



**Executive Committee Agenda
May 11, 2017, 4:00 p.m. Eastern
Florida Association of Counties
100 South Monroe Street
Tallahassee, Florida 32301
Dial-in Number: 1-888-670-3525
Participant Passcode: 998 449 5298#**

1. Call to Order and Roll Call
2. Public Comment
3. Approval of Minutes from March 30, 2017 Executive Committee Meeting
4. Update on Consultant Team Meeting with Restoration Council
Doug Robison
Environmental Science Associates
5. SEP Project Management Report: Status Report on Work Order # 7: Complete Draft Project List and Conduct Detailed Project Evaluation and Refinement
Doug Robison
Environmental Science Associates
6. Recommend Approval of Work Order # 8: Conduct Project Leveraging Analysis and Develop Project Sequencing & Implementation Strategy
Mike Langton/Lisa King
Langton Consultants
7. Planning Grant Update
 - 7.1 Grant Management and Administration Report
Lisa King
Langton Consulting
 - 7.2 Analysis of Work Orders Approved and Planning Grant Amount
Valerie Siedel, Manager
The Balmoral Group
8. General Counsel Report
 - Conceptual Design & Feasibility Study Work
Lynn Hoshihara
General Counsel
9. Manager's Report
 - Procurement Policy
Valerie Siedel, Manager
The Balmoral Group
10. Update Gulf Consortium Bank Account Signature Cards



11. Domain Name Transfer
12. New Business
13. Public Comment
14. Upcoming Board Meeting
May 17, 2017, 1:00 pm, CST
Emerald Coast Convention Center
1250 Miracle Strip Parkway SE
Ft. Walton Beach, Okaloosa County
15. Adjourn

Notice of Meeting/Workshop Hearing

OTHER AGENCIES AND ORGANIZATIONS

Gulf Consortium

The Gulf Consortium Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 11, 2017 at 4:00 pm (ET)

PLACE: Dial in Number: 888-670-3525

Participant Passcode: 998 449 5298#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee of the Gulf Consortium will conduct a Board of Directors preview meeting, consisting of a planning grant update; status of work orders under the State Expenditure Plan; and, conduct other business. The location of the conference call is the Florida Association of Counties, 100 S. Monroe Street, Tallahassee, FL 32301.

A copy of the agenda may be obtained by contacting: Valerie Seidel at 407-629-2185 or Gulf.Consortium@balmoralgroup.us; 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: Valerie Seidel at 407-629-2185 or Gulf.Consortium@balmoralgroup.us. 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 Valerie Seidel at 407-629-2185 or Gulf.Consortium@balmoralgroup.us; or, see www.FACRestore.com.

Gulf Consortium Executive Committee Meeting
May 11, 2017, 4:00 p.m., Eastern
FAC Office - Conference Call



<u>County</u>	<u>Executive Committee Member</u>	<u>Present</u>
Escambia	Commissioner Grover Robinson	
Gulf	Warren Yeager	
Monroe	Commissioner George Neugent	
Charlotte	Commissioner Chris Constance	
Pasco	Commissioner Jack Mariano	

AGENDA ITEM 3

**Gulf Consortium Executive Committee
May 11, 2017**

**Agenda Item 3
Approval of March 30, 2017 Executive Committee Minutes**

Statement of Issue:

This agenda item proposes approval of the March 30, 2017 Executive Committee meeting minutes.

Options:

- (1) Approve the March 30, 2017 Executive Committee minutes, as presented; or
- (2) Amend and then approve the March 30, 2017 Executive Committee minutes.

Recommendation:

Motion to approve the March 30, 2017 Executive Committee meeting minutes, as presented.

Prepared by:

Valerie Siedel
The Balmoral Group
Manager
On: May 2, 2017

Attachment:

Draft 3/30/17 Minutes

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

**Gulf Consortium Executive Committee Meeting
March 30, 2017, 2:30 p.m. (Eastern)
Florida Association of Counties
Leon County, Tallahassee, Florida**

Officers in Attendance Telephonically: Commissioner Grover Robinson (Escambia), Commissioner Chris Constance (Charlotte), Commissioner George Neugent (Monroe) and Warren Yeager (Gulf).

Agenda Item #1 – Call to Order

Chairman Grover Robinson (Escambia) called the meeting to order at 2:32 pm (ET).

Agenda Item #2 – Public Comment

None.

Agenda Item #3 – Approval of Minutes from February 1, 2017 Executive Committee Meeting

Chairman Grover Robinson (Escambia) presented the minutes from the February 1, 2017 Executive Committee meeting. A motion to approve the February 1, 2017 Executive Committee minutes was made by Commissioner George Neugent (Monroe) and seconded by Warren Yeager (Gulf).

ACTION: APPROVED

Agenda Item #4 – SEP Project Management Report – Status Report on Work Order # 6

Chairman Grover Robinson (Escambia) recognized Doug Robison with ESA who gave a detailed overview on the status of the work performed under Work Order #6 to date, including the conclusion of all county follow-up meetings. Mr. Robison also indicated that he would be distributing a draft project list based on the follow-up county visits at the Board meeting on April 6. There was brief Committee discussion and questions posed to the ESA team for response. No action was required on this item.

Agenda Item #5 – SEP Project Management Update: Recommend Approval of Work Order #7: Complete Draft Project List and Conduct Detailed Project Evaluation and Refinement

Chairman Grover Robinson (Escambia) recognized Doug Robison with ESA who gave a detailed preview of Work Order # 7 which includes Task 6: Develop and Draft Project List, Task 7: Develop Project Evaluation Criteria, and Task 8: Conduct Detailed Project Evaluation and Refinement. Mr. Robison stated that the detailed project evaluation begins with a meeting with the Restoration Council scheduled for April 26, 2017. There was brief Committee discussion and questions posed to the ESA team for response. After response to the questions posed by the Committee by ESA, a motion was made to recommend approval of Work Order # 7 to the full Board at its meeting on April 6, 2017 by Commissioner Chris Constance (Charlotte) and seconded by Warren Yeager (Gulf). The motion passed unanimously.

ACTION: APPROVED

Agenda Item #6 – SEP Project Management Update: Preview of Work Order # 8: Conduct Project Leveraging Analysis and Develop Project Sequencing & Implementation Strategy

Chairman Grover Robinson (Escambia) recognized Doug Robison with ESA who gave a brief preview of Work Order # 8 which includes Task 9 – Conduct Project Leveraging Analysis and Task 10 – Develop Project Sequencing & Implementation Strategy. Mr. Robison recognized Lisa King with Langton Consulting who stated that it was their intent to make the dollars go as far as possible with regard to leveraging. There was brief Committee discussion but no questions and no action was required on this item.

Agenda Item #7 – Discussion of Potential Conceptual Design and Feasibility Study Work

Chairman Grover Robinson (Escambia) recognized Doug Robison with ESA who gave an overview of the agenda item and the need for conceptual design and feasibility study work. Mr. Robison informed the Committee that he would be presenting a detailed overview of the process used to determine the need for said conceptual design and feasibility study work at the full Board meeting on April 6, 2017. There were no questions or discussion and no action was required on this item.

Agenda Item #8.1 – Planning Grant Update: Grant Management and Administration Report

Chairman Grover Robinson (Escambia) recognized Lisa King with Langton Consulting who gave an overview of the agenda item and the status of the grant management by Langton Consulting. It was reported that the next submission of the Financial Progress Report would be on April 30, 2017 and the timeline for payment by the Restoration Council. There were no questions or discussion and no action was required on this item.

Agenda Item #8.2 – Planning Grant Update: Analysis of Work Orders Approved and Planning Grant Amount

Chairman Grover Robinson (Escambia) recognized Ginger Delegal, Interim Manager, who briefed the Committee on the work orders approved to date and the amount of dollars expended for the approved work orders. There were no questions and no action was required on the agenda item.

Agenda Item #9 – Update on FY 2015-2016 Independent Financial Audit

Chairman Grover Robinson (Escambia) recognized Ginger Delegal, Interim Manager, who gave an overview of the agenda item and the independent financial audit performed by Warren Averett. Ms. Delegal introduced Angela Balent with Warren Averett who reviewed the final audit with the Committee. There were no questions or Committee discussion and a motion was made by Commissioner George Neugent (Monroe) to recommend receipt of the final audit to the full Board at its meeting on April 6, 2017. The motion was seconded by Warren Yeager (Gulf) and passed unanimously.

ACTION: APPROVED

Agenda Item #10 – Recommend Approval of Contract with The Balmoral Group, LLC for Management Services

Chairman Grover Robinson (Escambia) recognized Ginger Delegal, Interim Manager, who introduced the agenda item and asked the Chairman to recognize Lynn Hoshihara, General Counsel, who gave a detailed overview of the agenda item and the proposed contract for management services with The Balmoral Group. There was no Committee discussion or questions and a motion was made by Commissioner Chris Constance (Charlotte) to recommend approval of the contract for management services with the Balmoral Group, LLC. The motion was seconded by Commissioner George Neugent (Monroe) and passed unanimously.

ACTION: APPROVED

Agenda Item #11 – Discussion of Teleconference Gulf Consortium Board of Directors’ Meetings

Chairman Grover Robinson (Escambia) recognized Ginger Delegal, Interim Manager, who gave a detailed overview of the agenda item and asked the Committee to consider two issues: as a matter of Board policy, whether it wants to allow remote, full participation in Board meetings by Directors, or their Alternates; or, if full, remote participation is allowed, the potential for unreliable telephonic access exists because of the transitory nature of the Board meetings. A lengthy Committee discussion ensued and the Committee directed FAC staff to move forward the agenda item for full Board general discussion but noted that the four Executive Committee members in attendance rejected the request for teleconference appearance by the Board of Directors.

Agenda Item #10 – New Business

None.

Agenda item # 11 - Public Comment

Jim Muller, Bay County

Agenda Item #12 – Upcoming Meetings

The next meeting of the Consortium Board of Directors will be held on April 6, 2017 at 11:00 am ET at FDEP in Leon County.

Agenda Item #13 – Adjournment

There being no further business, the Committee adjourned at 3:38 pm (ET).

Respectfully submitted,

Grover Robinson
Chairman

AGENDA ITEM 4

**Gulf Consortium Executive Committee
May 11, 2017**

**Agenda Item 4
Update on Consultant Team Meeting with Restoration Council**

Background:

At its April 6, 2017 meeting the Gulf Consortium authorized the ESA consultant team to meet with the Gulf Coast Ecosystem Restoration Council to present the Preliminary Project List, and to obtain feedback and responses to a number of questions that have been raised during county consultations.

Update:

Gulf Consortium Chairman Grover Robinson and the ESA consultant team met with six senior staff at the Restoration Council office in New Orleans, LA on April 26, 2017, from 8am until noon. The meeting agenda and list of questions discussed during the meeting are attached. Key take away points from the meeting include:

- A high level of detail for project descriptions contained in the SEP is not needed for SEP approval, but will be needed for the approval of implementation grants.
- The Council's SEP review and approval process is limited to a 60-day window; and approval is based primarily showing compliance with SEP guidelines specified in Council rules.
- The approved SEP can be amended as needed (e.g., annually or multi-year increments) to inform the Council of forthcoming implementation grant submittals.
- Conceptual design and feasibility study work is likely not needed to complete and obtain approval of the SEP, but will be needed for the preparation of implementation grants for those projects lacking adequate definition.

SEP Project Manager Doug Robison will be present a summary of the meeting and lead a discussion of next steps.

Recommendation:

At its May 17, 2017 meeting, the Gulf Consortium should discuss potential strategies to transition from SEP approval to the implementation grant process without delay while also optimizing the use of available planning grants funds.

Attachments:

Council Meeting Agenda; and,
List of Questions.

Prepared by:

Doug Robison

SEP Project Manager

Environmental Science Associates

On: May 2, 2017

Gulf Consortium/ESA Team Meeting with Restoration Council
April 26, 2017 – 8am to noon
500 Poydras Street
New Orleans, LA

-AGENDA-

1. Introductions (10 min)
2. Overview of Florida SEP development process (20 min)
3. Comments from Gulf Consortium Chairman Grover Robinson (15 min)
4. Summary and discussion of the Preliminary Project List (75 min)
5. Review and discussion of submitted list of questions (60 min)
6. Discussion of SEP submittal, review, and approval processes (30 min)
7. Discussion of SEP implementation grants (30 min)

Florida SEP Questions for Restoration Council

4/26/17

Planning Grant Uses

- 1) The Gulf Consortium has \$1.5 million included for the purpose of Conceptual Design and Feasibility Studies in the planning grant. Several of the Gulf Consortium counties have asked if they could be reimbursed for use of a current vendor or county staff to do Conceptual Design and Feasibility Study work on one of their Pot 3 projects from this line item. Would this be allowable?

SEP Content and Organization

- 2) We have reviewed both the Louisiana and Mississippi SEPs and see a large discrepancy in the level of project description details provided in those respective SEPs. We are assuming that all projects described in the SEP must be: a) consistent with Council goals and objectives; b) determined to be technically feasible; and 3) accurately cost estimated. Please provide additional guidance as to the level of project description detail necessary for SEP approval.
- 3) The Florida SEP will likely include approximately 60 projects of various types, with each County proposing their own unique mix of projects. Please provide recommendations with regard to how to organize project descriptions in the SEP (i.e., by County, project type, other).

SEP Approval and Amendments

- 4) Can the SEP be submitted to the Council in phases to accelerate critical early action projects (e.g., land acquisition) in advance of other longer term projects? Or must the complete SEP be submitted all at once including both early action and longer term projects?
- 5) Given the 15-year payout, it is very likely that the SEP will need to be amended periodically to address changing priorities and accommodate new information over the payout period. Can the SEP be amended periodically? If so, how often and at what frequency (e.g., every 3 years; every 5 years), and what rule or authority says that? Can new projects not included in the original SEP be submitted in the amended/updated SEP?

Bonding, Advance Funding, and Cost Reimbursement

- 6) Can Pot 3 grant recipients (Gulf Consortium) and/or sub-recipients (Counties) utilize Pot 3 funds as guaranteed income with respect to local bonding or other advance funding options to accelerate their projects? What portions of bonding costs may or may not be reimbursable for a recipient that chooses to exercise this option?
- 7) Has the Council investigated rulemaking to clarify these issues related to advance funding and or reimbursement if a recipient wishes to advance bond project financing?

- 8) Has the Council investigated any other strategies to provide options that allow recipients to secure financing and expedite project implementation? If so, what are they, and with what States? Can any examples be provided?
- 9) Can projects or project phases that are completed prior to SEP approval be reimbursed as pre-award costs (or other mechanisms) if those projects are subsequently included and described in the approved SEP? The relevant example here is time-sensitive land acquisition necessary for project implementation; or early construction phases of multi-phased projects. How can the SEP reflect those pre-award costs (or other mechanisms) so as to most likely assure reimbursement?
- 10) Are all project activities funded by Pot 3 grants subject to “federalization” with respect to federal grant management, monitoring, reporting, procurement, program income, etc.? Are there any exceptions?
- 11) Do Spill Impact Component funds accrue interest? If so, how is it calculated and is this interest available to the States? If so, how would it be accessed?

Use of Spill Impact Component Funds

- 12) Can planning grant funds be used to conduct property appraisals for properties identified for public acquisition for conservation/restoration?
- 13) If a County purchases land with Pot 3 funds does the property need to be remain in County ownership in perpetuity? For example, if a County acquires and improves a property with POT 3 funds for septic tank abatement, can that property then be sold on the open market to a private owner for development? If so, do proceeds from the land sale need to be reinvested in the POT 3 program/projects?
- 14) Can Pot 3 funds be used to improve private lands? The relevant example here is a septic to sewer projects where the collection/conveyance infrastructure would be constructed on public easements, but the hookups and actual removal of septic tanks would be on private lands. Could Pot 3 funds be used to construct hook ups and septic tank removal on private lands?
- 15) Can various phases of a single project be funded using multiple RESTORE Act Pots? For example, could Pot 1 funds be used for design and permitting phases of a project, with Pot 3 funds being used for construction and monitoring phases of the same project?
- 16) Can a County use Pot 3 funds to construct habitat restoration projects that can in turn be used as mitigation credits to offset project impacts from other County CIP projects (e.g., Regional Offsite Mitigation Area for highway expansion)?
- 17) Can Pot 3 funds be used to purchase a private utility, or create a new public utility, for the purposes of improving and/or expanding services? The relevant example here is the

establishment of a county wastewater utility to provide advanced wastewater treatment to an area currently only served by septic tanks.

- 18) Can Pot 3 funds be used as a match for local, state, federal grants/programs? The relevant example here is local match for USACE authorized dredging projects, where permitting, contractor selection, project/construction management are all completed by the Corps?
- 19) Can Pot 3 funds be used to fund another federal agency's implementation of a project? The relevant example here is a U.S. Army Corps of Engineers channel dredging project where the Corps has authorization to provide maintenance dredging but not the funding.
- 20) Can Pot 3 funds be used for projects greater than 25 miles inland of the Gulf coast, and/or in non-coastal counties? The relevant example here is the construction of a wetland treatment system in an inland county to remove pollutants from a river that flows to the Gulf, thus benefitting the adjacent coastal county and the Gulf.
- 21) Does the 25% infrastructure limitation apply to septic to sewer conversion projects? While sewer upgrade projects are technically infrastructure, the primary objective of these projects is to improve ambient water quality in existing impaired coastal waters. Therefore, we believe the 25% infrastructure limitation should not apply. Please clarify.
- 22) Does the 25% infrastructure limitation apply to sewer expansion/extension projects into projected growth areas? An objective of these projects is to ensure that new development in high growth areas is adequately served by sewer facilities, thus preventing future water quality impacts.
- 23) Can Pot 3 funds be used to hire County staff? The relevant example here is a County that wants to start a benthic monitoring program, but needs to hire staff to implement the program, and is proposing the use of Pot 3 to fund a staff position.
- 24) Can Pot 3 funds be used to conduct only the engineering design and permitting for a project, with future construction of that project being funded by other non-RESTORE Act sources?

Pre- and Post-Project Monitoring

- 25) Please describe what will be required to document existing conditions for pre-project monitoring; and how to document project benefits through post-project monitoring. Can existing data developed by others be used, or will project-specific data collection be required?

AGENDA ITEM 5

**Gulf Consortium Executive Committee
May 11, 2017**

Agenda Item 5

**SEP Project Management Report on Work Order #7 – Complete the Draft Project List
and Conduct Detailed Project Evaluation and Refinement**

Background:

At its April 6, 2017 meeting the Gulf Consortium approved Work Order #7 which involves the completion of the Draft Project List, and conducting Conduct detailed project evaluation and refinement. This work has been initiated and will continue through August 2017.

Update:

It is anticipated that all 23 County Commissions will have taken formal action approving their respective projects prior to the June 28, 2017 Gulf Consortium meeting in West Palm Beach.

Over the next several months the ESA consultant team will work closely with each of the counties to evaluate and further refine their projects. The goals of this effort are to:

- Identify fatal flaws;
- Determine feasibility;
 - Permit-ability
 - Constructability
 - Affordability
 - Public support
- Estimate cost.

This will involve information exchange between the consultant team and county staff through several teleconferences and/or in person meetings with each county. This work effort has just begun, and progress will be reported on in subsequent meetings.

Recommendation:

Information only

Attachment:

None.

Prepared by:

Doug Robison
SEP Project Manager
Environmental Science Associates
On: May 2, 2017

AGENDA ITEM 6

Gulf Consortium Executive Committee
May 11, 2017

Agenda Item 6

**Recommend Approval of Work Order # 8: Conduct Project Leveraging Analysis
and Develop Project Sequencing & Implementation Strategy**

Background:

At its April 6, 2017 Gulf Consortium meeting, Doug Robison presented a preview of Work Order #8 which authorizes the Consultant to complete Tasks 9 and 10 of the amended State Expenditure Plan development process. These tasks include:

- Task 9 - Conduct Project Leveraging Analysis;
- Task 10 - Develop Project Sequencing & Implementation Strategy.

The goals of these tasks are to maximize leveraged funding sources for all SEP projects, and to develop a project sequencing schedule and implementation strategy that optimizes the 15-year payout such that each county is annually making progress on their respective projects, while also ensuring that priority early action projects can be adequately funded.

Task 9 will include the production of an *Other Grants Sources Inventory* document, coordination with Restoration Council and FDEP staff as to funding from other RESTORE funding sources (as well as other governmental and NGO funders), and linking individual projects with leveraging sources. Leveraging will allow the State Expenditure Plan to expand beyond the Spill Impact Component funding levels, an important consideration given the different stages of project readiness and long term payout. Leveraging will also allow for more flexibility if projects become more expensive than anticipate and will raise the overall impact and investment to the Gulf Coast of Florida.

Task 10 will develop scenarios of sequencing projects based on project readiness and the timing and availability of leveraging. These scenarios will keep all counties moving forward on their projects. With the “even-stein” approach and long term payout this task is crucial to successful SEP development and a smooth transition into the implementation phase so that the money can begin flowing to projects. Unlike other States, Florida must have a well-developed expenditure plan. Other states have more flexibility to drop suites of projects if funding requirements change. Florida’s SEP must be developed enough to insure the “even-stein” policy is adhered to while being flexible enough to deal with inevitable changes in needs, priorities and policies over a 15-year horizon.

Completion of Tasks 9 and 10 will close out Phase III – Project Evaluation of the SEP development process and set the stage for the development of the draft SEP document on an accelerated timeframe.

Recommendation:

Recommend approval of Work Order #8 to the full Board of Directors at its meeting on May 17, 2017.

Attachment:

Draft Work Order #8.

Prepared by:

Lisa King
Langton Consulting
On: May 2, 2017

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

**GULF CONSORTIUM AND ENVIRONMENTAL SCIENCE ASSOCIATES
AGREEMENT FOR CONSULTANT SERVICES
FOR STATE EXPENDITURE PLAN**

-WORK ORDER #8-

**Conduct Project Leveraging Analysis and
Develop Project Sequencing & Implementation Strategy**

WHEREAS, the Gulf Consortium (Consortium) and Environmental Science Associates (Consultant) entered into an agreement for planning consulting services for the State Expenditure Plan (Agreement);

WHEREAS, the Agreement requires written Work Orders to be issued by the Consortium for work to be performed by the Consultant; and

WHEREAS, the Consortium desires the Consultant to screen, map and assess gaps and overlaps in the preliminary list of projects, programs and activities to potentially be included in the Florida State Expenditure Plan.

NOW, THEREFORE, the Parties agree to Work Order #8 as follows:

Background

Work Order #8 authorizes the Consultant to complete Tasks 9 and 10 of the amended State Expenditure Plan development process. These tasks include:

- Task 9 - Conduct Project Leveraging Analysis
- Task 10 - Develop Project Sequencing & Implementation Strategy.

The goals of these tasks are to maximize leveraged funding sources for all SEP projects, and to develop a project sequencing schedule and implementation strategy that optimizes the 15-year payout such that each county is annually making progress on their respective projects, while also ensuring that priority early action projects can be adequately funded. Completion of Tasks 9 and 10 will close out Phase III – Project Evaluation of the SEP development process.

Scope of Work

The scopes of work for these tasks, as authorized in the Planning Grant, are described below.

Task 9 - Conduct Project Leveraging Analysis

The ESA consultant team will develop an *Other Grant Sources Inventory* document that addresses potential leveraged funding sources applicable to the final suite of projects recommended in Task 8. This inventory will include a wide range of federal, state, private and

NGO grant programs (e.g., National Fish & Wildlife Foundation) that could potentially be used to leverage projects to be included in the FSEP. This task will also involve close coordination with the Restoration Council and FDEP with regard to the availability and applicability of leveraged funds from the Council Selected Restoration Component (RESTORE Act Pot 2) and the Florida portion of the Natural Resource Damages (NRD) settlement. The final suite of projects will be individually linked to potential leveraging sources applicable to each, along with estimated dollar amounts. Upon completion of this task, the final project list, and the leveraging potential for each, will be summarized in a Technical Memorandum, and presented to the Consortium for review and approval.

Task 10 - Develop Project Sequencing & Implementation Strategy

The approximate funding levels available to each county from the Spill Impact Compact component have been estimated for the BP settlement. Furthermore, based on current knowledge of the settlement, funds will be paid out over a 15-year period, without the ability to use these funds for bonding and debt payments. Finally, Council implementation grants for all projects included in the FSEP must be project-specific, and be channeled through a single grant portal by the FSEP implementing entity. Individual counties will not be able to engage with the Council independently with regard to implementation grant funds. To address these complexities, a project sequencing strategy is necessary to expedite and optimize the distribution of Council implementation grant funds.

It is anticipated that the final suite of projects ultimately included in the FSEP will vary significantly with regard to their relative complexity and level of development and/or design. For example, some projects may be ready to receive construction funds, while other projects may require planning or design funds. The ESA consultant team will develop a project sequencing schedule that optimizes the 15-year payout such that each county is annually making progress on their respective projects. In addition, this task will involve the development of an overall implementation strategy that considers multiple alternatives for managing the accounting of Spill Impact Component funds amongst the 23 counties over the 15-year payout schedule. A draft *Project Sequencing & Implementation Strategy* document will be prepared and presented to the Consortium for review, modification, and/or approval. The approved final suite of projects along with the approved project sequencing and implementation strategy will serve as the basis for Phase IV - FSEP Development.

Deliverables

The deliverables for this Work Order #7 include the following:

- Task 9 - *Other Grant Sources Inventory* document, Summary Technical Memorandum and presentation to the Gulf Consortium.
- Task 10 - *Project Sequencing & Implementation Strategy* document, and summary presentation to the Gulf Consortium.

Schedule

Upon formal approval of this Work Order #8 by the Consortium at its May, 2017 meeting, the above described scope of work and deliverables will be completed on or before October 31, 2017.

Compensation

Compensation of the Consultant for this and all future Work Orders shall be contingent upon the availability of planning grant funds from the Restoration Council. As provided in the revised ESA agreement and the Planning Grant, the fixed fee costs for Tasks 9 and 10 are shown in the table below.

Work Order #8			
Task	Description	Hours	Dollars @\$205/hour*
9	Task 9 - Conduct Project Leveraging Analysis	982	\$201,310
10	Develop Project Evaluation Criteria	960	\$196,800
Totals		1,942	\$398,110

* Blended rate used for cost estimating includes: overhead; profit; reimbursable expenses; and project management.

The Consultant shall be compensated on a fixed fee basis, and shall provide a final invoice upon the completion of each task, and approval all associated deliverables, encompassed in this Work Order. The total fixed fee for Work Order #8 shall not exceed **\$398,110**.

WHERETO, the Parties have set their hands and seals effective the date whereon the last party executes this Agreement.

GULF CONSORTIUM

ENVIRONMENTAL SCIENCE ASSOCIATES

By: _____

By: _____

Vice President or designee

Date: _____

Title: _____

Date: _____

SECRETARY/TREASURER:

By: _____

Date: _____

Approved as to Form:
Gulf Consortium General Counsel

BY: _____

Lynn Hoshihura
Nabors, Giblin & Nickerson, P.A.
Gulf Consortium General Counsel

DRAFT

AGENDA ITEM 7.1

Gulf Consortium Executive Committee
May 11, 2017

Agenda Item 7.1
Update on Planning Grant

Executive Summary:

Update on the status of the Planning Grant Application.

Most Recent Activity:

A Planning Grant in the amount of \$4,640,675 was awarded to the Gulf Consortium on June 23, 2016. The Gulf Consortium executed the grant agreement on June 28, 2016. Langton Consulting and Consortium staff have developed the financial control systems and enrolled the Consortium in invoicing and payment systems and commenced the drawdown and disbursement of federal grant funds. Four payment requests totaling \$520,451.70 have been submitted and paid to date. The Gulf Consortium's first Financial Progress report for the period of 9/23/14-9/30/16 was submitted on 10/30/16.

Full Background on Post Award Process/Procedure:

The Consortium submitted its fifth payment request in the amount of \$339,480.00 through RAAMS on April 24, 2017.

The Consortium's next Financial Progress report is due May 18, 2017. The Council extended the deadline from April 30, 2017 due to RAAMS upgrades taking the system down for 10 days in April.

Fiscal Impact:

Under Work Order #5, the Consortium agreed to pay ESA a \$5,000 flat fee monthly for grant management services (Task 15) provided by Langton Consulting.

Attachments:

None

Recommendation:

For information only.

Prepared by:

Lisa King
Langton Consulting
On: May 2, 2017

AGENDA ITEM 7.2

Gulf Consortium Executive Committee
May 11, 2017

Agenda Item 7.2
Planning Grant Update: Analysis of Work Orders Approved and
Planning Grant Award

Executive Summary:

Presentation of ESA Work Orders approved to date and a comparison of that encumbered amount with respect to the Planning Grant Award.

Background:

On April 22, 2016, the Gulf Consortium Board of Directors approved a contract amendment for the ESA Consulting Team to assist the Consortium in developing Florida's State Expenditure Plan for the Governor's submission to the Restoration Council for the Spill Impact Component of the RESTORE Act. The ESA Team was selected and hired after a comprehensive, competitively procured process. The Contract between the Consortium and ESA is a not to exceed amount of \$2,722,780. The contract is performed on a work order basis.

The Consortium also hired Nabors, Giblin & Nickerson as its General Counsel, also after a comprehensive, competitively procured process. The contract between the Consortium and NGN is a not to exceed amount of \$150,000 per year.

The Consortium's Planning Grant Application was approved by the Restoration Council on June 23, 2016 and the award contract was executed on June 28. The grant award is in the amount of \$4,640,675.

Analysis:

As of September 13, 2016, the Consortium has approved five work orders, totaling \$576,688, broken down as follows:

<u>Task 1</u> (PSEP, Planning Grant App) (approved 1/21/15) (\$35,980 of which is funded by the grant)	\$50,980
<u>Task 2</u> (Goal Setting Workshop) (approved 3/25/15)	\$21,560
<u>Task 3</u> (Public Involvement – Phase I) (approved 6/19/15)	\$82,388
<u>Work Order 4(A)</u> (Prelim Project List – Phase I) (approved 6/28/16)	\$92,660
<u>Work Order 4(B)</u> (Preliminary Project List-Phase II) (approved 9/13/16)	\$209,100

Work Order 5 (Grant Admin) \$120,000
(approved 4/21/16) (\$5,000 per month for 24 months)

Work Order 6 (Map Preliminary Project List & Perform Gaps Analysis)
(approved 12/2/16) \$455,290

Work Order 7
(Complete Draft Project List and Conduct Detailed Project Evaluation & Refinement)
(approved 4/6/17) \$518,320

Total **\$1,550,298**

As of September 13, 2016, the Consortium has approved one other contract to be funded partially from the planning grant: Nabors, Giblin & Nickerson

NGN General Counsel Services \$180,000
(\$90,000 of which can be funded by the grant, annually)

Also, out of the grant award, the Consortium can pay for some of the actual costs it incurs for its meetings: AV, IT, meeting space. These costs are incurred on a meeting by meeting basis.

AV/IT Reimbursement \$11,285
(in the first grant drawdown; incurred between 8/22/14 – 4/30/16)

Accordingly, the following summarizes the grant budget as compared to Consortium-approved and grant-fundable contracts:

Grant Award	ESA Contract Amount	ESA Work Orders Approved to Date	NGN Contract from Grant	AV Reimbursement
\$4,640,675	\$2,722,780	\$1,550,298	\$180,000	\$11,285

Options:

No action required.

Recommendation:

For information only.

Prepared by:

Valerie Seidel
The Balmoral Group
Manager
On: May 2, 2017

AGENDA ITEM 8

Gulf Consortium Executive Committee
May 11, 2017

Agenda Item 8
Discussion of Conceptual Design and Feasibility Study Work

Executive Summary:

This agenda item provides an update on the potential Conceptual Design and Feasibility Study work.

Background:

At its February 8, 2017 Gulf Consortium meeting, the Board directed ESA to assess the need for accessing planning grant funds to conduct Conceptual Design and Feasibility Studies (“CD/FS”) to further define and cost projects to be included in the SEP.

At the April 6, 2017 meeting, ESA recommended that the Consortium procure professional engineering services to access the \$1.5 million set aside in the planning grant to perform CD/FS concurrent with SEP development and potentially amend the planning grant to access additional funds as necessary. ESA explained that all projects in the SEP must be “feasible,” CD/FS must eventually be done for all SEP projects in order to secure implementation grant funds, and by performing this work now most SEP projects will be “grant ready” upon SEP approval. Pursuant to ESA’s recommendation, the Board authorized the Manager to draft an RFQ for CD/FS to be presented to the Board at its May 17th meeting.

Since the April 6th meeting, the Consortium Team (FAC, The Balmoral Group, ESA, Langton and NGN) has continued to discuss the myriad of issues related to the RFQ for CD/FS. Additionally, the Consortium Team met with the Restoration Council on April 26, 2017 to further evaluate the need to perform CD/FS concurrent with SEP development.

Given the shortened timeframe between the April and May meeting as well as new information learned from the meeting with Restoration Council, we request further Executive Committee and Board discussion related to the issuance of the RFQ in order for the Manager and General Counsel to finalize the RFQ to present to the Board at its June 28, 2017 meeting.

Prepared by:

Lynn M. Hoshihara
Nabors, Giblin & Nickerson, P.A.
General Counsel
Date: May 2, 2017

AGENDA ITEM 9

**Gulf Consortium Executive Committee
May 11, 2017**

**Agenda Item 9
Manager Report**

Executive Summary:

Presentation of the Manager report.

Report:

The Manager report will be given verbally at the Executive Committee meeting on May 11, 2017.

Attachment:

None.

Prepared by:

Valerie Seidel
The Balmoral Group
Manager
On: May 2, 2017

AGENDA ITEM 10

Gulf Consortium Executive Committee
May 11, 2017

Agenda Item 10
Update Gulf Consortium Bank Account Signature Cards

Statement of Issue or Executive Summary:

Update Gulf Consortium bank account signature cards and corporate resolutions.

Background:

With the transition to The Balmoral Group, bank accounts will need to be updated to reflect appropriate personnel under the new Manager. The Balmoral Group will maintain the existing account with Wells Fargo, which serves as the conduit for federal funds. The Balmoral Group will transition the current SunTrust Operating account into a new Operating account at Seaside National Bank & Trust. Accordingly, new signature cards and corporate resolutions will need to be prepared for both accounts.

The complete list of updated signers on account(s) includes:

Wells Fargo Account

- Valerie Seidel
- Craig Diamond

Seaside Bank Account (New Operating Account)

- Valerie Seidel
- Craig Diamond

Both Wells Fargo and Seaside National Bank & Trust are Florida Qualified Public Depositors and authorized to hold public deposits.

Once the new Operating account at Seaside National Bank & Trust is open, FAC will transfer the remaining balance of the Gulf Consortium SunTrust Operating Account to the Gulf Consortium Seaside National Bank & Trust Operating account.

Fiscal Impact:

Neutral.

Options:

- (1) Authorize Balmoral Group staff to complete all tasks necessary to update accounts to reflect the following signers on both accounts: Valerie Seidel and Craig Diamond. Authorize FAC to transfer remaining funds held at the Gulf Consortium SunTrust account to the new Gulf Consortium account at Seaside National Bank & Trust.
- (2) Provide other direction to staff.

Attachment:

None.

Recommendation:

Entertain a motion approving Option 1.

Prepared by:

Valerie Seidel

The Balmoral Group

Manager

On: May 2, 2017

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

AGENDA ITEM 11

**Gulf Consortium Executive Committee
May 11, 2017**

**Agenda Item 11
Domain Name Transfer**

Statement of Issue or Executive Summary:

Give custody and ownership of gulfconsortium.org, gulfconsortium.info, gulfconsortium.com to the new manager, The Balmoral Group, LLC.

Background:

In order to provide website support and the creation of a new Gulf Consortium website the Board will allow the transfer of the following domain names: gulfconsortium.info, gulfconsortium.com from the former Manager, Florida Association of Counties, to the new Manager, The Balmoral Group, LLC.

Fiscal Impact:

None.

Options:

- (1) Authorize the domain name transfer of gulfconsortium.org, gulfconsortium.info, gulfconsortium.com to The Balmoral Group, LLC
- (2) Provide other direction to staff.

Attachment:

None.

Recommendation:

Entertain a motion approving Option 1.

Prepared by:

Valerie Seidel
The Balmoral Group
Manager
On: May 2, 2017

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.