



**Gulf Consortium Board of Directors Agenda
September 13, 2016, 3:00 p.m. Eastern
Hutchinson Island Marriott
Plantation Ballroom
555 NE Ocean Boulevard
Stuart, Martin County, Florida
Dial-In Number: 1-888-670-3525
Participant Passcode: 998 449 5298#**

1. Call to Order
2. Pledge
3. Public Comment
4. Opening Remarks
5. Approval of June 28, 2016 Minutes
6. SEP Project Management Update:
 - 6.1 Work Order 4A Report and Recommendation
 - 6.2 Work Order 4B Presentation and Approval
 - 6.3 Work Order 6 and Preview of Remaining Work Orders for 2016-17
Doug Robison
Environmental Science Associates
7. Planning Grant Update
 - 7.1 Post Award Process/Procedure Update
 - 7.2 Analysis of Work Orders Approved and Grant Award Amount
 - 7.3 Presentation on Grants Management at SEP Implementation Stage
Lisa King/Mike Langton
Langton Associates
8. Discussion of Consortium's 2017 Regularly-Scheduled Meeting Calendar and Locations
9. Adoption of FY 2015/16 Budget Amendment



10. Adoption of Budget for FY 2016/2017 and Approval of County Allocations for FY 2016/17
11. Interim Manager's Report
12. General Counsel's Report
 - 12.1 Approval of the Second Amendment to the Agreement for Professional Services between the Gulf Consortium and Nabors, Giblin & Nickerson
13. New Business
14. Public Comment
15. Upcoming 2016 Meetings
 - Board Meeting
 - Friday, December 2, 2016
 - 10:00 am, ET
 - Buena Vista Palace Orlando*
 - Orange County*
16. Adjourn

Notice of Meeting/Workshop Hearing

OTHER AGENCIES AND ORGANIZATIONS

Gulf Consortium

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

DATE AND TIME: Tuesday, September 13, 2016, 3:00 pm, Eastern Time.

PLACE: Hutchinson Island Marriott, 555 NE Ocean Boulevard, Plantation Ballroom, Stuart, Martin County, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Gulf Consortium will meet to discuss the progress of the state expenditure plan; progress of the planning grant; the budget for FY 2016/2017; the Consortium's meeting calendar for 2016/2017; and conduct other business.

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

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

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

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

**Gulf Consortium Directors, Alternates and Governor's Appointees
2016**

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

**Gulf Consortium Directors, Alternates and Governor's Appointees
2016**

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

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 5
Approval of June 28, 2016 Board of Directors Minutes**

Statement of Issue:

This agenda item proposes approval of the June 28, 2016 Board of Directors minutes.

Options:

- (1) Approve the June 28, 2016 minutes, as presented; or
- (2) Amend and then approve the June 28, 2016 minutes.

Recommendation:

Motion to approve the June 28, 2016 Board of Directors meeting minutes, as presented.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim Manager
On: September 9, 2016

Attachment:

Draft 6/28/16 Minutes

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

**Gulf Consortium Meeting
June 28, 2016, 1:00 p.m. (ET)
Hyatt Regency Orlando
9801 International Drive
Orlando, Orange County, Florida**

Board Members in Attendance: Commissioner Guy Tunnell (Bay), Commissioner Chris Constance (Charlotte), Ken Cheek (Citrus), Commissioner Grover Robinson (Escambia), Commissioner Cheryl Sanders (Franklin), Warren Yeager (Gulf), Kurt Harcelrode (Lee), Wilbur Dean (Levy), Commissioner George Neugent (Monroe), Commissioner Kelly Windes (Okaloosa), Commissioner Jack Mariano (Pasco), Commissioner John Morroni (Pinellas), Commissioner Rob Williamson (Santa Rosa), Laird Wreford (Sarasota), Dustin Hinkel (Taylor), Larry Jones (Walton), Mike Sole and Lino Maldonado.

Board Members in Attendance Telephonically: Commissioner Carol Whitmore (Manatee), Commissioner Tim Alexander (Dixie), Pam Anderson, Collier Merrill and Neal Wade.

Agenda Item #1 – Call to Order

Commissioner Grover Robinson (Escambia) called the meeting to order at 1:05 pm (ET).

Agenda Item #3 – Public Comment

Jessica Koelsch – National Wildlife Federation

Agenda Item #5 – Approval of April 21, 2016 Minutes

Chairman Grover Robinson (Escambia) presented the minutes from the April 21, 2016 meeting of the Gulf Consortium. A motion to approve the minutes with a correction of Commissioner Cheryl Sanders' county designation from Gulf to Franklin was presented by Commissioner Rob Williamson (Santa Rosa) and seconded by Commissioner Jack Mariano (Pasco).

ACTION: APPROVED

Agenda Item #6 – Update on NFWF

Chairman Grover Robinson introduced Kelly Samek, Florida Fish & Wildlife Commission, who presented to the Board a brief status update on NFWF activities. The Chairman thanked Ms. Samek for the presentation and there were a few questions by the Board which were responded to by Ms. Samek. The presentation was a part of the agenda package and posted on www.FACRestore.com.

Agenda Item #7 – U.S. Treasury Update

Chairman Grover Robinson introduced Laurie McGilvray with U.S. Treasury who gave a brief presentation to the Board on Pot 1, Direct Allocation activities. There were no questions regarding this item and no action was required. The presentation is posted on www.FACRestore.com.

Agenda Item #8 – Update on Planning Grant Application and Supplement to Agenda Item # 8

Chairman Grover Robinson (Escambia) recognized Lisa King with Langton Associates who briefed the Board on the status of the revised Planning Grant Application which was submitted on May 2, 2016 and revised and resubmitted on June 14, 2016. Ms. King announced to the Board that the Restoration Council had awarded a grant to the Gulf Consortium on June 23, 2016 in the amount of \$4,640.675 for its preparation and submittal of the State Expenditure Plan. Ms. Bleakley then advised the Board the steps the Gulf Consortium must take in order to accept the grant award. After considerable Board discussion and congratulatory comments, a motion was made by Commissioner Chris Constance (Charlotte) to accept the Restoration Council's planning grant award for the preparation of the State Expenditure Plan and to further authorize the execution of the Grant Award Agreement by the Chairman. The motion was seconded by Commissioner Kelly Windes (Okaloosa) and passed unanimously.

ACTION: APPROVED

Agenda Item #9 – ESA Work Order #4A – Compile Preliminary Project List (Phase 1)

Chairman Grover Robinson (Escambia) recognized Doug Robison with ESA who gave a detailed presentation to the Board on the proposed Work Order #4A which included an extensive overview of each task on Work Order #4A. There was considerable Board discussion and questions which were posed and responded to by the consultant team. After the questions and answers, a motion was made to approve Work Order #4A – Compile Preliminary Project List (Phase 1) by Kelly Windes (Okaloosa) and seconded by Jack Mariano (Pasco) and said motion passed.

ACTION: APPROVED

Agenda Item #10 – Abolishment of the Committee of 8 and the Committee of 15

Chairman Grover Robinson recognized Sarah Bleakley, General Counsel, who gave a brief overview of the agenda item and the recommendation and vote by the Executive Committee to abolish the Committee of the 8 and the Committee of the 15. There was no Board discussion on this matter and a motion was made to adopt amended Resolution 2015-4 abolishing the Committee of 8 and the Committee of 15, seconded and passed unanimously.

ACTION: APPROVED

Agenda Item #11 – Interim Manager Report

Ginger Delegal, Interim Manager, gave the Interim Manager Report to the Board which included a brief overview of staff activities since the April 21 Board meeting. Ms. Delegal also informed the Committee that the 2016-17 Gulf Consortium budget would be addressed at the Board meeting scheduled for September 13, 2016 and would include the continuation of county contributions for the next budget year. There were no questions or comments by the Board and no action was required.

Agenda Item #12 – General Counsel Report

Sarah Bleakley, General Counsel, gave the General Counsel report to the Board which included a brief overview of the General Counsel's activities since the April 21 Board meeting. Ms. Bleakley also announced her retirement as General Counsel of the Consortium and introduced her replacement, Lynn Hoshihara. Chairman Robinson thanked Ms. Bleakley for the time she has given to the Consortium and welcomed Ms. Hoshihara.

Agenda Item #13 – New Business

Chairman Grover Robinson introduced to the Board his letter to the Executive Committee dated June 9, 2016 regarding the possibility of amending the Planning Grant Application to obtain conceptual design and feasibility study monies. Board discussion ensued and it was determined that this matter would be addressed at a future date.

Agenda Item #14 – Public Comment

None.

Agenda Item #15 – Upcoming 2016 Meetings

The next meeting of the Consortium Board of Directors will be held on September 13, 2016 at 3:00 pm ET at the Hutchinson Island Marriott in Martin County.

Agenda Item #16 – Adjournment

There being no further business, the Board adjourned at approximately 3:25 pm (ET).

Respectfully submitted,

Grover Robinson
Chairman

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 6.1
Work Order #4A Update and Recommendations**

Background:

At its June 28, 2016 meeting the Gulf Consortium authorized the ESA consultant team to proceed with Work Order 4A which addresses Task 3 in the amended FSEP development process. This Work Order includes the following work effort.

- Develop a draft standardized “Preliminary Project Nomination Package” to be submitted to the 23 Consortium member counties.
- Consult with the Florida Department of Environmental Protection (FDEP) to obtain their recommended revisions and approval of the “Preliminary Project Nomination Package.”
- Revise and distribute the “Preliminary Project Nomination Package” to the 23 member counties.
- Respond to questions from the member counties.
- Compile and conduct a preliminary review of the project submittals received from the member counties.
- Prepare and deliver a presentation summarizing the findings and conclusions of the Technical Memorandum to the Consortium at their September 13, 2016 Board meeting.
- Prepare a Technical Memorandum summarizing the project submittals received from the member counties.

Status Update:

The draft Preliminary Project Nomination Package was completed and distributed to FDEP for review on July 8, 2016. Comments were received and discussed with FDEP staff on July 20, 2016. The final “Preliminary Project Nomination Package” was distributed electronically to the 23 counties on July 25, 2016 with a requested response date of September 2, 2016 (6 weeks response time). During the response time numerous questions and requested clarifications from the counties were addressed by the consultant team via email and/or telephone. It should be noted that Work Order #4A does not include meetings or consultations with member counties; however, Hernando and Manatee counties specifically requested meetings with ESA staff to discuss their potential project submittals, and those meetings were subsequently conducted.

The status of county responses, as of Friday September 9, 2016, is summarized in the table below.

It should be noted that during the week of August 29 many Florida Gulf coast counties, especially in the Big Bend area, were in disaster planning and response mode for Hurricane Hermine. Therefore, the response to the request for preliminary

County	Project(s) Submitted – Requesting Assistance	Project(s) Submitted – Did Not Request Assistance	No Project(s) Submitted – Requesting Assistance	No Project(s) Submitted – Did Not Request Assistance	Anticipated Submittal by 9/9/16 or earlier	No Response to Original Request or Reminder Email
Escambia		X				
Santa Rosa		X				
Okaloosa		X				
Walton		X				
Bay		X				
Gulf		X				
Franklin			X			
Wakulla	X					
Jefferson			X			
Taylor			X			
Dixie						X
Levy			X			
Citrus	X					
Hernando	X					
Pasco		X				
Pinellas		X				
Hillsborough			X			
Manatee					X	
Sarasota		X				
Charlotte	X					
Lee	X					
Collier		X				
Monroe	X					
Totals	6	10	5	0	1	1

project submittals was clearly affected by this major distraction. In addition, some counties indicated that their respective Commissioner Boards would not have adequate time to review and approve project submittals prior to the September 2, 2016 deadline.

The Executive Committee, at its meeting of September 9, 2016, voted unanimously to recommend extending the deadline for receipt of project submittals to September 9, 2016.

Recommendation:

The ESA consultant team will be compiling and summarizing the preliminary project submittals received from the counties, and presenting the findings to the full Gulf Consortium at its September 13, 2016 meeting. To accommodate those counties who were unable to meet the September 2, 2016 deadline for various reasons, it is recommended that the ESA consultant team accept project submittals up to an extended deadline of September 9, 2016.

Attachment:

State Expenditure Plan – Project Nomination Form
Power Point presentation

Prepared by:

Doug Robison
Environmental Science Associates
On: September 9, 2016

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.



State Expenditure Plan - Project Nomination Form

Part 1 – Respondent Contact Information

County:

Representative's Name:

Representative's Title/Position:

Email:

Phone:

Alternative Contact Name:

Alternative Contact Email:

Part 2 – Level of Preparedness (check one)

- ☐ We are prepared to submit project information at this time and are not requesting additional consultant assistance in support of our project nomination process.
- ☐ We are prepared to submit some project information at this time and but are also requesting additional consultant assistance in support of our project nomination process.
- ☐ We are not prepared to submit any project information at this time and are requesting additional consultant assistance in support of our project nomination process.
- ☐ We are not prepared to submit any project information at this time and are not requesting additional consultant assistance in support of our project nomination process.

Notes:

- If you checked the first or second box above, please complete a separate Part 3 of this form for each project that you are nominating at this time.
- If you checked the third or fourth box above, no additional information is needed at this time.

Part 3 – Project Information

A. Project Title:

B. Stage of Project Development - Check one:

- ☐ Idea or concept only.
- ☐ Planning completed (general project scope and preliminary budget estimate).
- ☐ Conceptual design and feasibility analysis completed (preliminary engineering).
- ☐ Final design completed (engineering plans and permits).
- ☐ Shovel ready (bid specifications and cost proposals).

C. Project Location - Provide the approximate latitude/longitude, describe the general location, or attach a map showing the location of the proposed project:

D. Project Narrative - Describe in 300 words or less the general scope of the proposed project:

E. Project Need and/or Justification - Describe in 100 words or less the problem(s) or need(s) to be addressed by the proposed project (e.g. documented frequent algae blooms and bacterial violations in Spring Bayou leading to listed impairment for TMDL development):

- F. Project Objectives - Describe in 100 words what you are hoping to achieve with the full implementation of the proposed project (e.g. reduce nutrient loads and bacterial contamination in Spring Bayou to improve water quality conditions for swimming and fishing):**

- G. Consistency with RESTORE Act Eligible Activities - Select the one eligible activity that best corresponds to the proposed project:**

- ☐ Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches and coastal wetlands of the Gulf Coast Region.
- ☐ Mitigation of damage to fish, wildlife and natural resources.
- ☐ Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring.
- ☐ Workforce development and job creation.
- ☐ Improvements to or on State parks located in coastal areas affected by the *Deepwater Horizon* oil spill.
- ☐ Infrastructure projects benefitting the economy or ecological resources, including port infrastructure.
- ☐ Coastal flood protection and related infrastructure.
- ☐ Planning assistance.
- ☐ Promotion of tourism in the Gulf Coast Region, including recreational fishing.
- ☐ Promotion of the consumption of seafood harvested from the Gulf Coast Region.

- H. Consistency with the Council's Comprehensive Plan adopted Gulf Consortium goals - Select the one goal that best corresponds to the proposed project:**

- ☐ Restore and Conserve Habitat – Restore and conserve the health, diversity, and resilience of key coastal, estuarine, and marine habitats.
- ☐ Restore Water Quality – Restore and protect water quality of the Gulf Coast region's fresh, estuarine, and marine waters.
- ☐ Replenish and Protect Living Coastal and Marine Resources – Restore and protect healthy, diverse, and sustainable living coastal and marine resources.
- ☐ Enhance Community Resilience – Build upon and sustain communities with capacity to adapt to short- and long-term changes.
- ☐ Restore and revitalize the Gulf Economy – Enhance the sustainability and resiliency of the Gulf economy.

- I. Consistency with Comprehensive Plan and adopted Gulf Consortium objectives - Select the one objective that best corresponds to the proposed project):**

- ☐ Restore, Enhance, and Protect Habitats.
- ☐ Restore, Improve, and Protect Water Resources.
- ☐ Protect and Restore Living Coastal and Marine Resources.
- ☐ Restore and Enhance Natural Processes and Shorelines.
- ☐ Promote Community Resilience.
- ☐ Promote Natural Resource Stewardship and Environmental Education.

- ☐ Improve Science-Based Decision-Making Processes.
- ☐ Restore, Diversify, and Revitalize the Gulf Economy with Economic and Environmental Restoration Projects.

J. FDEP project category - Select the one project category that best corresponds to the proposed project:

- ☐ Land Acquisition.
- ☐ Water Quality or Quantity.
- ☐ Habitat Restoration.
- ☐ Living Resources.
- ☐ Recreation/Public Access.
- ☐ Community Resilience.
- ☐ Other.

K. Project Milestones and Timeline - List the anticipated project implementation milestones (e.g. planning, design/permitting, construction) and their estimated timelines in months:

L. Project Cost Estimate - Provide a total cost estimate for all project milestones for which you will be requesting implementation funds:

M. Matching Funds - Describe other secured funding sources that could potentially be applied to the implementation of the proposed project (e.g. Pot 1 funds, general County budget funds:

N. Leveraged Funds - Describe other non-secured funding sources that could potentially be leveraged to the implementation of the proposed project (e.g. Pot 1, Pot 2, NRDA, NFWF):

- O. Partnerships and Collaboration - Describe any certain or prospective collaborations or partnerships associated with the proposed project):**

- P. Consistency with Other Natural Resource Management Plans - Describe how the proposed project is consistent with and/or complements other natural resource management plans (e.g. National Estuary Program CCMPs, Water Management District SWIM Plans, etc.):**

- Q. Environmental Permitting - Will environmental permits be required for this project (check one)?**

- ☐ Yes.
- ☐ No.
- ☐ Unknown at this time.

- R. Public Awareness and Acceptance – Describe the current level of public awareness and acceptance of the proposed project?**

- S. Supplemental Information – please check all applicable supplemental information that exists for the proposed project:**

- ☐ Supporting scientific studies and/or data.
- ☐ Supporting planning studies.
- ☐ Applicable natural resource management plans.
- ☐ Engineering design plans.
- ☐ Environmental permits.
- ☐ Construction plans.
- ☐ Preliminary and/or final cost estimates.
- ☐ Bid specifications.
- ☐ Construction bids.
- ☐ Other (specify)

Agenda Item 4.1

-Work Order 4A Update- Compilation of Preliminary Project List

Doug Robison – SEP Project Manager



Gulf Consortium Meeting
September 13, 2016
Hutchinson Island

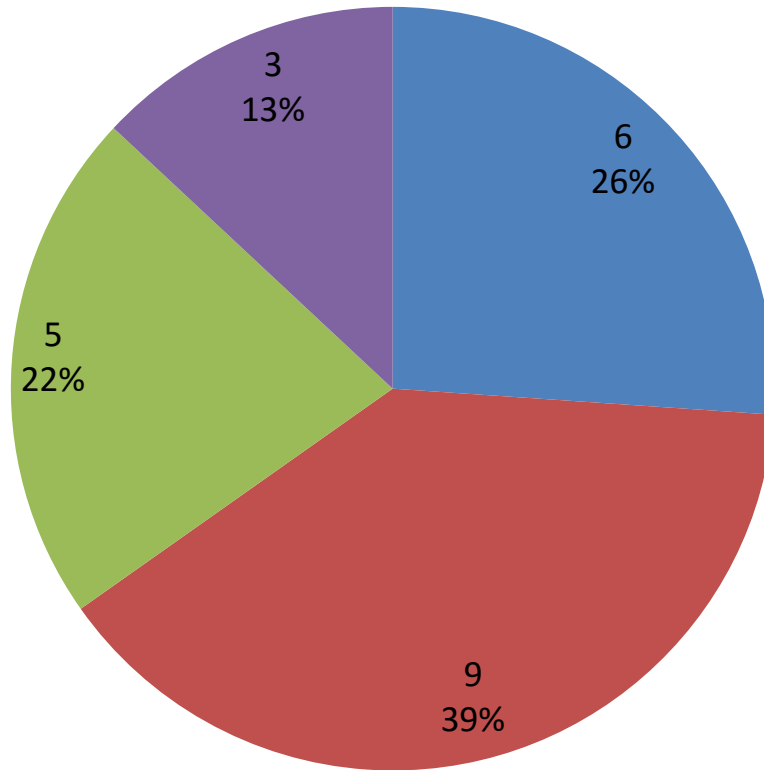
Scope of Work

- Develop standard Project Nomination Form and online portal
- Consult with FDEP for comments and approval
- Distribute Project Nomination Form and guidance materials
- Respond to questions from the member counties
- Compile results of county responses
- Deliver presentation summarizing county responses at 9/13/16 Consortium meeting
- Prepare a Technical Memorandum summarizing the county responses

Schedule

- Draft “Project Nomination Form” distributed on July 25, 2016
- Requested submittal date September 2 (6 weeks)
- Email reminder sent August 23, 2016
- Extended to September 9, 2016 to accommodate storm response and summer BOCC schedules

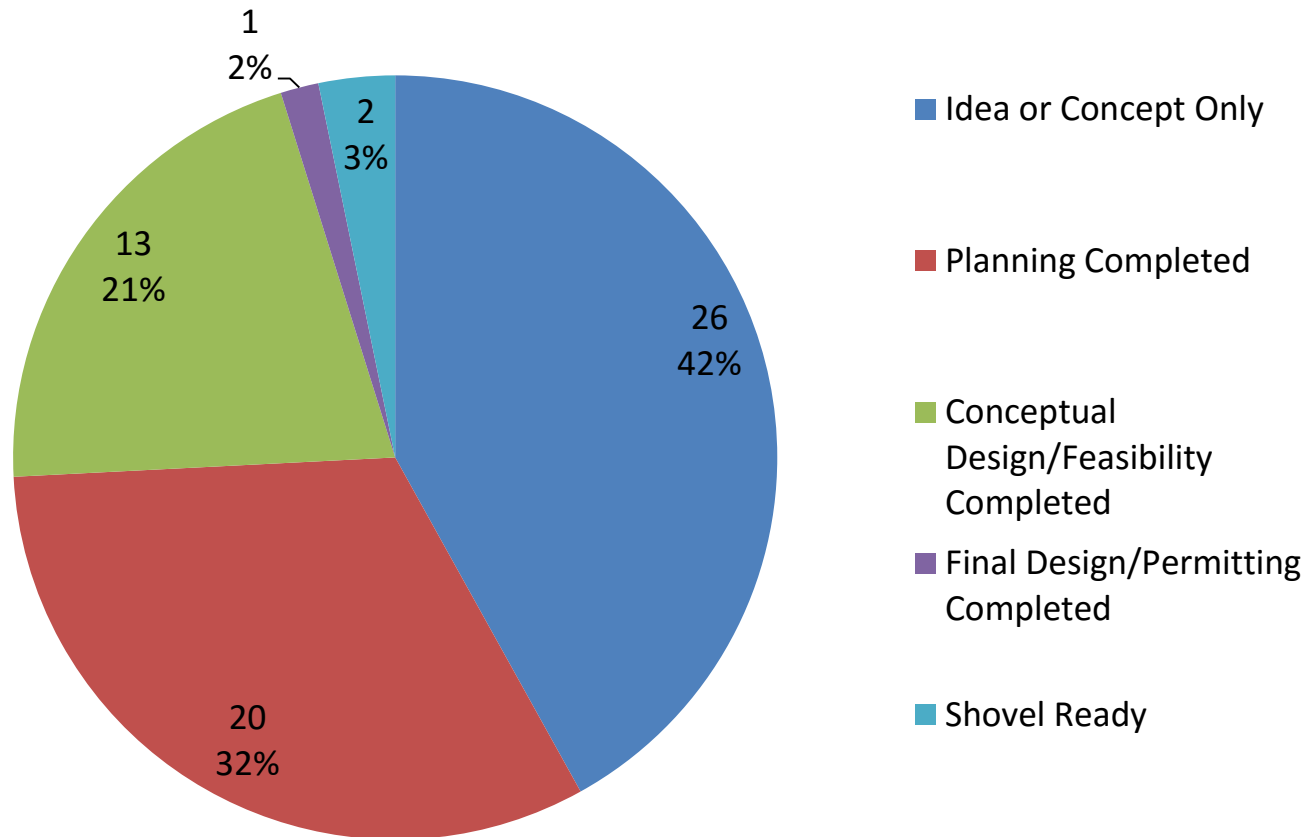
Response Summary



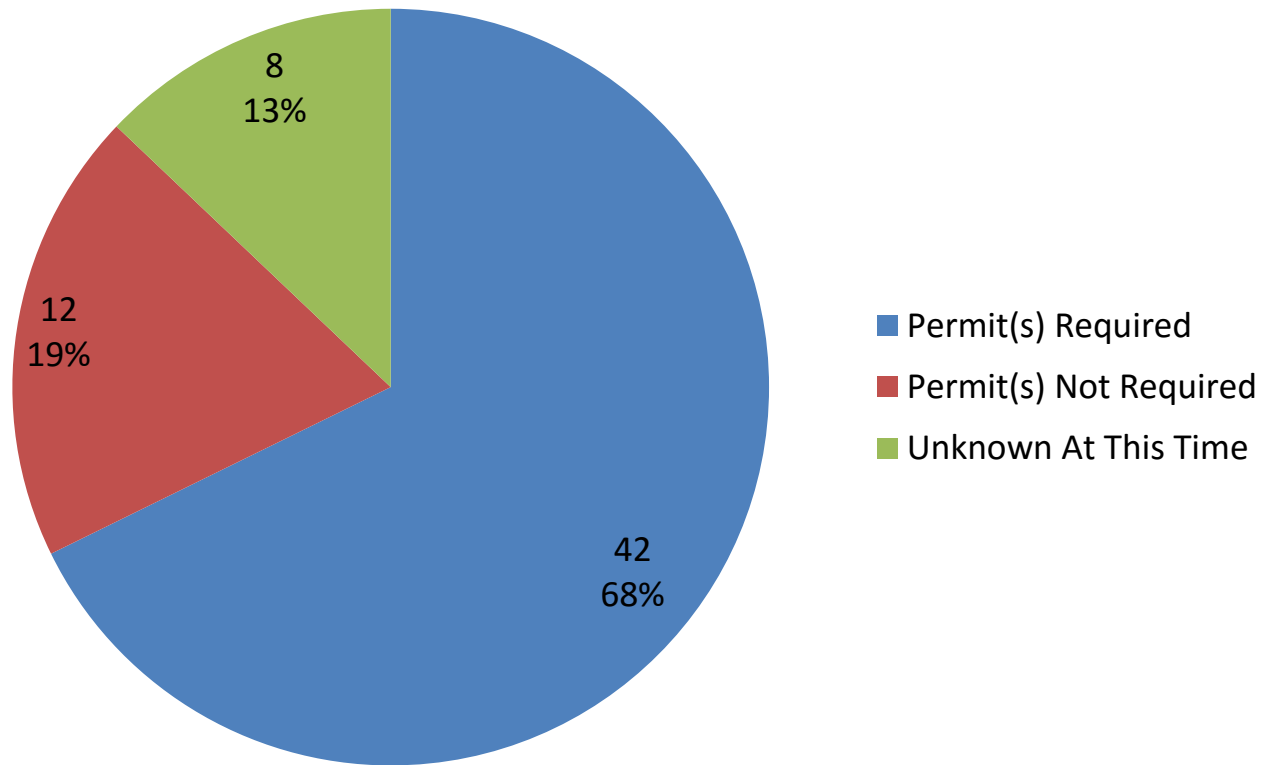
62 Projects Submitted
by 15 Counties

- Projects Submitted - Requested Assistance
- Projects Submitted - Did Not Request Assistance
- No Projects Submitted - Requesting Assistance
- No Response

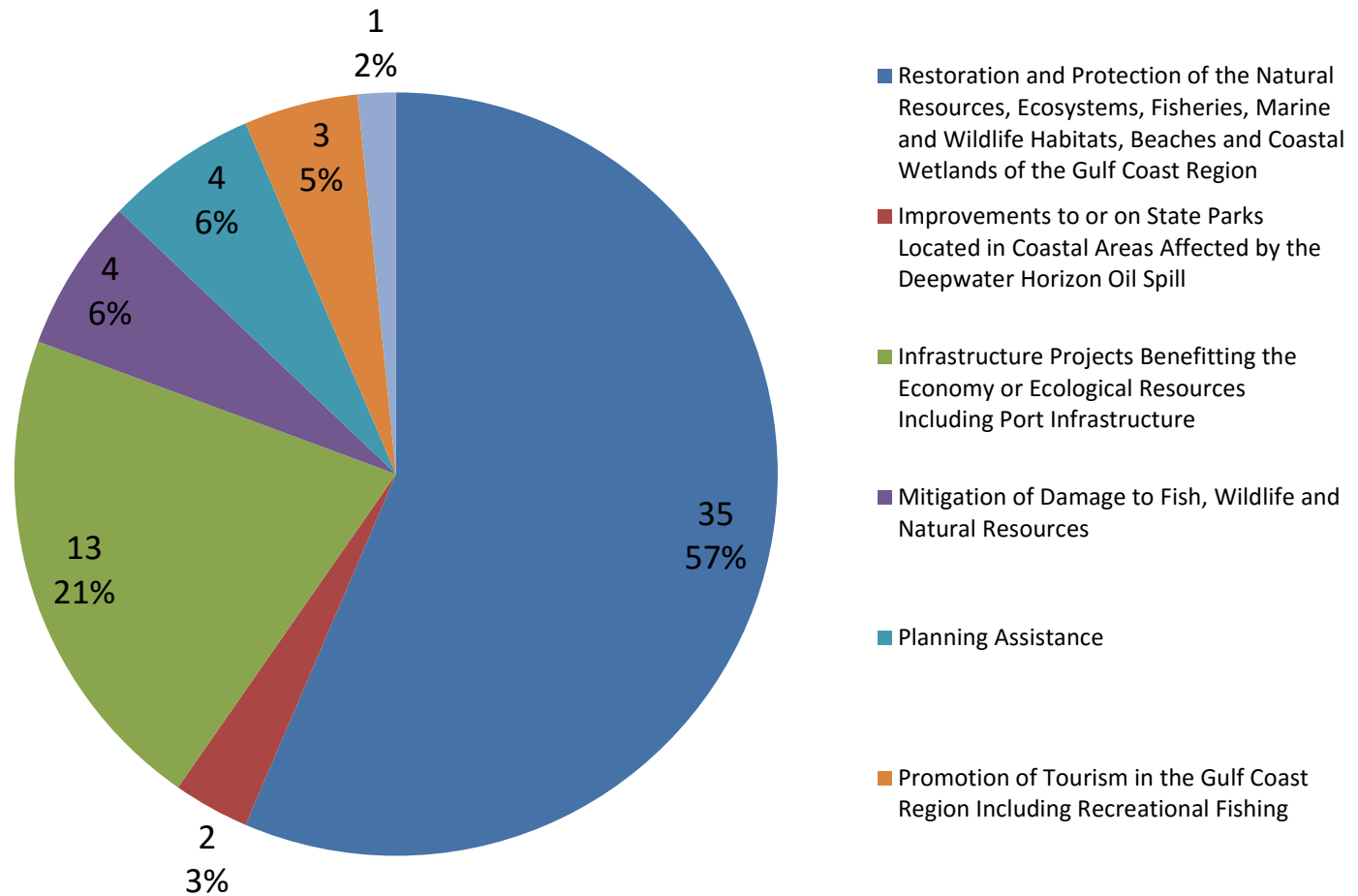
Stage of Development



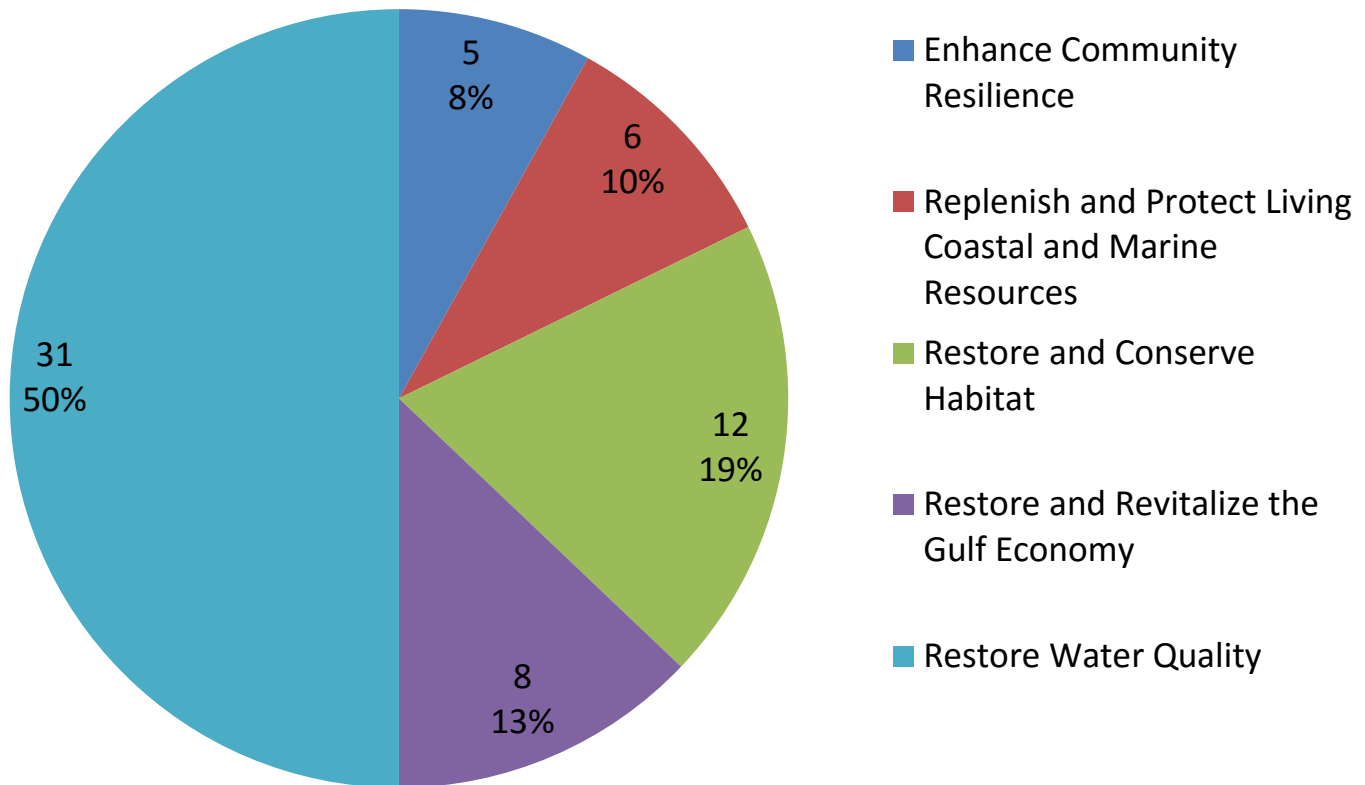
Environmental Permits



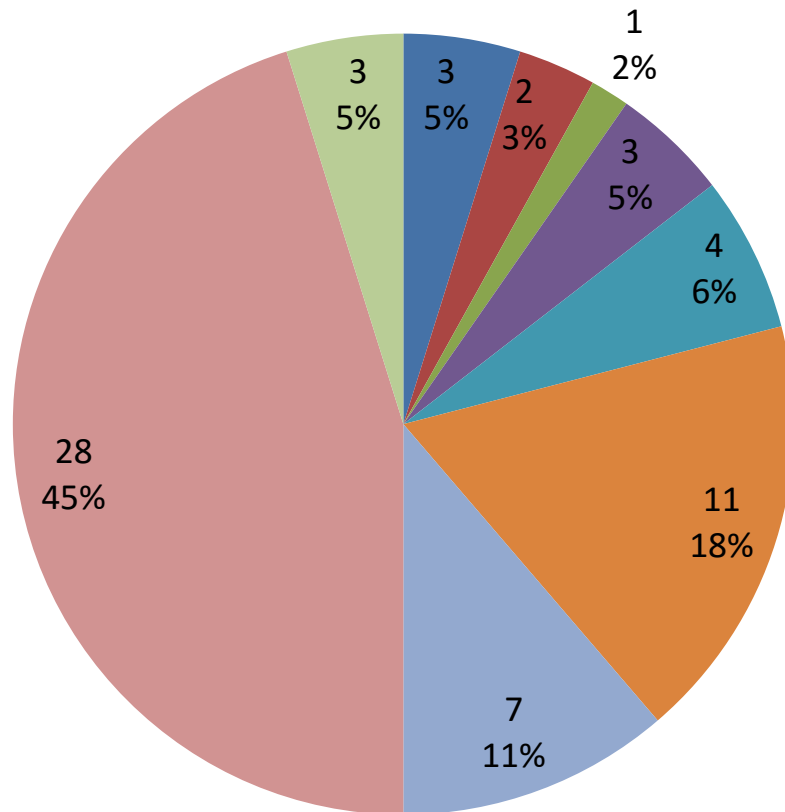
RESTORE Act Eligible Activities



Council Goals

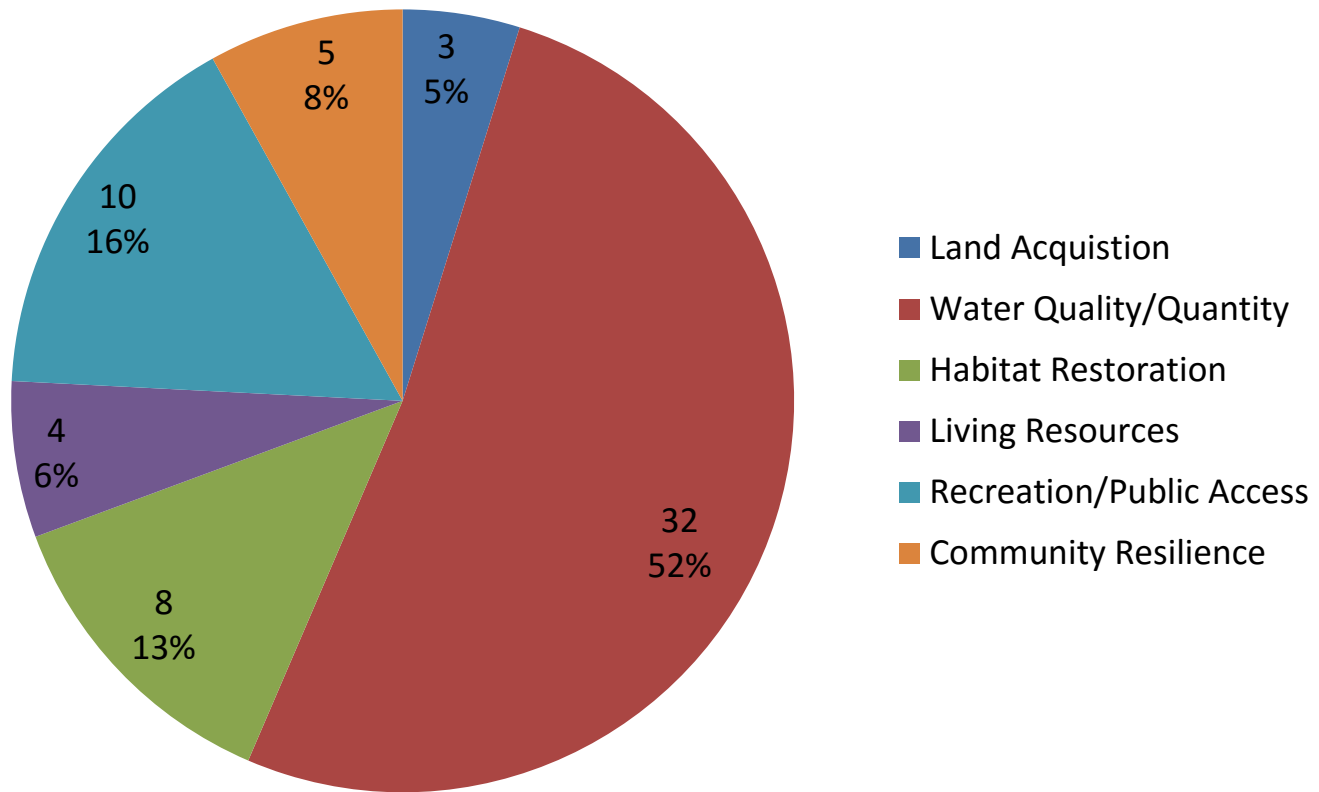


Council Objectives

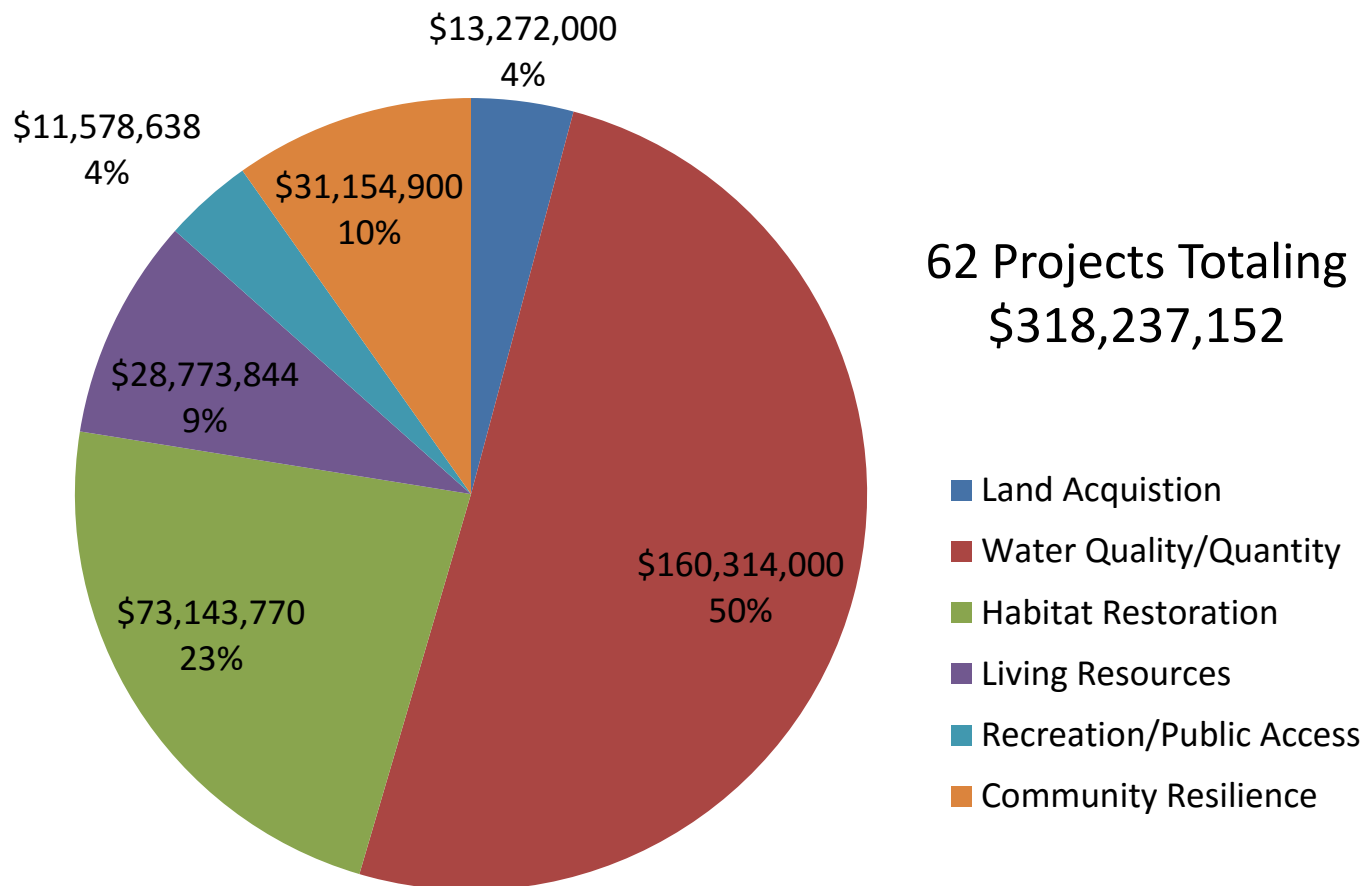


- Improve Science-Based Decision-Making Processes
- Promote Community Resilience
- Promote Natural Resource Stewardship and Environmental Education
- Protect and Restore Living Coastal and Marine Resources
- Restore and Enhance Natural Processes and Shorelines
- Restore, Diversify, and Revitalize the Gulf Economy with Economic and Environmental Restoration Projects
- Restore, Enhance, and Protect Habitats
- Restore, Improve, and Protect Water Resources
- Promote Community Resilience

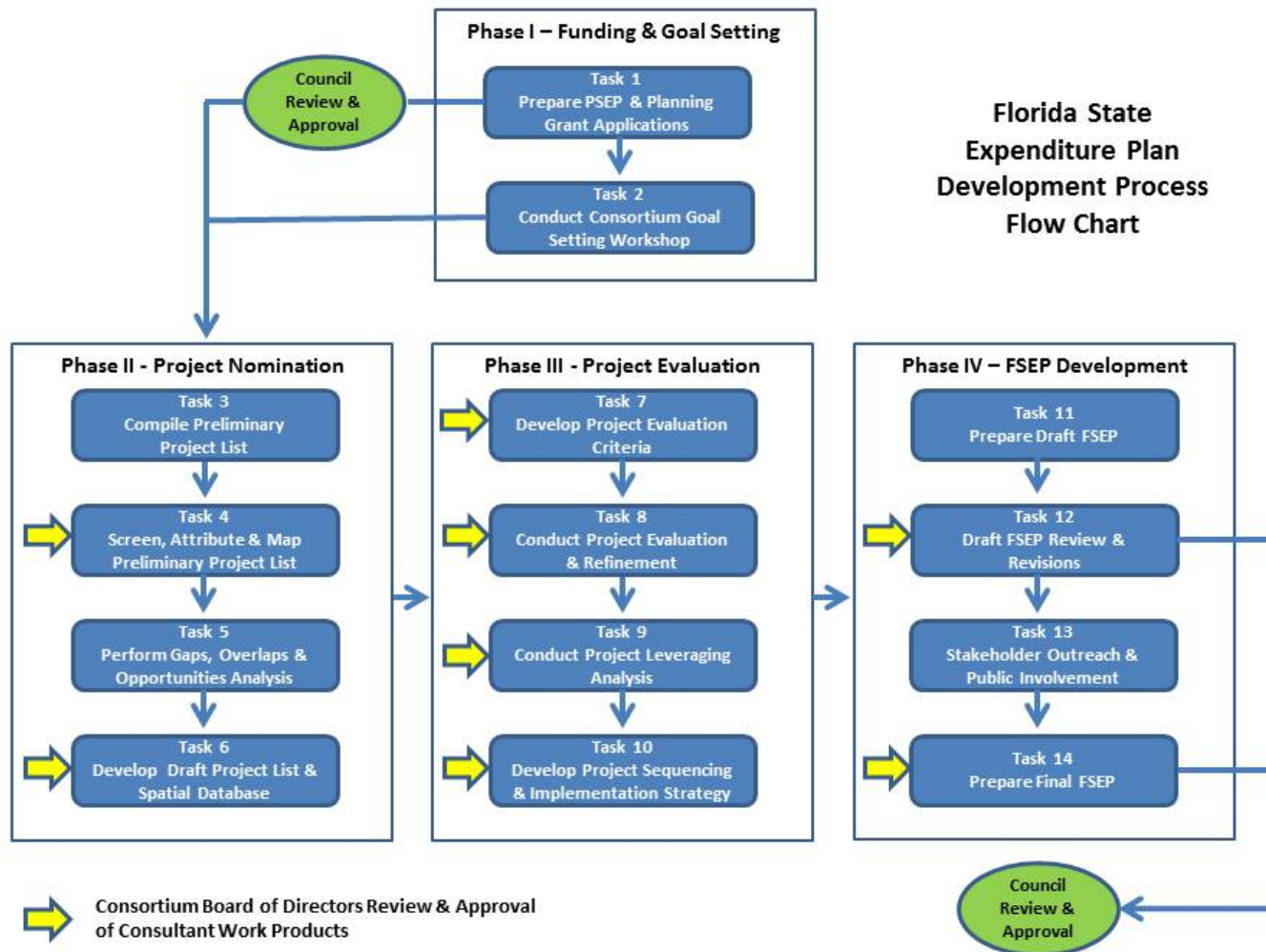
DEP Project Categories



Dollars by DEP Project Category



Revised SEP Development Process



Project Schedule

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 6.2
SEP Project Management Update:
Work Order #4B Presentation and Approval**

Background:

At its June 28, 2016 meeting the Gulf Consortium authorized the ESA consultant team to proceed with Work Order #4A which addressed a portion of Task 3 – Compile the Preliminary Project List - in the amended FSEP development process. This Work Order included the following work effort:

- Develop a draft standardized “Preliminary Project Nomination Package” to be submitted to the 23 Consortium member counties.
- Consult with the Florida Department of Environmental Protection (FDEP) to obtain their recommended revisions and approval of the “Preliminary Project Nomination Package.”
- Revise and distribute the “Preliminary Project Nomination Package” to the 23 member counties.
- Respond to questions from the member counties.
- Compile and conduct a preliminary review of the project submittals received from the member counties.
- Prepare and deliver a presentation summarizing the findings and conclusions of the Technical Memorandum to the Consortium at their September 13, 2016 Board meeting.
- Prepare a Technical Memorandum summarizing the project submittals received from the member counties.

It should be noted that the originally proposed Work Order #4 included both the above activities as well as one-day consultations with each of the 23 counties. However, at the direction of the Consortium the ESA consultant team broke this work effort into two phases with Work Order #4A including the activities listed above, and Work Order #4B including the individual county consultations. One of the objectives of Work Order #4A was to determine which counties needed assistance in identifying and/or prioritizing projects for inclusion in the preliminary project list, and that information would subsequently be used to develop the scope of work for Work Order #4B.

Work Order #4B Overview

Work Order #4B addresses the individual county consultations that were not included in Work Order #4A. Based on the response to the request for project submittals at least 11 counties have requested meetings with the consultant team

at this stage to both assist them in identifying projects for inclusion in the preliminary project list as well as better defining and prioritizing their various project concepts.

In addition to those counties that have specifically requested assistance in identifying projects, the ESA consultant team has noted that there is wide range of project types and related inconsistencies in the information received from each of the counties that have submitted projects. Furthermore, during the implementation of Work Order #4A the ESA consultant team did respond to two counties that specifically requested meetings, and several other counties that requested assistance via teleconferences. Therefore, a substantial effort was expended in activities that should have been included in Work Order #4B. Through this experience, the ESA consultant team has concluded that working closely with each county throughout the compilation of the preliminary project list will be very beneficial in expediting the overall project schedule and developing working relationships with each of the individual counties for future project activities.

Therefore, to ensure that each county is receiving equal assistance in the Project Nomination phase, it is recommended that the ESA consultant team meet with each of the 23 counties, with priority being given to those counties specifically requesting further assistance in identifying and/or prioritizing projects for inclusion in the preliminary project list.

Work Order #4B Scope of Work

The scope of work for Work Order #4B will involve conducting half-day to full-day meetings with each of the 23 member counties. Invited attendees at these meetings will include: the representative elected official serving on the Gulf Consortium; county engineering, public works, environmental, planning, and/or administrative staff; and other county consultants. The agendas for each meeting will be tailored to the specific needs of each county. The objective will be to complete the compilation of the preliminary project list for all counties prior to the December 2, 2016 Gulf Consortium meeting. The scope of work will also include the compilation of the full preliminary project list for including all 23 counties, as well as the preparation of a summary Technical Memorandum and presentation to be delivered to the Consortium at its December 2, 2016 meeting.

Work Order #4B Compensation

Compensation of the Consultant for this and all future Work Orders shall be contingent upon receipt and availability of planning grant funds from the Restoration Council. As provided in the revised ESA agreement, the not-to-exceed maximum cost for the remainder of Tasks 4 is shown in the table below with the anticipated effort broken down by sub-task. Depending on the needs of the project, the actual work effort may vary; however, the total dollar amount for Work Order #4B shall not be exceeded.

Work Order #4B			
Sub-Task	Description	Hours	Dollars @\$205/hour *
1	County Consultations	736	\$150,880
2	Compile Full Preliminary Project List	182	\$37,310
3	Prepare Technical Memorandum and Presentation	102	\$20,910
Totals		1,020	\$209,100

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

Work Order #4B Schedule

Formal approval of Work Order #4B will be requested from the Consortium at its September 13, 2016 meeting. It is anticipated that all work conducted under Work Order #4B will be completed by December 2, 2016.

The Executive Committee, at its meeting of September 9, 2016, voted unanimously to recommend approval of Work Order #4B.

Recommendation:

Approval of proposed Work Order #4B.

Attachment:

Proposed Work Order #4B.

Prepared by:

Doug Robison
Environmental Science Associates
On: September 9, 2016

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 #4B-

Compile Preliminary Project List (Phase II)

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 compile 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 #4B as follows:

Background

This Work Order #4B authorizes the Consultant to complete work under Task 3 of the amended State Expenditure Plan development process. Task 3 is the first of four tasks to be conducted in Phase II – Project Nomination - of the amended Florida State Expenditure Plan (SEP) development process.

Task 3 involves the compilation of the preliminary list of projects, programs and activities to potentially be included in the SEP. This list is to be generated by the 23 member counties through a nomination and consultation process facilitated by the Consultant. At the direction of the Consortium the ESA consultant team broke this work effort into two phases. Previous Work Order #4A included the following scope of work:

- Development of a draft Project Nomination Form;
- Consultation with the Florida Department of Environmental Protection regarding the draft Project Nomination Form;
- Preparation and distribution of the final Project Nomination Form to the counties;
- Development and management of an online project submittal portal;
- Responses to county questions during the submittal window; and
- Compilation and summary of preliminary project submittals received from the counties.

This Work Order #4B addresses the individual county consultations that were not included in Work Order #4A. The specific activities and deliverables associated with Work Order #4B are described below in the scope of work below.

Scope of Work

The objective of this Work Order #4B is to complete the compilation of a preliminary project list for all 23 counties prior to the December 2, 2016 Gulf Consortium meeting. The scope of work for this Work Order includes the following sub-tasks:

- Schedule, plan and conduct consultations with each of the 23 counties;
- Compile, review, and summarize the complete preliminary project list; and
- Prepare and deliver a summary presentation and Technical Memorandum.

The County consultations are intended to be half-day to full day meetings. Invited attendees at these meetings will include: the representative elected official serving on the Gulf Consortium; county engineering, public works, environmental, planning, and/or administrative staff; and other county consultants. The agendas for each meeting will be tailored to the specific needs of each county.

Deliverables

The deliverables for this Work Order #4B include the following:

- A compiled preliminary project list (including projects from all 23 counties)
- A summary presentation delivered to the Gulf Consortium at its December 2, 2016 meeting.
- A summary Technical Memorandum.

Schedule

Upon formal approval of this Work Order #4B by the Consortium at its September 13, 2016 meeting, the above described scope of work and deliverables will be completed on or before December 30, 2016.

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, the fixed fee cost for the remainder of Task 4 is shown in the table below with the anticipated effort broken down by sub-task.

Work Order #4B			
Sub-Task	Description	Hours	Dollars @\$205/hour*
4B.1	Schedule, Prepare for and Conduct County Consultations	736	\$150,880
4B.2	Compile Complete Preliminary Project List	182	\$37,310
4B.3	Prepare Consortium Summary Presentation and Tech Memo	102	\$20,910
Totals		1,020	\$209,100

* 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 this Work Order 4B and all associated deliverables. The total fixed fee for Work Order #4B shall not exceed **\$209,100**.

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

GULF CONSORTIUM

By: _____

Date: _____

**ENVIRONMENTAL SCIENCE
ASSOCIATES**

By: _____
Vice President or designee

Title: _____

Date: _____

SECRETARY/TREASURER:

By: _____

Date: _____

Approved as to Form:

Gulf Consortium General Counsel

BY: _____

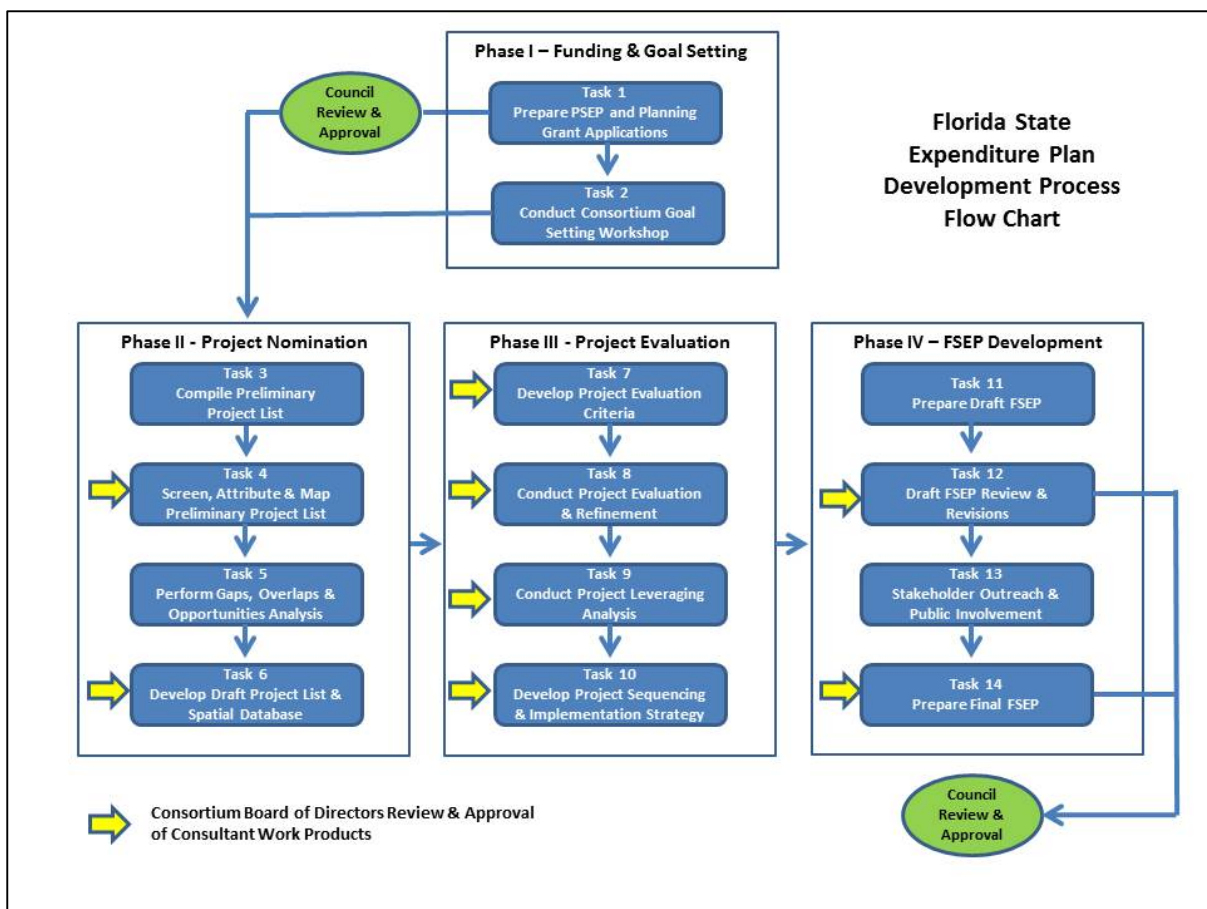
Lynn Hoshihura
Nabors, Giblin & Nickerson, P.A.
General Counsel to the
Gulf Consortium

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 6.3
SEP Project Management Update:
Work Order #6 and Preview of Remaining 2016-17 Work Orders**

Background:

At its April 21, 2016 meeting the Gulf Consortium approved the revised State Expenditure Plan (SEP) development process integrating the “county-driven” approach, as well as the amended ESA scope of work and legal agreement. The flow chart below shows the revised SEP development process.



It should be noted that the planning grant awarded by the Restoration Council calls for a two-year completion schedule for the State Expenditure Plan, with the final SEP to be submitted on or before July 1, 2018. To meet this schedule the ESA consultant team needs to complete Phase II – Project Nomination – no later than April 21, 2017.

The Project Nomination phase will be complete when: 1) all 23 counties have proposed a project(s) for potential inclusion in the SEP; 2) all proposed SEP projects have been compiled, attributed, and mapped in a spatial database; 3) this preliminary project list has been optimized with respect to gaps, overlaps, and collaborative opportunities to develop a draft project list; and 4) the draft project list has been reviewed and approved by the Restoration Council, the Florida Department of Environmental Protection and the Governor.

Work Order #6 – Scope of Work

Work Order #6 will cover the performance of Tasks 4, 5 and 6 in the revised SEP development process, which will constitute the completion of the Project Nomination phase. The scope of work for Work Order #6 will include the following:

Task 4 - Screen, Attribute and Map the Preliminary Project List

The ESA consultant team will apply screening criteria to the preliminary project list which may eliminate some projects that are not eligible for RESTORE Act funding or otherwise inconsistent with the goals, objectives and guiding principles adopted by the Consortium. The remaining projects will be attributed and converted into a GIS spatial database. Attribution will include such parameters as: project type; area affected by the project; project benefits; project costs; leveraging potential; project partners; etc. In addition, the screened preliminary project list will be digitally mapped (e.g., project type; area affected; project benefits, etc.) so that the full range and scope of the preliminary project list can be visually depicted in a map series. The findings and results from Task 4 will be summarized in a Technical Memorandum, and presented to the Consortium for discussion at its February 17, 2017 meeting.

Task 5 - Perform Gaps, Overlaps, and Opportunities Analysis

The ESA consultant team will conduct an analysis of the preliminary project list to determine if there are substantial gaps in geographic coverage or project type focus. In addition, this analysis will explore opportunities to combine similar nearby projects into larger single projects to improve cost-effectiveness; as well as, opportunities to modify or enhance projects in ways that will increase leveraging potential and/or streamline regulatory approvals. The ESA consultant team will work with individual counties to update and/or revise their preliminary project proposals accordingly.

Task 6 - Develop the Draft Project List and Spatial Database

Based on input received from the Consortium and the individual counties in Tasks 4 and 5, respectively, the ESA consultant team will revise and update the preliminary project list and develop the draft project list and associated GIS spatial database. The ESA consultant team will meet with the Restoration Council, the Florida Department of Environmental Protection and the Governor to obtain feedback on the draft project list. Based on this feedback the draft project list may be further modified. Upon approval of the draft project list by Restoration Council, the Florida Department of Environmental Protection and the Governor, the ESA consultant team will summarize the findings of Task 6 in a Technical Memorandum and present these findings to the Consortium for review and approval at its April 21, 2017 meeting. Upon Consortium approval, the draft project list will represent the universe of projects that will be taken into Phase III – Project Evaluation and Refinement.

Work Order #6 - Compensation

Compensation of the Consultant for this and all future Work Orders shall be contingent upon receipt and availability of planning grant funds from the Restoration Council. As provided in the revised ESA agreement, the not-to-exceed maximum cost for Tasks 4-6 are shown in the table below. Depending on the needs of the project, the actual work effort for each task may vary; however, the total dollar amount for Work Order #6 shall not be exceeded.

Work Order #6			
Task	Description	Hours	Dollars @\$205/hour*
4	Screen, Attribute and Map the Preliminary Project List	922	\$189,010
5	Perform Gaps, Overlaps, and Opportunities Analysis	734	\$150,470
6	Develop the Draft Project List and Spatial Database	568	\$116,440
Totals		2,224	\$455,920

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

Work Order #6 - Schedule

Formal approval of Work Order #6 will be requested from the Consortium at its December 2, 2016 meeting. A more detailed scope of work with sub-task cost estimates will be provided at that time for Consortium review and approval. It is anticipated that all work conducted under Work Order #6 will be completed prior to the April 21, 2017 Consortium meeting.

Preview of 2016-17 Work Orders

As described in the revised ESA scope of work, Phase III – Project Evaluation and Refinement – will involve a detailed review of the suite of projects contained in the approved draft project list. The objectives of Phase III are to develop, refine and optimize the proposed suite of projects such that: 1) each project is defined pursuant to a minimal level of detail; 2) the feasibility and cost of each project are determined; 3) the benefits and leveragability of each project are maximized; and, 4) future implementation grant approvals are streamlined.

As shown in the flow chart above, Phase III involves four tasks:

- Task 7 – Develop Project Evaluation Criteria
- Task 8 – Conduct Project Evaluation & Refinement
- Task 9 – Conduct Project Leveraging Analysis
- Task 10 – Develop Project Sequencing & Leveraging Strategy

Based on the current status of SEP development and the overall project schedule it is anticipated that Phase III will be conducted from April 21, 2017 through December 1, 2017. Given the compressed timeframe, it may be necessary to combine the Phase III work effort into two Work Orders for Tasks 7-8 and Tasks 9-10, respectively.

Recommendation:

Information only

Attachment:

None.

Prepared by:

Doug Robison

Environmental Science Associates

On: September 9, 2016

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 7.1
Update on Planning Grant Application Post Award Process/Procedure**

Executive Summary:

Update on the status of the Planning Grant Application post award process/procedure.

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 been developing the financial control systems and enrolling the Consortium in invoicing and payment systems so as to begin the drawdown and disbursement of the federal grant funds.

Full Background on Post Award Process/Procedure:

Much of the work over the last several months has been establishing the systems necessary for the Consortium's drawdown of federal funds and specifically a first payment request for pre-award costs of \$170,953.

The Consortium Interim Manager, Langton Consulting staff, and the Leon County Clerk's Office worked together to develop a Gulf Consortium Payment Process flow chart. This document serves as a guide of action steps, responsible parties and time frames for documenting and establishing financial controls during the entire payment process. It is attached for your reference and interest.

The payment process will be accomplished through two web-based systems: RAAMS and ASAP. On April 5, Lisa King and Heather Pullen of Langton Associates attended a workshop in Baton Rouge about the Restoration Assistance and Award Management System (RAAMS) sponsored by the Council. This system is used for all stages of the grant cycle including submission of the Planning Grant Application, State Expenditure Plan, and SEP project application as well as payment requests, amendments, financial and performance reports and final closeout documentation. This system has previously been used by the Restoration Council for submission of Pot 2 projects and it has now mandated that this system will be used for Pot 3 applications and reporting as well. Lisa King and Heather Pullen have been working with Council staff on making changes to this web-based system to accommodate financial controls necessary for the Consortium's unique structure. Langton Consulting is currently readying the first payment request that the Consortium will submit through RAAMS. Submission through RAAMS is the first in a two step process for electronic payment to be made to the Consortium.

In addition, Langton Consulting has registered the Consortium in the Department of Treasury's web-based ASAP payment system. Once Council staff approves the payment request that the Consortium submits through RAAMS, a payment request will then be required and submitted by the Consortium through ASAP. Once that

submission is approved by Treasury, an electronic payment will be made to the Consortium into the bank account managed by the Leon County Clerk's office acting as Fiscal Agent to the Consortium.

Langton Consulting has also been working with the Leon County Clerk's office to establish accounts for vendors to be paid electronically. Utilizing electronic payments is more efficient for the Clerk's office and will expedite payment to vendors.

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:

Payment Process Flow Chart.

Recommendation:

For information only.

Prepared by:

Lisa King

Langton Consulting

On: September 9, 2016

Gulf Consortium Payment Process

Invoice Review/Approval Process

Responsible Party: Consortium Manager, SEP Contract Manager, Langton Associates

Number of Persons to Complete Task: 2

Estimated Time to Complete the Process: 2 days

Invoice Review Tasks to be completed:

1. Verify Signature Authority of organization submitting invoice. (LA/Consortium)
2. Verify Date of Invoice (was the work completed during the eligible timeframe?) (Consortium Manager) (LA/Consortium)
3. Ensure that the Vendor's # (assigned by Leon County) is on the invoice. (LA/Consortium)
4. Verify that the activity completed is in the Scope of Work/Contract (LA/Consortium)
5. Verify that the activity is a grant program "qualified expenditure" eligible per Program Regs and Grant Agreement (are the activities allocable, allowable, and reasonable?) (LA/Consortium)
6. Consortium Manager should forward approved invoice package to Langton Associates for data entry into RAAMS.

RAAMS Invoice Data Entry and Approval Process

Responsible Party: Langton Associates, Consortium Manager, RESTORE Council

Number of Persons to Complete Task: 3

Estimated Time to Complete the Process: 5-7 days

RAAMS Data Entry Tasks to be completed:

1. LA enters in all required invoice information into the RAAMS payment section of the online system.
2. CM reviews all invoice information for accuracy in the RAAMS system.
3. Submit the information to the Council for review/approval.
4. Follow up with the Council representative to ensure that everything was submitted correctly.
5. If no follow-up from the Council representative is received regarding additional information requests or approval to submit payment within 3 days, follow-up with Council representative again and log into the RAAMS system to check for alerts or messages.
6. After Council approval, forward the approved invoice package to the Leon County Clerk's Office for invoice audit. (Langton Associates)

Audit of Invoices Process

Responsible Party: Leon County Clerk's Office, Langton Associates

Number of Persons to Complete Task: 1

Estimated Time to Complete the Review Process: 2 days

Tasks to be completed:

1. LA submits the approved invoice package to Leon County Clerk's Office
2. Record receipt (date and time stamp) of the invoice by Disbursement Department
3. Leon County Clerk's Office will attach an explanation of why the invoice is not billed to the Leon County Clerk's Office, acting as fiscal agent to the Consortium (required by the BOCC Department)
4. A Purchase Order (PO) must be attached to the payment with a PO# and Vendor # to include in the Clerk's internal financial system (ACS Banner)
5. Ensure that all proper auditing procedures are completed per the *Leon County Clerk Finance Department Operating Policy and Procedure Manual* **(see Appendix 07)**
6. The Disbursement Department determines the proper coded and recorded line item activity that the invoice should be paid from
7. Verify that the project budget supports the cost of the invoice
8. Record receipt of the invoice in the Clerk's internal financial system (ACS Banner)
9. Send approval notice to the person responsible for entering drawdown.

Submission of Drawdown in ASAP Payment System

Responsible Party: Langton Associates, Consortium Manager, Leon County Clerk's Office

Number of Persons to Complete Task: 3

Estimated Time to Complete the Submission Process: 15-30 days

Submission of Drawdown Tasks to be completed:

1. Enter the amounts of each invoice received into the ASAP Payment system. (LA)
2. Notify the designated "approver" that the appropriate drawdown information has been entered and needs further review. (Approver should have a message either e-mailed to them or will be on the approver's homepage upon log-in) (LA to Consortium)
3. The designated "approver" will then electronically submit the drawdown to Treasury through the ASAP system for approval and payment. (Consortium)
4. The Leon County Clerk's Office will notify the Consortium Manager when the payment is received in the Grant Program's bank account.

Vendor Payment Disbursement Process

Responsible Party: Leon County Clerk's Office, Consortium Manager, Langton Associates

Number of Persons to Complete Task: 1

Estimated Time to Complete the Payment Disbursement Process: 5-7 days

Payment Disbursement Tasks to be completed:

1. Verify that all vendor forms have been completed and all electronic transfer information is correct.
2. Complete all electronic disbursement transfers for all vendors who elect to use direct deposit for payment, from the approved invoice package.
3. If the vendor prefers a paper check, ensure that all vendor forms are completed, and issue the paper check to the vendor.
4. Clerk's Office will send copies of electronic transfers/paper checks to Consortium for their recordkeeping system and Consortium will send copies to Langton Associates for back-up recordkeeping purposes.

**Gulf Consortium Board of Directors
September 13, 2016**

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

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 1, 2016, the Consortium has approved five work orders, totaling \$352,588, 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 5</u> (Grant Admin) (approved 4/21/16) (\$5,000 per month for 24 months)	\$120,000
Total	\$352,588

As of September 1, 2016, the Consortium has approved one other contract to be funded partially from the planning grant: Nabors, Giblin & Nickerson

NGN General Counsel Services (Annually NTE 90,000) (\$90,000 of which can be funded by the grant)	\$180,000
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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 (in the first grant drawdown; incurred between 8/22/14 – 4/30/16)	\$11,285
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Accordingly, the following summarizes the grant budget as compared to Consortium-approved and grant-fundable contracts:

Grant Award	\$4,640,675
ESA Contract Amount	\$2,722,780
ESA Work Orders Approved to Date	\$352,588
NGN Contract from Grant	\$180,000
AV Reimbursement	\$11,285

Options:

No action required.

Recommendation:

For information only.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim Manager
On: September 9, 2016

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 7.3
Planning Grant Update: Presentation on Grants Management
at SEP Implementation Stage**

Executive Summary:

Presentation on issues surrounding Grants Management at SEP Implementation Stage.

Most Recent Activity:

Langton Consulting emailed Restoration Council staff to schedule a conference call to discuss possible guidance on reasonable costs for grant management and how that funding will be allocated.

Background:

Unlike Pot 1, Pot 3 individual project implementation grants will be made to the Consortium/State of Florida rather than directly to counties. The RESTORE Act also stipulates that the Consortium/State of Florida is fully responsible for all reporting and compliance with federal law and regulations for these grants. When the Gulf Consortium enters the implementation phase of Spill Impact Component funding how it will access funds for grant management, monitoring and financial controls is unclear. (These functions will hereafter be referred to as GRANT MANAGEMENT)

These grant management functions are currently being conducted by Langton Consulting as a subcontractor to ESA for a fixed fee contract that amounts to approximately 2.58% of the total anticipated planning grant costs (\$120,000 of a \$4,640,675 grant). The work elements will be similar for implementation grants but will include more broad and intense subrecipient (Counties) monitoring of multiple implementation grants. Additionally, as many of the implementation grants are anticipated to be construction projects, the range of monitoring activities that will be required by the grant award contracts is high, including for example, compliance with environmental regulations, the Davis Bacon Act and Section 3. The scope for grants management at the implementation stage is anticipated to include the following work elements:

1. Financial controls
 - a. Invoice review
 - b. Submission of payment requests through RAAMS and ASAP
 - c. Disbursement of funds
2. Continuing education of subcontract for updates to systems and guidance and to update subrecipients
3. Reporting
 - a. Financial reporting
 - b. Programmatic and Certification Compliance Performance Reporting (RAAMS)
 - c. Subrecipient reporting (RAAMS)

4. Recording Keeping
 - a. Access to records
 - b. Record retention
 - c. Public records compliance
5. Monitoring
 - a. Self monitoring
 - b. Subrecipient monitoring
 - c. Council monitoring
 - d. OIG referrals
6. Procurement oversight
 - a. Pre-award
 - b. Post-award
 - c. Subrecipient vs. contractor
 - d. Property standards
 - e. Equipment/supplies
7. Implementation grant application submission and amendments
 - a. Project timelines amendments
 - b. Activity adjustment
 - c. Budget amendments
8. Internal Policies and Procedures Development and Oversight
 - a. Standard operating procedures
 - b. Conflict of interest
 - c. Procurement standards
9. Project Closeout
 - a. RAAMS closeout
 - b. Adjustments/extensions
10. Documentation production for Auditor
 - a. 2 CFR 200 sub F requirements
 - b. Audit objectives
 - c. Audit submission
 - d. Audit resolution and response

This work must be competitively procured through a competitive selection process in order to be eligible for any cost reimbursement with RESTORE monies. The actual cost of these services will be negotiated with the selected contractor. However, as a percentage of total annual costs, it is anticipated that costs will be higher for grant management in the implementation phase than in the planning phase because multiple subrecipient grant agreements will need to be managed, reported, and monitored (on-site). Additionally, subrecipients (counties) will have grant management functions to conduct, as they will be responsible for reporting on grant activities to the Consortium.

Guidance is being sought from the Restoration Council on what a reasonable percentage of total project costs for grant management would be at both the Consortium (Grantee) level and the county levels.

Grant management activities in the implementation grant phase will need to be provided for at both the Consortium and subrecipient level. Langton Consulting has proposed two possible scenarios for allocating these activities:

- Scenario 1: Consortium level grant management is defined as an activity in the SEP and is applied for as a specific implementation grant.

OR

- Scenario 2: Consortium level grant management is provided for in each individual implementation grant and funds are held back as grants are passed through to the subrecipient. If this option is elected, usually it is based on a percentage of the grant. State agencies in Florida hold back anywhere from 8-18% for grant management costs when they provide subgrants with passed through federal funds.

Guidance is being sought from the Restoration Council on best practices for allocation of funding for grant management for implementation grants.

Fiscal Impact:

None at this time. Ultimately, these services will need to be funded.

Attachments:

Power Point presentation.

Recommendation:

For information only.

Prepared by:

Lisa King

Langton Consulting

On: September 9, 2016

The Spill Impact Component Implementation Grant Life Cycle:

*Questions about
Grant Management Costs*



Pot 1 vs. Pot 3

Pot 1



Pot 3



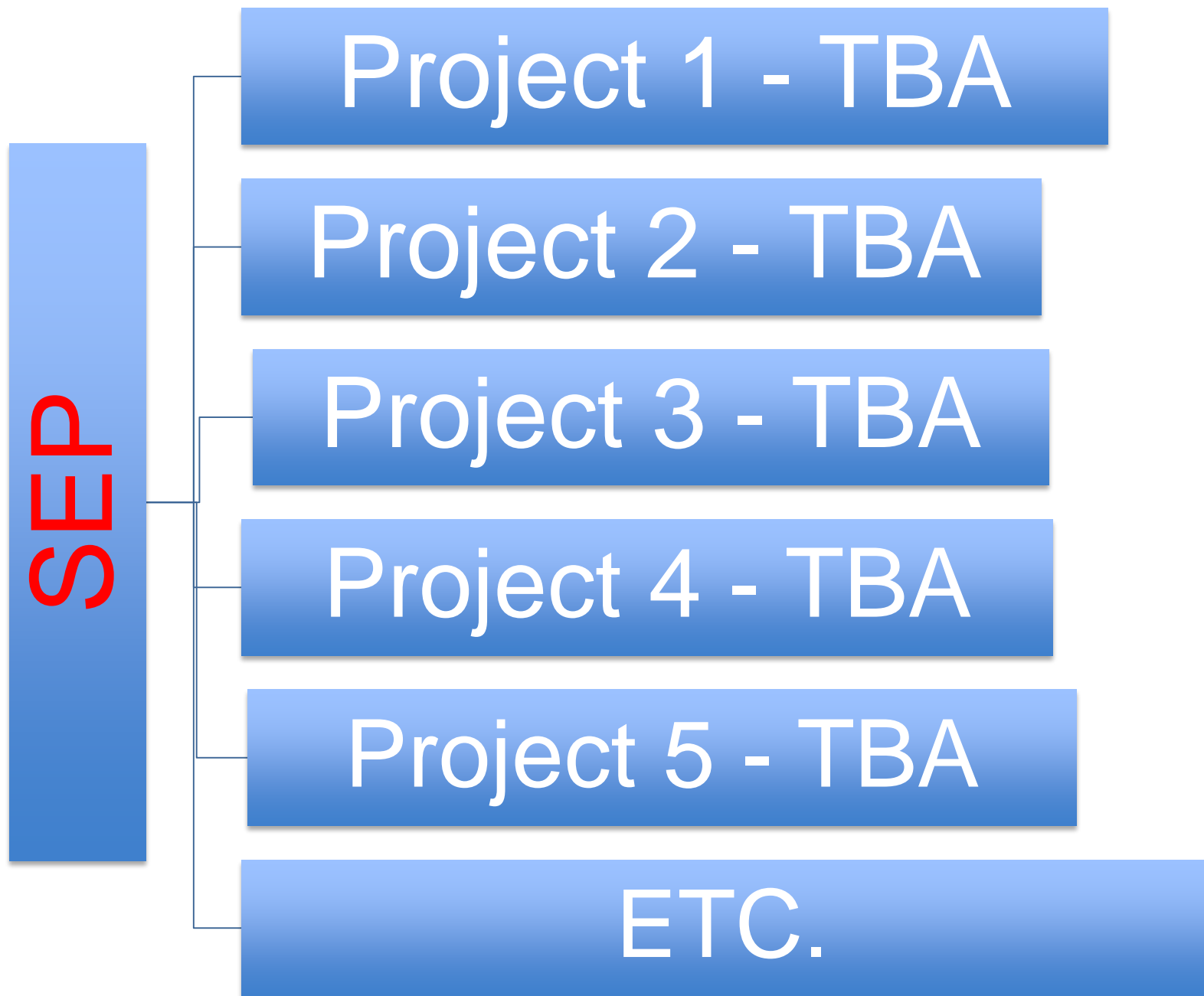
Spill Component Implementation Grant Life Cycle

SEP

Pre
Award

Award

Post
Award



Pre-Award

FOA

Apps Development

Apps
Submission

Apps
Review

- Each project needs a separate application
- Each meets a minimum of project detail

- Each application must be submitted through RAAMS

Each application will receive:

- Initial screening
- Project review and assessment
- Financial review
- Council will likely request changes

Award to Consortium

- Notice of Award
- Consortium/State executes Grant Agreement
 - Accept in RAAMS
 - Set up Award in ASAP
- Subgrant agreements executed with Subrecipients

Two levels of Grant Management

- Gulf Consortium/Grant Manager
- Counties/Subrecipient Grant Managers

Gulf Consortium Grant Manager Post–Award Process for each Subgrant

- Reporting
 - Programmatic reporting (bi-annual)
 - Data
 - Milestones
 - Payment Requests (RAAMS)
 - Adjustments to Awards
 - Records Management
 - Payment Requests (ASAP)

Gulf Consortium Grant Manager Post–Award Process for each Subgrant

- Compliance Monitoring (including periodic site visits)
 - Environmental
 - Financial/Cost Principles
 - Procurement
 - Other

Gulf Consortium Grant Manager Post–Award Process for each Subgrant

- Audits and Close-out
 - External Audits
 - Council
 - Treasury
 - GAO
 - Single Audit
 - Closeout

Counties/Subrecipient Grant Management

- Programmatic Reporting to Consortium/Staff
- Environmental Compliance
- Financial Compliance
- Other Regulatory Compliance
- Single Audit (if Federal funds received greater than \$750k)
- External Audits
- Close out

Unknowns

- How many Implementation grants will be applied for annually?
- How long will each grant period be?
- How will possible allowances for pre-award activities be applied?

More Unknowns

- What does the Council consider a reasonable percentage of total project costs to cover grant management?
- What if this percentage does not cover all actual grant management costs?
- How will this funding be accessed, as a project in the SEP or as a percentage held back from each Implementation subgrant?

Questions?

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 8
Discussion on Proposed 2017 Meeting Calendar and Locations**

Statement of Issue:

This agenda item proposes time periods and locations for regularly-scheduled meetings for discussion and direction.

Background:

Under the Interlocal Agreement, the Chairman has the power to set the times and locations of the Consortium. The dates, locations and costs for discussion are as follows:

Meeting Location Options, Associated Estimated Costs and Analysis:

Option 1

Hillsborough County Administration Center
Frederick Karl Center
601 E. Kennedy Boulevard
26th Floor, Conference Rooms A & B
Tampa, Hillsborough County, Florida

Meeting Room & AV Estimated Costs: **\$ 0.00**

Analysis: Reliable, consistent AV equipment; consistent location; and allows for reasonable opportunities for webinar/telephonic-based meetings. Little to no cost to the Consortium for the meeting. Potential costs to individual directors for travel. Six (6) meeting dates already reserved with Hillsborough County for 2017. Central location.

Option 2

Florida Department of Environmental Protection
Carr Building, Room 170
3800 Commonwealth Blvd
Tallahassee, Leon County, Florida

Meeting Room & AV Estimated Costs (\$1162 per meeting): **\$ 6,972.00**

Analysis: Located in state capital, with easy access to DEP/Governor partners. Contracted AV/IT equipment and personnel with direct costs incurred by the Consortium.

Option 3

Emerald Coast Convention Center
1250 Miracle Strip Parkway SE
Ft. Walton, Okaloosa County, Florida

Meeting Room & AV Estimated Costs (\$997.20 per meeting): **\$ 2,991.60**

Analysis: Located in panhandle region, allowing for certain directors to achieve travel costs savings. Contracted AV/IT equipment and personnel, with costs incurred for the Consortium. Potential for webinar/telephonic-based meetings unknown. Cannot accommodate for the following dates: February 17, April 21 or June 23, 2017.

Option 4

FAC Events in 2017
Friday, April 8, 2017, Leon County – Legislative Day
Friday, July 1, 2017, Palm Beach County – Annual Conference
No date certain, Osceola County (*tentative*) – Policy Conference
Friday, November 17, 2017, Sarasota County – Legislative Conference

Meeting Room & AV Estimated Costs: **\$10,668.24**
(based on average of 2015 total expended @ 6 proposed meetings)

Analysis: Convenience of co-location with widely attended statewide county event. Potential to achieve travel cost savings on part of individual directors already attending FAC event. Contracted AV/IT equipment and personnel, with corresponding direct costs incurred by the Consortium. No potential for webinar/telephonic based meetings.

Proposed Dates:**FEBRUARY**

February 17, 2017 (Options 1, 2)

APRIL

April 5-7, 2017 (Option 4 – Leon County)

April 21, 2017 (Options 1, 2)

JUNE

June 23, 2017 (Options 1, 2)

June 27-30, 2017 (Option 4 – Palm Beach County)

SEPTEMBER

September 8, 2017 (Options 1, 2, 3)

September, 2017 (Option 4 – Osceola County (*tentative*))

OCTOBER

October 20, 2017 (Options 1, 2, 3)

NOVEMBER

November 15-17, 2017 (Option 4 – Sarasota County)

DECEMBER

December 1, 2017 (Options 1, 2, 3)

The Executive Committee, at its meeting of September 9, 2016, voted recommend approval to the Board to align the Gulf Consortium meetings with FAC events (Option 4) and for any stand-alone meetings required that the meetings be held in Hillsborough County (Option 1) and a facility located in the panhandle so long as it can accommodate video and telephonic meetings.

Fiscal Impact:

The planning grant award includes reimbursement monies for the Consortium to fund many of the costs of its meeting expenses during 2017. Any of these funds not drawn down through the grant to the Consortium will remain in the Trust Fund for distribution later, in the form of projects, programs, and activities. The options presented in this agenda item have varying costs associated with them and varying advantages and disadvantages for the Board.

Options:

- (1) Approve a direction for the proposed 2017 meeting calendar dates;
- (2) Approve a direction for the proposed meeting locations;
- (3) Other direction provided to staff.

Recommendation:

Motion to approve a direction for the proposed 2017 meeting calendar and proposed meeting locations.

Attachments:

None.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim General Manager
On: September 9, 2016

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 9
Recommend Approval of FY 2015/16 Budget Amendment**

Executive Summary:

Approval of FY 2015/16 budget amendment to reflect accounting standard requirements.

Background:

The Gulf Consortium Board of Directors adopted its FY 2015/16 budget based on anticipated revenues solely from the county contributions. However, it was understood that if the Consortium's planning grant application was approved by the Restoration Council and that draw-downs were anticipated to be used during FY 2015/16, then a budget amendment would be necessary.

Analysis:

The Consortium's planning grant application was approved on June 23, 2016 and the grant agreement was executed on June 28, 2016. However, the Council is still working out glitches in the invoice submission (RAAMS) and payment (ASAP) software systems. Accordingly, no draws on the grant have yet to be made. However, it is anticipated that the invoice and payment systems will be ready no later than November 30 and the Consortium's receipt of some grant dollars by that time.

The Consortium staff has consulted with the CPA firm of Warren Averett to determine the necessity of a FY 2015/16 budget amendment even though the grant revenues will not be received by September 30, the close of the Consortium's fiscal year. With no grant revenue received, no disbursement of the grant monies would be made by September 30 either. However, Warren Averett has advised that, under the modified accrual system of accounting, when revenue is measurable and available is when it needs to be recorded. The test for availability is whether the revenue will be received within 60 days of the close of the budget year. Here, that date is November 30. Consortium staff anticipates receiving grant monies by November 30.

Accordingly, attached is a proposed budget amendment for FY 2015/16, reflecting the anticipated revenues and expenditures related to the planning grant application up to November 30, 2016, as follows:

REVENUES:

	<u>FY 2015/16 Adopted</u>	<u>Proposed Amendment</u>
Planning Grant		
Pre Award (8/22/14-4/30/16)		
ESA Contract	-	154,928
AV & Meeting Room Rentals	-	11,285
Legal Fees (Clerk)	-	4,740
Planning Grant Year One (5/1/16-9/30/16)		
ESA Contract	-	107,660
TOTAL REVENUES:	155,050	278,613

DISBURSEMENTS:

	<u>FY 2015/16 Adopted</u>	<u>Proposed Amendment</u>
Planning Grant		
Pre Award (8/22/14-4/30/16)		
ESA Contract, Task 1, 2, partial 13	-	154,928
AV and Meeting Room Rentals	-	11,285
Legal Fees (Clerk)	-	4,740
Development of SEP		
ESA Contract, Work Order 4A (Survey)	-	92,660
ESA Contract, Work Order 5 (Grant Management)	-	15,000
TOTAL EXPENSES:	155,050	278,613

Thus the total FY 2015/16 budget increased by \$278,613, for a total of \$433,663, up from \$155,050 as originally adopted.

The Executive Committee, at its meeting of September 9, 2016, voted unanimously to adopt the FY 2015/16 budget amendment as proposed.

Options:

- (1) Approval of the proposed FY 2015/16 Budget Amendment Request;
- (2) Provide other direction.

Attachments:

Budget Amendment Request FY 2015/16.

Recommendation:

Recommend to the full Board approval of the FY 2015/16 Budget Amendment Request.

Submitted By:

Ginger Delegal
Florida Association of Counties
Interim General Manager
On: September 9, 2016

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

Gulf Consortium
Budget Amendment Request
FY2015/16

	FY2015/16	Proposed	FY2015/16
	Adopted	Amendment	Revised
REVENUES			
County Funding			
Interim County Funding	140,050	-	140,050
Cash Carryforward	15,000	-	15,000
Planning Grant			
Pre Award (8/22/14-4/30/16)			
ESA Contract	-	154,928	154,928
AV & Meeting Room Rentals	-	11,285	11,285
Legal Fees (Clerk)	-	4,740	4,740
Planning Grant Year One (5/1/16-9/30/16)			
ESA Contract	-	107,660	107,660
			-
TOTAL REVENUES	155,050	278,613	433,663
DISBURSEMENTS			
			-
County Funding - General Operating			
Consulting-Administration	60,000	-	60,000
Consulting-Legal	60,000	-	60,000
Meeting and Travel Expense	16,050	-	16,050
Miscellaneous	1,000	-	1,000
Audit Expense	3,000	-	3,000
Grant Writer	15,000	-	15,000
			-
Planning Grant			
Pre Award (8/22/14-4/30/16)			-
ESA Contract, Task 1, 2, partial 13	-	154,928	154,928
AV and Meeting Room Rentals	-	11,285	11,285
Legal Fees (Clerk)	-	4,740	4,740
Development of SEP			-
ESA Contract, Work Order 4A	-	92,660	92,660
ESA Contract, Work Order 5	-	15,000	15,000
			-
TOTAL EXPENSES	155,050	278,613	433,663

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 10
Approval of FY 2016/17 Budget and County Allocations**

Executive Summary:

Approval and adoption of the proposed FY 2016/17 Budget for the Gulf Consortium.

Background:

The proposed budget for FY 2016/17 will be a fully operational budget for the Gulf Consortium and will include two revenue sources: (1) county contributions; and (2) planning grant monies. Expenditures will be those to cover costs not allowable under the planning grant and those directly related to the planning grant. The total proposed budget for FY 2016/17 is \$1,633,180.

Budget Highlights:

As discussed at the June 2016 Executive Committee and Board of Directors meeting, the FY 2016/17 Consortium budget continues the county contributions and adds planning grant revenues. Out of the county contributions, the following expenditures will be made:

County Funding - General Operating		
Consulting-Administration (FAC contracts)	60,000	
Consulting-Legal (NGN)	60,000	
Meeting and Travel Expense	14,050	
Miscellaneous	1,000	
Audit Expense	5,000	
Subtotal General Operating		140,050

These expenditures are each at the same level except the "Audit Expense" category. This line item is increased by \$2,000 over the last three years to reflect the increased budgeting and bookkeeping with the planning grant award being realized by the Consortium. The \$140,050 in county contributions is being used to fund those expenditures that were not allowable under the planning grant. Accordingly, some level of county contributions will need to continue, annually, in order to fund those operational expenses of the Consortium that are not directly related to the development of the State Expenditure Plan.

The attached budget anticipates grant revenues to total \$1,493,130 during FY 2016/17. The revenues will fund the following:

Planning Grant

ESA Contract Consulting		
Task 3 -Work Order 4(B)		
(Preliminary Project List Completion)	209,100	
Task 15 - Work Order 5 (Grant Administration)	60,000	
Task 4 (Map Project List)	189,010	
Task 5 (Gaps Analysis)	150,470	
Task 6 (Draft Project List/Spatial Database)	116,440	
Task 7 (Evaluation Criteria)	98,400	
Task 8 (Project Evaluation)	303,400	
Task 9 (Project Leveraging Analysis)	201,310	
Subtotal ESA Contract		1,328,130
SEP Contracts Manager		
(Must be competitively procured)	50,000	
Contractual Legal Services		
(Total contract is NTE \$150,000)	90,000	
Audit Services (Must be competitively procured)	25,000	
Subtotal Other Contractual		<u>165,000</u>
Subtotal Planning Grant Expenses		1,493,130

The Executive Committee, at its meeting of September 9, 2016, voted unanimously to recommend approval of the proposed FY 2016/17 budget.

Options:

- (1) Approval of the FY 2016/17 proposed budget and the county allocations;
- (2) Provide other direction.

Fiscal Impact:

As indicated in the county allocations (\$140,050) and proposed budget that is attached for FY 2016/17. The total proposed budget is \$1,633,180.

Attachments:

Proposed Annual Budget 2016/17.
Adopted Budget to Actual 2015/16.
Cash Flows Statement 2015/16.
Expense Register Detail 2015/16.
County Allocations for 2016/17.

Recommendation:

Board approval of the proposed FY 2016-17 budget and the county allocations.

Submitted By:

Ginger Delegal
Florida Association of Counties
Interim General Manager
On: September 9, 2016

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved____; Approved as amended____; Defeated_____.

Gulf Consortium
Proposed Budget
October 1, 2016 - September 30, 2017

	Proposed Budget FY2016/17	Amended * Budget FY2015/16	Projected Actuals FY2015/16
REVENUES			
County Funding			
Interim County Funding	140,050	140,050	140,050
Cash Carryforward		15,000	15,000
Subtotal County Funding	140,050	155,050	155,050
Planning Grant			
Pre Award (8/22/14-4/30/16)			
ESA Contract	-	154,928	154,928
AV & Meeting Room Rentals	-	11,285	11,285
Legal Fees (Clerk)	-	4,740	4,740
Planning Grant			
ESA Contract - Task/Work Orders	1,328,130	107,660	107,660
Other Contractual Reimbursements	165,000	-	-
Subtotal Grant Funding	1,493,130	278,613	278,613
TOTAL REVENUES	1,633,180	433,663	433,663
DISBURSEMENTS			
County Funding - General Operating			
Consulting-Administration	60,000	60,000	60,000
Consulting-Legal	60,000	60,000	60,000
Meeting and Travel Expense	14,050	16,050	16,050
Miscellaneous	1,000	1,000	1,000
Audit Expense	5,000	3,000	3,000
Grantwriter Expense	-	15,000	15,000
Subtotal General Operating	140,050	155,050	155,050
Planning Grant			
Pre Award (8/22/14-4/30/16)			
ESA Contract, Task 1, 2, partial 13	-	154,928	154,928
AV and Meeting Room Rentals	-	11,285	11,285
Legal Fees (Clerk)	-	4,740	4,740
Subtotal Pre Award	-	170,953	170,953
ESA Contract Consulting			
Work Order 4(A)	-	92,660	92,660
Work Order 5	-	15,000	15,000
Task 3 - Work Order 4(B)	209,100	-	-
Task 15 - Work Order 5	60,000	-	-
Task 4	189,010	-	-
Task 5	150,470	-	-
Task 6	116,440	-	-
Task 7	98,400	-	-
Task 8	303,400	-	-
Task 9	201,310	-	-
Subtotal ESA Contract	1,328,130	107,660	107,660
SEP Contracts Manager	50,000	-	-
Contractual Legal Services	90,000	-	-
Audit Services	25,000	-	-
Subtotal Other Contractual	165,000	-	-
Subtotal Planning Grant Expenses	1,493,130	278,613	278,613
TOTAL EXPENSES	1,633,180	433,663	433,663

**Proposed Amendment to Budget to be presented for approval at September Meeting*

Gulf Consortium
Adopted Budget to Actual
October 1, 2015 - August 31, 2016

	FY16 Budget	FY16 Year To Date Actual*
Revenues		
Interim County Funding	140,050.00	140,050.00
Cash Carryforward**	15,000.00	15,000.00
Interest Income/Other	-	68.01
Total Revenues	155,050.00	155,118.01
Disbursements		
Consulting-Administration	60,000.00	50,000.00
Consulting-Legal	60,000.00	45,000.00
Meeting and Travel Expense*	16,050.00	1,730.77
Miscellaneous	1,000.00	622.20
Audit Expense	3,000.00	3,000.00
Grant Writer Expense*	15,000.00	15,000.00
Total Disbursements	155,050.00	115,352.97
Revenues Over (under) Disbursements	-	39,765.04

**Cash Basis of Accounting for Interim Reporting*

***Cash Carryforward:*

Cash carryforward amount of \$15,000 is comprised of unused funds from FY2014 and FY2015;

Funds split equally between Grant Writer and Meeting & Travel Expense

Gulf Consortium
Cash Flows Statement
October 1, 2015 -August 31, 2016

Beginning Cash Balance	10/1/2015	47,948.96
Deposits- FY16 County Funding	140,050.00	
Deposits- Interest/Other	68.01	
Net Cash Provided		140,118.01
Expenses- FY 16 Expenses	(115,352.97)	
Expenses- FY 15 Expenses	(32,133.58)	
Net Cash Used		(147,486.55)
Ending Cash Balance	8/31/2016	40,580.42

Gulf Consortium
Expense Register Detail Year To Date
October 1, 2015 to August 31, 2016

			FY2016 Expenses							FY2015 Expenses					
Check #	Payee	Date	Total Amount	Consult-Admin	Consult-Legal	Meeting & Travel	Misc	Audit	Grant Writing Expense	Consult-Admin	Consult-Legal	Meeting & Travel	Misc	Audit	
1081	NGN (VOIDED)	10/6/2015	\$ -												VOIDED CHECK (replaced by #1092)
1082	FAC	10/13/2015	\$ 5,000.00							5,000.00					September 15 consulting
1083	FI Depart of Economic Opportunity	10/13/2015	\$ 175.00				175.00								2015-16 Special District fee
1084	FL Department of State	10/13/2015	\$ 31.08									31.08			Meeting notice - 9/23/15
1085	FL Department of State	10/20/2015	\$ 73.92			73.92									Meeting Notices 10/2/15 & 10/8 15
1086	FL Association of Counties	11/4/2015	\$ 5,000.00	5,000.00											10/15 Consulting
	BANK FEES	11/20/2015	\$ 15.00				15.00								BANK FEES
1087	FL Department of State	12/1/2015	\$ 104.16			104.16									Meeting Notices - 11/12/15 & 111815
1088	Florida Association of Counties	12/15/2015	\$ 5,000.00	5,000.00											November 15 Consulting
	BANK FEES REFUNDED	12/16/2015	\$ (15.00)				(15.00)								Bank Fees refunded
1089	NGN	1/5/2016	\$ 5,148.64				0.24				5,000.00		148.40		Legal: September 15
1090	FL Association of Counties	1/5/2016	\$ 5,000.00	5,000.00											12/15 Consulting
1091	FL Association of Counties	1/5/2016	\$ 6,053.48									6,053.48			FY2014/15 Meeting expenses
1092	NGN	1/12/2016	\$ 15,900.62								15,000.00	320.15	580.47		Legal: June 15 (\$5512.81) July 15 (\$5025.40) August 15 (\$5362.41) was #1081
	STOP PAYMENT FEE	1/12/2016	\$ 38.00				38.00								
1093	FL Department of State	2/16/2016	\$ 33.32				33.32								Meeting Notice - 1/27/16
1094	FL Association of Counties	2/19/2016	\$ 5,000.00	5,000.00											1/16 Consulting
1095	FL Association of Counties	3/9/2016	\$ 5,000.00	5,000.00											2/16 Consulting
1096	FL Department of State	3/23/2016	\$ 33.88				33.88								Meeting Notice - 2/25/16
1097	Warren Averett, LLC	3/23/2016	\$ 3,000.00					3,000.00							Audit
1098	FL Department of State	4/12/2016	\$ 33.88				33.88								Meeting Notice - 3/31/16
1099	NGN	4/12/2016	\$ 10,513.01		10,000.00	513.01									11/15 & 12/15 Consulting & Expenses
1100	Florida Association of Counties	4/26/2016	\$ 10,000.00	10,000.00											3/16 & 4/16 Consulting
1101	FL Department of State	4/26/2016	\$ 95.34				95.34								MTG notice - 4/13 - 4/20 - 4/21/16
1102	NGN	4/29/2016	\$ 5,135.40		5,000.00	135.40									10/15 Consulting
1103	NGN	5/24/2016	\$ 20,636.33		20,000.00	636.33									Consulting - 1/16, 2/16,3/16,4/16 and expenses
1104	Florida Association of Counties	6/3/2016	\$ 5,000.00	5,000.00											5/16 Consulting & Expenses
1105	Florida Association of Counties	7/12/2016	\$ 5,000.00	5,000.00											6/16 Consulting
1106	FL Department of State	7/12/2016	\$ 67.34				67.34								MTG Notice - 6/16 6/28
1107	Florida Association of Counties	8/10/2016	\$ 5,000.00	5,000.00											7/16 Consulting
1108	Environmental Science Associates (E	8/16/2016	\$ 15,000.00						15,000.00						Consulting - Grant Writing
1109	NGN	8/23/2016	\$ 10,413.15		10,000.00	267.95	145.20								5/16 & 6/16 Consulting & expenses
				\$ 50,000.00	\$ 45,000.00	\$ 1,730.77	\$ 622.20	\$ 3,000.00	\$ 15,000.00	\$ 60,000.00	\$ 60,000.00	\$ 8,519.93	\$ 1,030.07	\$ 3,000.00	

**GULF CONSORTIUM
FY2016/17 ALLOCATIONS**

County	Total Amount	October 2016 Invoice 1	April 2017 Invoice 2
Bay	8,270	4,135	4,135
Charlotte	8,270	4,135	4,135
Citrus	8,270	4,135	4,135
Collier	8,270	4,135	4,135
Dixie	2,000	1,000	1,000
Escambia	8,270	4,135	4,135
Franklin	2,000	1,000	1,000
Gulf	2,000	1,000	1,000
Hernando	8,270	4,135	4,135
Hillsborough	8,270	4,135	4,135
Jefferson	2,000	1,000	1,000
Lee	8,270	4,135	4,135
Levy	2,000	1,000	1,000
Manatee	8,270	4,135	4,135
Monroe	8,270	4,135	4,135
Okaloosa	8,270	4,135	4,135
Pasco	8,270	4,135	4,135
Pinellas	8,270	4,135	4,135
Santa Rosa	8,270	4,135	4,135
Sarasota	8,270	4,135	4,135
Taylor	2,000	1,000	1,000
Wakulla	2,000	1,000	1,000
Walton	2,000	1,000	1,000
	140,050.00	70,025	70,025

Amounts to be invoiced in equal installments

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 11
Interim Manager Report**

Executive Summary:

Presentation of Interim Manager report.

Report:

This report will be provided verbally during the meeting.

Recommendation:

Discuss items and provide direction to Consortium staff on these items.

Attachment:

None.

Prepared by:

Ginger Delegal
Florida Association of Counties
Interim Manager
On: September 9, 2016

**Gulf Consortium Board of Directors
September 13, 2016**

**Agenda Item 12
General Counsel Report**

Executive Summary:

Presentation of the General Counsel report.

Report:

- Continue weekly internal Consortium staff meetings.
- Continue weekly ESA Consultant Team/Consultant staff meetings.
- Provided guidance on Consortium matters, such as budget amendments, FY 2016-17 budget, and contract review.
- Continued outreach regarding SEP Projects.

Requested Action:

Discussion of Nabors, Giblin & Nickerson's contract for general counsel services to the Consortium.

Attachment:

None.

Prepared by:

Lynn Hoshihara, Esq.

General Counsel

On: September 9, 2016

**Gulf Consortium Board of Directors
September 13, 2016**

Agenda Item 12.1

**Approval of the Second Amendment to the Agreement
For Professional Services Between
The Gulf Consortium and Nabors, Giblin & Nickerson**

Executive Summary:

This agenda item seeks Board approval of the attached proposed Second Amendment to the Agreement for Professional Services between the Gulf Consortium and Nabors, Giblin & Nickerson, P.A. for General Counsel services.

Background:

The Consortium hired the firm of Nabors, Giblin & Nickerson (“NGN”) on October 22, 2012, to provide interim General Counsel services for a one-year term (the “Agreement”). The term of the Agreement was extended on September 18, 2013 until “the effective date of the Consortium’s hiring, engaging or retaining a permanent General Counsel, unless an earlier expiration date is mutually agreed to in writing” (the “First Amendment”).

In anticipation of planning grant funds, the Consortium conducted a competitive procurement process of hiring a permanent General Counsel. On June 19, 2015, the Board voted unanimously to accept the Evaluation Team’s recommendation and authorized the negotiation of a contract with NGN. Since Federal funds were not yet available, NGN continued to provide general counsel services at a not to exceed monthly rate of \$5,000.

Attached for the Board’s consideration is a proposed Second Amendment to the Agreement for General Counsel Services, which specifically authorizes certain eligible legal services to be reimbursed from grant funding.

- **Term:** two years commencing October 1, 2016 through September 30, 2018.
- **Compensation:** General Counsel Services will continue to be billed at \$250 per hour, not to exceed \$5,000 per month. In addition to the General Counsel Services, certain legal services that are eligible for grant reimbursement will be billed at \$250 per hour, not to exceed \$90,000 per fiscal year. All services provided by NGN which do not qualify for grant reimbursement will be considered General Services which is capped at \$5,000 per month. Total annual not to exceed amount of \$150,000.
- All other terms of the Agreement remain in full force and effect.

Options:

- (1) Approve the Second Amendment.
- (2) Do not approve the Second Amendment.
- (3) Provide other direction.

Fiscal Impact:

Payment for General Counsel Services for FY 2016-17 shall not exceed a total annual amount of \$60,000.

Payment for Grant-Eligible Legal Services is contingent upon the receipt of Federal funds. If funds are received, the Consortium will be obligated to pay an amount not to exceed \$90,000 for FY 2016-17.

Prepared by:

Lynn M. Hoshihara
Nabors, Giblin & Nickerson, P.A.
General Counsel
On: September 8, 2016

Attachment:

- (1) Second Amendment to Agreement for Professional Services between the Gulf Consortium and NGN.
- (2) Schedule of Legal Fees (Billed vs. Total Since 2013).

Action Taken:

Motion to: _____, Made by: _____;

Seconded by: _____.

Approved_____; Approved as amended_____; Defeated_____.

Nabors, Giblin & Nickerson, P.A.
Comparison of Billed Fees and Total Fees for the
Gulf Consortium
January 2013 - June 2016

		Total Hours	Total Fees	Billed Fees
Jan.	2013	35.10	8,775.00	5,000.00
Feb.	2013	34.30	8,575.00	5,000.00
Mar.	2013	22.60	5,650.00	5,000.00
Apr.	2013	39.20	9,800.00	5,000.00
May	2013	33.70	8,012.50	5,000.00
Jun.	2013	37.00	8,750.00	5,000.00
Jul.	2013	33.45	7,412.50	5,000.00
Aug.	2013	42.50	10,125.00	5,000.00
Sep.	2013	80.00	19,625.00	5,000.00
Oct.	2013	112.80	27,637.50	5,000.00
Nov.	2013	42.00	10,000.00	5,000.00
Dec.	2013	42.90	10,725.00	5,000.00
2013 Totals		555.55	\$ 135,087.50	\$ 60,000.00

		Total Hours	Total Fees	Billed Fees
Jan.	2016	29.60	7,400.00	5,000.00
Feb.	2016	25.50	6,375.00	5,000.00
Mar.	2016	48.40	12,100.00	5,000.00
Apr.	2016	67.10	14,525.00	5,000.00
May	2016	20.70	5,175.00	5,000.00
Jun.	2016	51.50	12,375.00	5,000.00
Jul.	2016			
Aug.	2016			
Sep.	2016			
Oct.	2016			
Nov.	2016			
Dec.	2016			
2016 Totals		242.80	\$ 57,950.00	\$ 30,000.00

Jan.	2014	86.70	21,675.00	5,000.00
Feb.	2014	42.30	10,575.00	5,000.00
Mar.	2014	59.50	14,875.00	5,000.00
Apr.	2014	33.50	8,375.00	5,000.00
May	2014	31.40	7,850.00	5,000.00
Jun.	2014	38.20	8,925.00	5,000.00
Jul.	2014	31.95	7,987.50	5,000.00
Aug.	2014	100.10	24,525.00	5,000.00
Sep.	2014	100.20	24,675.00	5,000.00
Oct.	2014	37.70	9,425.00	5,000.00
Nov.	2014	62.10	15,025.00	5,000.00
Dec.	2014	45.60	11,400.00	5,000.00
2014 Totals		669.25	\$ 165,312.50	\$ 60,000.00

Jan.	2015	59.20	14,800.00	5,000.00
Feb.	2015	52.30	13,075.00	5,000.00
Mar.	2015	55.35	13,837.50	5,000.00
Apr.	2015	28.85	7,212.50	5,000.00
May	2015	56.40	14,100.00	5,000.00
Jun.	2015	52.70	13,175.00	5,000.00
Jul.	2015	31.30	7,825.00	5,000.00
Aug.	2015	62.40	15,100.00	5,000.00
Sep.	2015	40.90	10,225.00	5,000.00
Oct.	2015	32.00	8,000.00	5,000.00
Nov.	2015	54.60	12,650.00	5,000.00
Dec.	2015	20.00	5,000.00	5,000.00
2015 Totals		546.00	\$ 135,000.00	\$ 60,000.00

TOTALS	2,013.60	493,350.00	210,000.00
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**SECOND AMENDMENT TO THE AGREEMENT
FOR PROFESSIONAL SERVICES BETWEEN
THE GULF CONSORTIUM
AND NABORS, GIBLIN & NICKERSON, P.A.**

THIS AMENDMENT is made this ____ day of September, 2016, between Nabors, Giblin & Nickerson, P.A., a Florida law firm ("NG&N") and the Gulf Consortium, a legal entity and public body created by the Interlocal Agreement, effective on October 19, 2012 (the "Consortium").

WHEREAS, the parties previously entered into an agreement dated October 22, 2012 ("the Agreement"), under which NG&N provides interim General Counsel and other legal services to the Consortium Board and the Manager for a one year period; and

WHEREAS, the parties extended and amended the Agreement on September 18, 2013 (the "First Amendment"), providing for an extension of the term of the Agreement until the hiring of a permanent general counsel or until the parties mutually agree to an earlier expiration date; and

WHEREAS, the Consortium conducted a competitive procurement process for the services of a permanent general counsel which resulted in the Consortium approving the Evaluation Team's recommendation that NG&N be retained to provide general counsel services; and

WHEREAS, subsequent to the Consortium's decision to retain NG&N as its permanent general counsel and in the course of the development of the Planning Grant application for Federal funds to be submitted to the Gulf Restoration Council, it became clear that the full cost of legal services could not be paid from planning grant funds; and

WHEREAS, the Consortium desires to continue its relationship with NG&N and to retain NG&N as its permanent General Counsel and NG&N desires to continue to provide General Counsel and other legal services to the Consortium.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto amend and extend the Agreement as follows:

SECTION 1. AMENDMENT TO COMPENSATION FOR GENERAL COUNSEL SERVICES.

Section 1.04 of the Agreement is amended to add a new paragraph (B) and delete the current paragraph (B) 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 ~~the~~

~~General Counsel a fee of NG&N \$250 per hour for each General Counsel attorney providing such services. However, the Consortium shall not be obligated to pay the General Counsel NG&N 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, NG&N shall be paid a fee of \$250 per hour for each attorney providing such services. However, the Consortium shall not be obligated to pay NG&N 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).

~~(B) Compensation shall be paid at one half (1/2) the hourly rate specified above for the hours incurred in travel from the host office of the attorney performing legal services to the location where Consortium Board meetings are conducted and to such other locations where services are required to be provided.~~

SECTION 2. REVISION OF TERM OF THE AGREEMENT. Section 3.01 of the Agreement is amended as follows:

SECTION 3.01. TERM OF AGREEMENT. This Agreement shall be for a two year term commencing on October 1, 2016 ~~October 1, 2013~~ and shall continue until September 30, 2018. ~~until the effective date of the Consortium's hiring, engaging or retaining a permanent General Counsel, unless an earlier expiration date is mutually agreed to in writing.~~

SECTION 3. SURVIVABILITY OF REMAINING PROVISIONS. All other terms and conditions of the Agreement shall continue in full force and effect.

IN WITNESS WHEREOF, NG&N and the GULF CONSORTIUM, have caused this Agreement to be executed on the date first mentioned above.

NABORS, GIBLIN & NICKERSON, P.A.

By: _____
LYNN M. HOSHIHARA, SHAREHOLDER

GULF CONSORTIUM

By: _____
GROVER C. ROBINSON IV, CHAIR