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**Executive Committee Call Agenda  
September 12, 4:30 p.m. EDT  
Dial-in Number: 1 (669) 224-3217  
Access Code: 865-760-109**

1. Call to Order and Roll Call
2. Public Comment
3. Approval of Minutes from the June 7, 2018 Executive Committee Meeting

**Old Business:**

4. SEP Project Management Report  
Status Report of Work Order #11 (Task 14: Prepare Final State Expenditure Plan)  
Doug Robison  
Environmental Science Associates
5. Manager's Report
  - a. Status of Stand-Up SEP
  - b. Financial Statements
  - c. Planning Grant Update / Summary  
Craig Diamond, Manager  
The Balmoral Group
6. General Counsel's Report  
Lynn Hoshihara, General Counsel  
Nabors, Giblin & Nickerson

**New Business:**

7. Consideration of Contract with Nabors, Giblin & Nickerson  
Craig Diamond, Manager  
The Balmoral Group
8. Status of Bucket 2 Projects  
Phil Coram  
FL Dept. of Environmental Protection



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9. Public Comment

10. Upcoming Gulf Consortium Board Meeting  
Wednesday, September 27, 2018  
2:00 PM, EDT  
Charlotte Harbor Conference Center  
75 Taylor St., Punta Gorda, FL

11. 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: September 12, 2018 at 4:30 pm (EDT)

PLACE: United States: +1 (669) 224-3217

Access Code: 865-760-109#

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 other business at the discretion of the Executive Committee. The location of the conference call is The Balmoral Group, 165 Lincoln Avenue, Winter Park, FL 32789.

A copy of the agenda may be obtained by contacting: Craig Diamond at 407-629-2185 or [Gulf.Consortium@balmoralgroup.us](mailto:Gulf.Consortium@balmoralgroup.us).

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: Craig Diamond at 407-629-2185 or [Gulf.Consortium@balmoralgroup.us](mailto: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 Craig Diamond at 407-629-2185 or [Gulf.Consortium@balmoralgroup.us](mailto:Gulf.Consortium@balmoralgroup.us).

**Gulf Consortium Executive Committee Meeting**  
**September 12, 2018, 4:00 p.m., Eastern**  
**The Balmoral Group Office - Conference Call**



<u>County</u>	<u>Executive Committee Member</u>	<u>Present</u>
Escambia	Commissioner Grover Robinson	
Gulf	Warren Yeager	
Levy	Commissioner John Meeks	
Charlotte	Commissioner Chris Constance	
Pasco	Commissioner Jack Mariano	

# **AGENDA ITEM 3**

**Gulf Consortium Executive Committee  
September 12, 2018**

**Agenda Item 3  
Approval of June 7, 2018 Minutes**

**Statement of Issue:**

Request to approve the minutes of the June 7, 2018 meeting of the Executive Committee.

**Options:**

- (1) Approve the June 7, 2018 minutes as presented; or
- (2) Amend and then approve the minutes.

**Recommendation:**

Motion to approve Option 1.

**Prepared by:**

Craig Diamond  
The Balmoral Group  
General Manager

**Attachment:**

Draft Minutes, June 7, 2018 meeting of the Executive Committee.

**Action Taken:**

Motion to: \_\_\_\_\_, Made by: \_\_\_\_\_;

Seconded by: \_\_\_\_\_.

Approved\_\_\_\_; Approved as amended\_\_\_\_; Defeated\_\_\_\_\_.

**Gulf Consortium Executive Committee Meeting  
June 7, 2018, 4:00 p.m. (Eastern)  
Teleconference**

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**Members in Attendance:** Chairman Grover Robinson (Escambia), Vice-Chair Warren Yeager (Gulf), Secretary-Treasurer John Meeks (Levy), Commissioner Chris Constance (Charlotte), and Commissioner Jack Mariano (Pasco).

**Also In Attendance:** Craig Diamond (The Balmoral Group), William Smith (The Balmoral Group), Lynn Hoshihara (Nabors, Giblin & Nickerson), Doug Robison (ESA), and Phil Coram (DEP)

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**Agenda Item 1 – Call to Order and Roll Call**

Vice Chair Warren Yeager called the meeting to order at 4:02pm (ET). Attendees as above. Comms. Mariano and Robinson joined the meeting after the roll call.

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**Agenda Item #2 – Public Comment**

There were no public comments.

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**Agenda Item #3 – Approval of Minutes**

Comm. Constance moved the minutes of the April 9, 2018 meeting of the Executive Committee; second by Comm. Meeks; approved. It was noted that the agenda item referred to approval of the February minutes.

**ACTION: EXECUTIVE COMMITTEE APPROVED**

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**Agenda Item #4 – Manager’s Report**

The sub-items were taken in reverse order to provide the financials prior to Item #5.

Mr. Diamond reported that the updated organizational self-assessment (OSA) had been submitted to Council, but there had not been a response. Staff requested, and Council approved, pre-award costs for the Stand-Up SEP grant development and initial stand-up activities, effective July 1. Staff have begun the grant application and expect to complete it prior to the Board meeting.

Other than the invoices for Work Order #10 and the bi-monthly billing for March-April 2018 entering the pipeline for payment, there have been no changes to the summary tables of allocations and payments to date for the Planning Grant.

Mr. Diamond reported approximately \$96,000 in net income for the fiscal year as of May 31, all of it attributable to the general operating fund for the Consortium. General fund expenses to date have been about 31% of the general fund income. The Consortium has about \$188,000 in total equity. There were no comments or questions regarding the Manager’s report.

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**Agenda Item #5 – County Annual Contributions**

William Smith provided an analysis of General Fund income and expenditures and projected an operating surplus based on expected expenses. Mr. Smith explained how a 50% reduction in annual county contributions would draw down the surplus, but not place the Consortium in the red after four years. Comm. Constance asked about eliminating the contributions altogether. Mr. Smith noted that the

Consortium would continue to have a variety of administrative costs, including audits, bank fees and special district fees. Mr. Diamond added that there may be a means to allocate these expenses to the general administrative overhead that would attach to project implementation grants, but that a determination of that rate has not been made. Comm. Mariano moved to recommend that the Board reduce the contributions by 50%; second by Comm. Meeks; approved.

**ACTION: EXECUTIVE COMMITTEE APPROVED**

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**Agenda Item #6 – General Counsel’s Report**

Lynn Hoshihara brought forth a resolution regarding the use of teleconferencing (“Communications Media Technology”) for Board meetings. The Consortium meets the statutory qualification for its use. Mr. Yeager urged that this be a Board decision, recognizing the diverse opinions on the matter. Comm. Robinson noted the need to maintain cohesion and avoid a lapse in attendance. He added that meetings held in conjunction with FAC meetings will continue to attract most Board members and avoid additional expense. Comm. Meeks noted the challenges in using teleconferencing for the May Board meeting and these are avoided by in-person meetings. He suggested that circumstances could be different at future meetings where most of the agenda is handled via consent. Comm. Constance noted the difficulty with the non-FAC meetings, if held at locations other than the Tampa area or Tallahassee where air access is more feasible. Comm. Mariano move a recommendation to maintain in-person meetings; amended by the Chair include making every effort to avoid the use of teleconferencing but when necessary; second by Mr. Yeager; approved.

**ACTION: EXECUTIVE COMMITTEE APPROVED**

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**Agenda Item #7 – Status Report of Work Order #11 (Task 14: Prepare Final State Expenditure Plan)**

Doug Robison recapped the SEP activities since the Board meeting, noting that the SEP had been delivered to DEP and the Governor’s office, and that DEP had been prompt in its review of the current document. ESA has coordinated with DEP and has addressed most of its comments, and was waiting for comments from the Governor’s office before finalizing the Draft Final SEP. Mr. Diamond added that the Governor’s office has been contacted twice regarding the review provisions of the MOU and that comments were expected by June 15<sup>th</sup>. Mr. Robison anticipated having a final document for the Board meeting. No action was required on this item.

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**Agenda Item #8 – New Business: Status of Bucket 2 Projects**

Chairman Robinson emphasized that the Consortium has two partners (DEP and FWC), welcomed their contributions, and recommended the agencies have a permanent spot on the Board agenda. Phil Coram indicated that Gareth Leonard will also be available to present at Board meetings. He indicated that DEP/FWC will provide updates on NFWF and NRDA activities. He reported on three changes at RESTORE Council: the appointment of EPA as the Council Chair and the designation of a Deputy Advisor; that Ben Scaggs had been named Executive Director, and that the Louisiana representative was named Council co-chair. Mr. Coram described the 1<sup>st</sup> Funded Priority List, that a “3<sup>rd</sup>” priority list was in the making totaling about \$350 million, and that DEP had completed one project (\$4.7 million for Apalachicola Bay). He noted that for Pot 2 DEP held an analogous manager role as does the Consortium for Pot 3 monies. He reported ongoing collaboration among the states and the various agencies and indicated DEP’s interest in the SEP as a vehicle for dollar leveraging and project synergies. He described an outreach meeting and Comm. Robinson suggested starting with the county RESTORE coordinators and using them as a means to communicate to county administrators and elected officials. Comm. Mariano asked about Pot 2 support for

dredging projects. Mr. Coram indicated that if these were primarily for access then Pot 2 would be unlikely to be used as its focus is on environmental enhancement; such a dredging project would have to demonstrate significant water quality improvements to be considered. Comm. Mariano moved to recommend that the Board include DEP and FWC on future agendas; second by Comm. Meeks; approved.

**ACTION: EXECUTIVE COMMITTEE APPROVED**

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**Agenda Item #9- Public Comment**

There were no public comments.

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**Agenda Item #10 – Upcoming Board Meeting**

The next board meeting is June 27<sup>th</sup> in Orlando.

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**Agenda Item #11 - Adjournment**

There being no further business, the Committee adjourned at 4:45 pm.

Respectfully submitted,

Grover Robinson  
Chairman

# **AGENDA ITEM 4**

**Gulf Consortium Executive Committee  
September 12, 2018**

**Agenda Item 4**

**Update on Work Order 11: Prepare Final Florida State Expenditure Plan**

**Statement of Issue:**

The SEP Consultant will provide a status report on Work Order #11, the Draft Final SEP. No action is required in this item.

**Background:**

Work Order #11 authorizes the Consultant to complete Task 14 of the amended State Expenditure Plan (SEP) development process. The work order includes:

- *Task 14 - Prepare Final Florida State Expenditure Plan*

The goals of this task are to: 1) coordinate and facilitate the timely review of the Final SEP with both the Governor's office and the RESTORE Council, including face to face meetings and ongoing communications as needed; 2) make any additional revisions to Final SEP based on comments received from the Governor's office and Council; and, 3) produce and distribute the Final SEP document upon formal approval by the Council.

Following presentation by the SEP Consultant, the Board adopted the Draft Final SEP (allowing for further non-substantive edits as may be required) at its May 17<sup>th</sup> 2018 meeting, and transmitted the document to the Florida DEP for review and approval.

**Update:**

Following additional comments from the DEP on July 6, 2018 the SEP Consultant amended the Board-approved Plan. With those edits, DEP transmitted the SEP on behalf of the State of Florida to the RESTORE Council on July 27, 2018. Council provided initial comments on August 6, 2018 and a final set of requested edits on August 20, 2018. All edits were resolved by the SEP Consultant by August 24, 2018 and a letter recommending that the Council Chair approve the FL SEP was forwarded by the Council Executive Director that same afternoon.

To maintain Council's internal calendar of review, the Consortium Manager directed the vendor providing the Section 508-compliant version to proceed with the version under review at that time. The vendor has concluded field-testing the converted document and is currently incorporating the final (8/20) edits provided by Council. The final document +will be promptly forwarded when complete so that Council can post the document for a minimum of seven days for public comment.

Council has indicated that final approval of the Florida SEP by the Council Chair is expected prior to September 27, 2018.

**Attachments:**

August 24, 2018 Council Letter

**Recommendation:**

No action required; for information only.

**Prepared by:**

Doug Robison  
SEP Project Manager  
Environmental Science Associates  
On: September 4, 2018

Gulf Coast Ecosystem Restoration Council  
New Orleans, LA 70130



**MEMORANDUM**

**FROM:** Ben Scaggs   
Executive Director

**TO:** Andrew Wheeler  
Acting Administrator, U.S. Environmental Protection Agency (EPA)  
Chairperson, Gulf Coast Ecosystem Restoration Council (Council)

**DATE:** August 24, 2018

**SUBJECT: Recommendation for Approval of Florida State Expenditure Plan**

Pursuant to the Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies of the Gulf Coast States Act of 2012, 33 U.S.C. §1321(t) *and note* (RESTORE Act), the attached Florida State Expenditure Plan (SEP) requires approval or disapproval by the Chairperson of the Council within sixty days after receipt by the Council. This sixty-day review period officially began on July 30, 2018; the statutory deadline for Chairperson approval or disapproval is September 27, 2018.

According to the Council's SEP Guidelines, Council staff will review the proposed SEP and make a recommendation to the Chairperson as to whether to approve or disapprove it based on the requirements of the RESTORE Act, the Department of the Treasury's implementing regulations and the Council's SEP Guidelines.

I have reviewed the SEP and find that it is complete and meets all applicable requirements. I therefore recommend that the Chairperson approve the SEP on behalf of the Council. A more detailed explanation of this recommendation is provided below. If you agree with this recommendation and approve the SEP, the attached response letter has been prepared for your signature.

The attached letter would constitute the Chairperson's affirmative vote to approve the SEP. Pursuant to section 4.3.3 of the Council's Standard Operating Procedures, Council staff will post on the Council's website all deliberative materials (including this memorandum) at least seven days before formal Council approval of the SEP.

## **BACKGROUND**

The RESTORE Act established the Council as an independent federal entity. Among other duties, the Council is tasked with administering the Spill Impact Component of the RESTORE Act, under which thirty percent of the funds in the Gulf Coast Restoration Trust Fund (Trust Fund) are disbursed to the five Gulf Coast States based on an allocation formula established by the Council by regulation, based on criteria in the RESTORE Act. In order for Spill Impact Component funds to be disbursed to a State or its administrative agent, the RESTORE Act requires each State to develop a SEP and submit it to the Chairperson for approval.

Under the RESTORE Act, the Council itself has no substantive role in the creation of SEPs or the design or selection of SEP activities; these actions are undertaken solely by the State members. The RESTORE Act specifies four criteria that SEPs must meet in order to be eligible for funding under the Spill Impact Component, and when a SEP meets these criteria (and otherwise complies with the RESTORE Act and Treasury regulations) the Council has no discretion to reject a SEP, to select or designate alternative versions of a SEP, or to select or designate alternative activities within a SEP. Although the Council must determine whether a SEP has met the statutory criteria, the RESTORE Act does not grant the Council discretion to separately consider external factors, for example environmental impacts, in its statutory review.

In March 2016 the Council updated its SEP Guidelines, which describe the required elements of a SEP, the process for submitting a SEP and the standards by which the Chairperson will evaluate a SEP. The SEP Guidelines set forth the elements required in a SEP to ensure compliance with the RESTORE Act and applicable Treasury regulations. The SEP Guidelines reiterate the four statutory criteria that all SEPs must meet:

1. Each activity in the SEP must be eligible for funding under the RESTORE Act.
2. The SEP must contribute to the overall economic and ecological recovery of the Gulf Coast.
3. The SEP must take into consideration the Council's Comprehensive Plan and be consistent with the goals and objectives of the Comprehensive Plan.
4. No more than 25% of the funding made available in a SEP may be used for infrastructure projects under eligible activities 6 and 7 (i.e., coastal flood protection, port and other infrastructure projects) unless a waiver is provided as described in the RESTORE Act.

The Council staff review found that the Florida SEP meets all four of the required criteria. The review also found that it was complete and met all of the other requirements set forth in the SEP Guidelines. These requirements include descriptions of the financial controls and other financial integrity mechanisms that will be used, a description of the process used for preventing conflicts of interest in the development and implementation of the SEP, project-specific information, a certification that all

Memorandum to Chairperson

Re: Recommendation for Approval of Florida State Expenditure Plan

August 24, 2018

Page 3

activities in the SEP comply with RESTORE Act requirements, and information regarding the public participation process used in developing the SEP.

Pursuant to the SEP Guidelines, all Council members were given twenty days to review the SEP for completeness and consistency with the four statutory criteria described above. Council members were to provide any comments they might have to Council staff, which in turn would provide them to the Chairperson for his/her consideration in the approval or disapproval of the SEP. No Council member provided comments on this SEP.

The Florida SEP, if approved, would provide \$291,180,000 in Spill Impact Component funding to support 69 projects spread across 23 coastal counties, including efforts to restore water quality and habitat, revitalize the Gulf economy, promote tourism, and replenish living coastal and marine resources.

The Gulf Consortium is the designated entity responsible for the development of the Florida SEP. If the SEP is approved, funding for the activities in the SEP will then be disbursed to the Gulf Consortium via federal grants. As part of the grant process, all activities for which funding is sought will be carefully reviewed to ensure consistency with the approved SEP and compliance with the RESTORE Act and all other applicable requirements. Funding for implementation activities are disbursed only after verification of compliance with all applicable federal environmental and other laws.

In summary, Florida's proposed SEP complies with all of the applicable requirements set forth in the RESTORE Act, Treasury regulations and SEP Guidelines. If it is approved by you, we look forward to working with the Gulf Consortium to help ensure an efficient grant process for the activities included in the SEP.

Thank you in advance for your review of this matter. Please do not hesitate to let me know if you have any questions or would like to discuss this matter further. Technical questions regarding the SEP can be directed to John Ettinger of Council staff at (504) 444-3522 or at [john.ettinger@restorethegulf.gov](mailto:john.ettinger@restorethegulf.gov).

#### **ATTACHMENTS**

1. Florida State Expenditure Plan
2. Draft Letter Approving Florida's State Expenditure Plan

# **AGENDA ITEM 5**

# **AGENDA ITEM 5a**

**Gulf Consortium Executive Committee  
September 12, 2018**

**Agenda Item 5a  
Manager's Report Status of the Stand-up State Expenditure Plan**

**Statement of Issue:**

Presentation of the Manager's report. For information only; no action is required.

**Background:**

The Manager's report will be given verbally at the Executive Committee meeting on September 12, 2018.

**Attachments:**

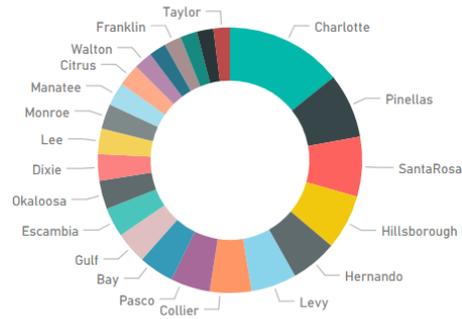
- a) Draft Gulf Consortium Project Webpage  
(<https://www.gulfconsortium.org/project-data>)

**Prepared by:**

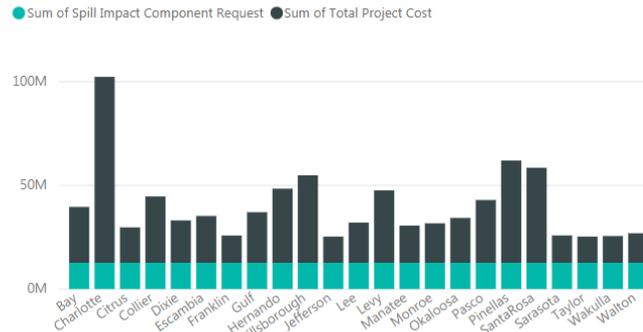
Craig Diamond  
The Balmoral Group, Manager  
On: September 4, 2018

# DRAFT GULF CONSORTIUM PROJECT WEBPAGE

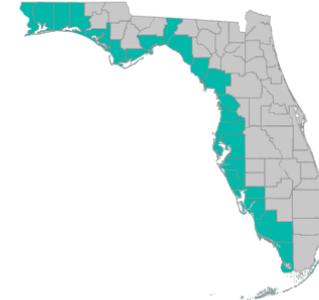
Sum of Total Project Cost by County



Sum of Spill Impact Component Request and Sum of Total Project Cost by County



County

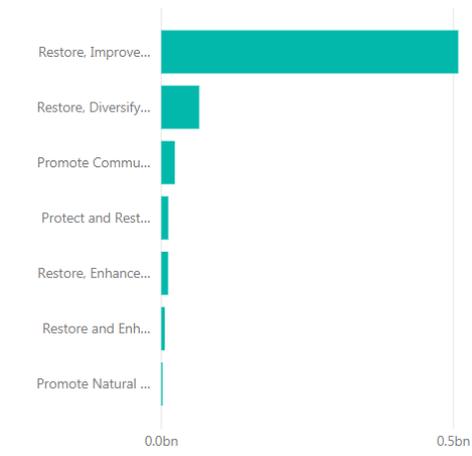


Project Name	Sum of Total Project Cost	Sum of Spill Impact Component Request	Sum of Infrastructure Cost
Apalachicola Bay Cooperative Dredging Program	6660000	6660000	6660000
Apalachicola Bay Oyster Restoration	5000000	5000000	0
Applied Research for Shellfish Aquaculture	400000	300000	0
Artificial Reef and Oyster Habitat Enhancement	634430	634430	0
Artificial Reef Program	2350000	2350000	0
Artificial Reef Program - Citrus	900000	850000	0
Artificial Reef Program - Pinellas	490000	440000	0
Artificial Reef Program - Hudson Reef	115000	100000	0
Artificial Reef Program - Larry Borden Reef	1320000	1320000	0
Bayou Chico Contaminated Sediment Remediation Project	22600000	12660000	0
Canal Management Master Plan Implementation	19048690	12660000	0
Charlotte Harbor Septic to Sewer Conversion Program	89710000	12660000	0
Choctawhatchee Bay Estuary Program	3800000	1000000	0
Choctawhatchee Bay Septic to Sewer Conversion	14252925	12660000	0
Coastal Environmental Research Network (CERN)	2225000	2100000	2100000
Coastal Erosion Control Project	6000000	3000000	0
Coastal Habitat Enhancement Program	900000	750000	0
<b>Total</b>	<b>628575530</b>	<b>291180000</b>	<b>37690000</b>

Year	Funding Amount
2018	20,564,940.65
2019	25,948,672.31
2020	22,103,659.47
2021	33,136,309.71
2022	36,833,025.82
2023	14,396,140.25
2024	11,976,323.35
2025	12,777,096.01
2026	28,630,353.04
2027	14,751,989.47
<b>Total</b>	<b>291,180,000.00</b>

- Stage of Development
- Concept
  - Design & Permitting
  - Feasibility
  - Implementation
  - Planning

Sum of Total Project Cost by Primary Council Objective



# **AGENDA ITEM 5b**

**Gulf Consortium Executive Committee  
September 12, 2018**

**Agenda Item 5b  
Manager's Report -- Financials**

**Statement of Issue:**

Presentation of the Manager's report. For information only; no action is required.

**Background:**

The Manager's report will be given verbally at the Executive Committee meeting on September 12, 2018.

**Attachments:**

Financial Statements through June 30, 2018

**Prepared by:**

William Smith  
The Balmoral Group, Manager  
On: September 4, 2018

**Gulf Consortium**  
**Profit & Loss**  
**October 2017 through August 2018**

	General Fund	Grants Fund	TOTAL
<b>Income</b>			
County Dues Funding	140,050.00	0.00	140,050.00
<b>Planning Grant</b>			
SEP - Work Order 7	0.00	518,239.58	518,239.58
SEP - Work Order 8	0.00	398,110.00	398,110.00
SEP - Work Order 9	0.00	275,990.82	275,990.82
SEP - Work Order 10	0.00	360,800.00	360,800.00
SEP - Management Fees	0.00	48,226.25	48,226.25
SEP - Grant Management	0.00	45,000.00	45,000.00
SEP - Legal Fees	0.00	93,736.70	93,736.70
SEP Audit Reimbursement	0.00	6,000.00	6,000.00
SEP - AV/Meeting Fees	0.00	5,906.94	5,906.94
<b>Total Planning Grant</b>	<b>0.00</b>	<b>1,752,010.29</b>	<b>1,752,010.29</b>
<b>Total Income</b>	<b>140,050.00</b>	<b>1,752,010.29</b>	<b>1,892,060.29</b>
<b>Expense</b>			
<b>Development of SEP</b>			
Work Order 10	0.00	360,800.00	360,800.00
Grant Management	0.00	45,000.00	45,000.00
Work Order 7	0.00	518,239.58	518,239.58
Work Order 8	0.00	398,110.00	398,110.00
Work Order 9	0.00	275,990.82	275,990.82
<b>Total Development of SEP</b>	<b>0.00</b>	<b>1,598,140.40</b>	<b>1,598,140.40</b>
Legal	24,844.98	93,736.70	118,581.68
Management Fees	20,827.70	48,226.25	69,053.95
Accounting	850.82	6,000.00	6,850.82
Meeting Expense	4,984.03	5,906.94	10,890.97
Bank Service Charges	2,431.38	0.00	2,431.38
Special District Fees	175.00	0.00	175.00
<b>Total Expense</b>	<b>54,113.91</b>	<b>1,752,010.29</b>	<b>1,806,124.20</b>
<b>Net Income</b>	<b>85,936.09</b>	<b>0.00</b>	<b>85,936.09</b>

**Gulf Consortium**  
**Balance Sheet**  
**As of August 31, 2018**

	<u>Aug 31, 18</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Seaside Bank (Operating)	166,825.43
Wells Fargo Account (Grant)	1,138.64
<b>Total Checking/Savings</b>	<u>167,964.07</u>
<b>Accounts Receivable</b>	
Gen - Fund Accounts Receivable	4,135.00
Planning Grant Receivable	28,959.53
<b>Total Accounts Receivable</b>	<u>33,094.53</u>
<b>Total Current Assets</b>	<u>201,058.60</u>
<b>TOTAL ASSETS</b>	<b><u>201,058.60</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
Accounts Payable - Grant	22,959.53
Accounts Payable	104.44
<b>Total Accounts Payable</b>	<u>23,063.97</u>
<b>Total Current Liabilities</b>	<u>23,063.97</u>
<b>Total Liabilities</b>	23,063.97
<b>Equity</b>	
Unrestricted Net Assets	92,058.54
Net Income	85,936.09
<b>Total Equity</b>	<u>177,994.63</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>201,058.60</u></b>

# **AGENDA ITEM 5c**

**Gulf Consortium Executive Committee  
September 12, 2018**

**Agenda Item 5c  
Planning Grant Update: Status of Planning Grant Award and  
Work Orders**

**Statement of Issue:**

Presentation of Work Orders approved to-date and a comparison of the amount encumbered with respect to the Planning Grant Award. There have been no changes in Planning Grant status since the June 2018 Board Meeting. For information only; no action is required.

**Status of Payments to Date:**

To date, seventeen payment requests for all consulting services totaling \$2,735,183 been submitted to Council and been paid. Payment request #17 in the amount of \$27,185 for Planning Grant and Consortium Management expenses was paid by Council on September 7, 2018.

The Consortium submitted its last Planning Grant Financial Progress Report on April 30, 2018. The next, and final, Financial Progress Report is due September 30, 2018.

**Schedule of Work Orders:**

As of September 1, 2018 the Consortium approved eleven work orders under the SEP consultants' tasks, totaling \$2,585,598, broken down as follows:

<u>Task 1</u> (PSEP, Planning Grant App) *(Approved 1/21/15, of a total Consortium authorization of \$50,980)	\$35,980*
<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
<u>Work Order 5</u> (Grant Management Services) (Approved 4/21/16) (\$5,000 per month for 24 months)	\$120,000
<u>Work Order 6</u> (Map Preliminary Project List & Perform Gaps Analysis) (Approved 12/2/16)	\$339,480

<u>Work Order 7</u> (Complete Draft Project List and Conduct Detailed Project Evaluation & Refinement) (Approved 4/6/17)	\$518,320
<u>Work Order 8</u> (Conduct Project Leveraging Analysis & Sequencing & Implementation Strategy) (Approved 5/17/17)	\$398,110
<u>Work Order 9</u> (Prepare Draft State Expenditure Plan Document and Conduct Legal Review) (Approved 6/28/17)	\$276,000
<u>Work Order 10</u> (Draft State Expenditure Plan Review and Revisions; Stakeholder Outreach and Public Involvement) (Approved 9/27/17)	\$360,800
<u>Work Order 11</u> (Prepare Final State Expenditure Plan; Coordinate Review and Approval of Final SEP) (Approved 2/08/18)	\$131,200
<b>Total</b>	<b>2,585,598</b>

Out of the grant award, the Consortium can pay for some of the costs it incurs for its meetings: Audio-Visual, Information Technology, meeting space, etc. These costs are incurred on a meeting-by-meeting basis.

Meeting AV/IT Reimbursements (Incurred between 8/22/14 – 8/31/18)	\$29,651
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The Planning Grant also provides for auditor expenses at \$25,000 per year.

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

	Grant Award	ESA Contract From Grant	NGN Contract from Grant	TBG Contract from Grant	Auditor	AV / IT
<b>Contract Amounts</b>	\$4,640,675	\$2,722,780	\$180,000	\$120,000	\$ 50,000	\$72,000
<b>Work Orders Approved</b>		\$2,600,598	--	--	\$18,000	--
<b>Payments to Date</b>	\$2,735,183	\$2,469,254	\$152,480	\$77,798	\$6,000	\$29,651
<b>Balance</b>	\$1,905,492	\$131,344	\$27,520	\$42,202	\$44,000	\$45,431

The Balance line in the table describes the remaining, unencumbered funds in the Planning Grant which will revert to the Consortium's general pool of funding for SEP project implementation.

**Prepared by:**

William Smith

The Balmoral Group, Manager

On: September 4, 2018

# **AGENDA ITEM 6**

**Gulf Consortium Executive Committee  
September 12, 2018**

**Agenda Item 6  
General Counsel's Report**

**Statement of Issue:**

Presentation of the General Counsel's report. For information only; no action is required.

**Background:**

The General Counsel's report will be given verbally at the Executive Committee meeting on September 12, 2018.

**Attachments:**

None

**Prepared by:**

Lynn M. Hoshihara  
Nabors, Giblin & Nickerson, P.A.  
General Counsel  
On: September 4, 2018

# **AGENDA ITEM 7**

**Gulf Consortium Executive Committee  
September 12, 2018**

**Agenda Item 7**

**Consideration of Extension of NGN s Agreement for General Counsel Services**

**Statement of Issue:**

Request of a recommendation from the Executive Committee to extend NGN's Agreement for Professional Services for an additional two-years.

**Background:**

In October 2012, the Consortium and Nabors, Giblin & Nickerson, P.A. (NGN), entered into an Agreement for Interim General Counsel Services. In September 2016, following a competitive procurement process, the Consortium and NGN entered into an Agreement for General Counsel Services (as amended), which is set to expire on September 30, 2018.

The initial Agreement authorizes the term to be extended by mutual agreement of the parties for successive 24-month periods.

**Options:**

- Option #1, Recommend approval of contract extension for a two-year term commencing October 1, 2018 until September 30, 2020.
- Option #2, Recommend rejection of the contract extension.
- Option #3, Executive Committee Direction.

**Recommendation:**

Option #1

**Attachment:**

Draft Fourth Amendment to NGN's Agreement for General Counsel Services.

**Prepared by:**

Craig Diamond  
The Balmoral Group  
General Manager  
September 4, 2018

**FOURTH AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL SERVICES  
BETWEEN THE GULF CONSORTIUM AND NABORS, GIBLIN & NICKERSON, P.A.**

This Fourth Amendment to the Agreement for Professional Services is entered into by and between the **Gulf Consortium**, a legal entity and public body organized and created pursuant to an interlocal agreement among the 23 county governments along Florida's Gulf Coast (the "Consortium"), and **Nabors, Giblin & Nickerson, P.A.**, whose business address is 1500 Mahan Drive, Suite 200, Tallahassee, Florida 32308 (the "Contractor").

**WHEREAS**, the Consortium and the Contractor initially entered into an Agreement for Professional Services for Interim General Counsel Services, dated October 22, 2012, as subsequently amended (the "Agreement"); and

**WHEREAS**, the Agreement authorizes the term to be extended in successive 24-month periods; and

**WHEREAS**, the Agreement needs to be amended to reflect the funding capacity of the Consortium.

**NOW THEREFORE**, in consideration of the mutual covenants herein and other good and valuable consideration, the parties hereby agree to amend the Agreement as follows:

1. Section 1.04 of the Agreement is hereby amended as follows:

**SECTION 1.04. COMPENSATION FOR GENERAL COUNSEL SERVICES.**

(A) In consideration for the performance of General Counsel services to be provided pursuant hereto, the Consortium agrees to pay NGN \$250 per hour for each attorney providing such services. However, the Consortium shall not be obligated to pay NGN more than \$5,000 per month, unless the Board approves an amount in excess of \$5,000, except as otherwise provided in paragraph (B).

(B) Separate from the amount due under section 1.04(A), it is recognized that certain legal services will be required ~~related to the Planning Grant~~ that may be eligible for grant reimbursement ("Grant-Eligible Services"). In the event Federal funds or other funds become available to pay for such Grant-Eligible Services, NGN shall be paid a fee of \$250 per hour for each attorney providing such services. However, the Consortium shall not be obligated to pay NGN more than \$90,000 per fiscal year from grant funds. All services provided which do not qualify for grant reimbursement shall be considered General Counsel services payable as set forth under section 1.04(A).

2. Section 3.01 of the Agreement is hereby repealed in its entirety and replaced with the following:

**SECTION 3.01. TERM OF AGREEMENT.** This Agreement shall be extended for a two-year term commencing October 1, 2018 and shall continue until September 30,

2020. The term may be extended by mutual agreement of the parties for successive 24 month periods. The Consortium may terminate this Agreement without cause by giving NGN thirty (30) days written notice of termination.

3. All other provisions of the Agreement shall remain in full force and effect.

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

**GULF CONSORTIUM**

**NABORS, GIBLIN & NICKERSON, P.A.**

**By:** \_\_\_\_\_  
**Grover Robinson, Chairman**

**By:** \_\_\_\_\_  
**Lynn Hoshihara, Shareholder**

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**By:** \_\_\_\_\_  
**John Meeks, Secretary**

**Date:** \_\_\_\_\_

# **AGENDA ITEM 8**

**Gulf Consortium Executive Committee  
September 12, 2018**

**Agenda Item 8  
Status of Bucket 2 Projects**

**Statement of Issue:**

Per Board approval to include regular reports from the Consortium's partners, DEP/FWC staff will provide a verbal update of Bucket 2 projects. For information only; no action is required.

**Attachments:**

None

**Prepared by:**

Craig Diamond  
The Balmoral Group, General Manager  
On: September 4, 2018