 Admin(5000);expense (151.73)
1018	FL Department of State	5/21/2013	51.11				51.11	Meeting notice 4/29/2013
1019	FL Department of State	6/5/2013	41.42				41.42	Meeting notice 5/17/13
1020	FL Department of State	7/16/2013	89.87				89.87	Meeting notice 6/28/13
1021	Nabors Gblin & Nickerson	7/30/2013	988.26			988.26		5/13 & 6/13 Bleakley Travel Expenses
Total Expense			\$ 66,214.11	\$ 35,000.00	\$ 25,578.79	\$ 4,981.40	\$ 653.92	

Gulf Consortium
August 22, 2013

Agenda Item # 7 Process for Consortium to Comment on Federal Rules

Statement of Issue: This agenda items suggests a process for compiling and submitting comments to the U.S. Secretary of the Treasury from the Consortium and its member counties in a manner similar to the process used to compile and submit comments on the Council's Draft Initial Plan.

Background: The RESTORE Act requires the Secretary of the Treasury in consultation with the Secretaries of Commerce and the Interior to establish procedures to deposit amounts in and expend amounts from the Trust Fund. The rules must include procedure to assess whether the expenditures, programs and activities carried out under the Act comply with the Act and the rules. See, section 1602(e). The Act assigns authority to the Council for the disbursement of funds to the Consortium under Pot #3. It is anticipated that the Council will promulgate rules for Pot #3 disbursement.

The Consortium Interlocal Agreement authorizes it to act as an advocate in the rule making process and as a resource to Consortium Members regarding all RESTORE Act funds and other available revenues.

At some point, the Secretary of the Treasury will promulgate RESTORE Act rules and establish a time period for receiving comments on the rules. The anticipation is that the Treasury rules will establish procedures that govern the expenditures of the Consortium member counties Local Pot #1 and may address issues affecting the Consortium Pot #3.

The Consortium manager and general counsel have held a conference call with the county attorneys of the 23 member counties for the purpose of discussing the forthcoming rules.

The Consortium process for responding to the Council's Draft Initial Comprehensive Plan included an email call for comments to each of the members. The Consortium reviewed the comments and directed the manager and general counsel to continue to receive and compile comments. Thereafter, the Consortium comments were sent to the Council under the Chairman's signature.

Analysis: The Consortium and the 23 member counties have a substantial interest in the rules' affect on the Consortium Pot #3 and on the Local Pot #1.

The Consortium may want to follow the example set in responding to the Council Draft Plan in responding to the federal rules affect on the Consortium Pot #3.

Additionally, the Consortium may want to coordinate a response on behalf of the member counties to the rules affect on the Local Pot #1. .

If time allows under the rule making process, the responses can be subject to approval at a full Board meeting. In the event that the rule process does not allow time for a Board meeting, the responses could be compiled and submitted for review by the Consortium Executive Committee meeting or, if time is short, delegated to the Chairman.

Options:

1. (A).As to a response by the Consortium regarding the Consortium Pot #3, approve a motion to direct the manager and general counsel to email the draft rules as soon as they are received, compile suggested responses, and submit them for consideration at a Board meeting, if time allows, or to authorize the Executive Committee or Chairman to respond on behalf of the Consortium; and .
(B) As to a response by the Consortium regarding the Local Pot #1, approve a motion directing the manager and general counsel to follow the procedure in (A) and also to email the draft rules to the county attorneys of the 23 member counties.
2. Provide other directions.

Fiscal Impact: None anticipated.

Recommendation:

Approve a motion that directs the manager and general counsel to follow the process for the Consortium to respond to the forthcoming RESTORE Act rules in Option 1 (A) and (B) above.

Prepared by: Sarah M. Bleakley, Nabors, Giblin & Nickerson, P.A., Interim General Counsel.

Gulf Consortium
August 22, 2013
Agenda Item # 6 Draft Scope of Services for Gulf Consortium
RESTORE Act Program Design

Executive Summary: As the Consortium begins to anticipate the release of U.S. Treasury Rules and funding availability, it is opportune to begin consideration of the services a consultant(s) may provide. In conjunction with the partnership with Leon County for procurement services and potential fiscal agent services with the Leon County Clerk of Court, the Consortium would be prepared to commence full-time operations.

Background: As a requirement of the RESTORE Act, state and local laws, a competitive solicitation will be required to select consultant(s) that the Consortium may engage. This Draft Scope of Services is the beginning of the process to refine the direction the Consortium would require of the consultant(s).

Analysis: This item is a work in progress and it is hoped that Consortium Directors will use the expertise of respective county staff's to improve this draft.

Fiscal Impact: None, at this time.

Recommendation:

Direct Consortium staff to incorporate suggestions provided by Consortium Counties and present a final draft Scope of Services at the September meeting.

Prepared by: Doug Darling, Interim Manager

Moved _____; Seconded_____.

Action: Approved____; Approved as amended____; Defeated_____.

SCOPE OF SERVICES

The following provides an outline for both mandatory and optional services that are anticipated for Florida's implementation of the Oil Spill Impact Funding Program (Program) (Pot #3/Gulf Consortium) of the Resources and Ecosystems Sustainability, Tourist, Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act). It is the intent to establish a long-term partnership with the selected consultant(s) who shall work with the Gulf Consortium (Consortium) to develop the State Expenditure Plan required by the RESTORE Act. The anticipated initial contract term is 5 years with 3 options to renew. The optional services may be required at a later date but should be considered and submitted with responses. The mandatory services are: (1) Program Design and: (2) Plan Development. The optional services are: (3) Grant Management and: (4) Program Implementation. In accordance with the Gulf Coast Ecosystem Restoration Council's (Council's) Comprehensive Plan and its State Expenditure Plan (Plan) development guidance, along with applicable anticipated U.S. Treasury regulations, the consultant shall work with the Florida Gulf Consortium (Consortium) to develop the State Expenditure Plan and design and implement the overall Program. The work is broken down into four components: Program Design, Plan Development, Grant Management, and Program Implementation.

Program Design means: all activities of the Consortium to implement the requirements of the RESTORE Act.

Plan Development means: all activities to produce a State Expenditure Plan for approval by both the Governor of Florida and the Gulf Coast Ecosystem Restoration Council (Council)

Grant Management means: all activities associated with the financial accountability of RESTORE Act grants issued to/on behalf of/ or through the Consortium.

Program Implementation means: all activities for Plan execution, communications, program metrics, auditing and reporting.

1. PROGRAM DESIGN

The development of the Consortium RESTORE Program that includes at a minimum:

- Timelines for all Program Components (Program Design, Plan Development, Grant Management, and Program Implementation)
- All resources anticipated for each Program Component to include:
 - Estimated cost
 - Estimated staffing

Deliverable: Gulf Consortium RESTORE Program (XX days after award)

2. PLAN DEVELOPMENT

Deliver a Gulf Consortium State Expenditure Plan that includes at a minimum:

- Inventory and review of existing community, stakeholder and government plans and programs.
- Development of on-line forms and systems for project applications, review, public comment and tracking that is updated with current funding decisions by any funding source.
- A strategy for regionalism, water shed, or other grouping that will guide Plan Development.
- The amount of funding for each project, program and activity.
- The proposed start and completion date for each project, program and activity.
- A method to determine how best available science was used for each project, program and activity.
- A method to confirm that each project, program and activity contribute to the overall economic and ecosystem recovery of the Gulf Coast.
- A method to confirm that each project, program and activity is an eligible activity under the RESTORE Act.
- A method to confirm that each project, program and activity does not exceed the 25 percent limit for infrastructure **OR** a method to document exceptions as allowed by the Act.
- An estimation of collaborations, partnering or other matching funds that may greatly enhance a particular project, program or activity. This includes any leveraged funds.
- A communications plan that includes:
 - A strategy for robust public involvement, public meetings and interactive web sites that ensures the public's right to know. This includes public participation in the selection process.
 - A strategy and system that keeps local, state, and federal governments informed.
- A matrix of how projects, programs and activities are consistent with the Goals and Objectives of the Gulf Coast Ecosystem Restoration Council's Plan.
- Development of metrics that will be used in individual project, program and activity evaluation and ranking.
- A strategy for Consortium selection process that includes review by the State's Technical Working Group.

Deliverable: Gulf Consortium State Expenditure Plan

3. GRANT MANAGEMENT

Develop a strategy and plan for grant management of RESTORE Act grants that may:

- Be received by the Consortium
- Be issued by the Consortium
- Be the responsibility of the Consortium
- Require contracts be issued by Consortium
- Require contracts issued on behalf of the Consortium

4. PROGRAM IMPLEMENTATION

A Program Implementation Plan that will at a minimum include:

- Incorporate all four components of the Program
- Overall comprehensive Program Management System
- Management and reporting procedures
- Work plan/schedule with key implementation tasks and timelines
- Accountability and Monitoring Plan that includes:
 - Financial reporting and auditing policies and procedures
 - Project, program and activity effectiveness tool
- Management and organizational structure chart
- Project review and tracking process flow chart
- Continued public engagement approach and strategy
- Communications plan for ongoing public outreach and information flow
- Metrics that will be used to measure overall program progress, and success
- 5-year Program Budget