

Executive Committee Meeting

Friday, October 28, 2011

10:38 a.m. – 11:48 a.m.

DRAFT MEETING MINUTES

The Southeast Florida Regional Partnership's (Partnership) Executive Committee, met at the offices of the Broward County Metropolitan Planning Organization located at 100 West Cypress Creek Road, Suite 850, in Fort Lauderdale.

Meeting Attendees:

The meeting commenced at approximately 10:38 a.m. and concluded at 11:48 a.m. In attendance for the meeting were the following Executive Committee members (listed in alphabetical order):

1. Doug Bournique, Appointed by Treasure Coast Regional Planning Council
2. Ed Fielding, Appointed by Martin County Board of Commissioners
3. Samuel Ferreri, Treasure Coast Regional Planning Council (TCRPC)
4. Kevin Foley, Vice Chair, Treasure Coast Regional Planning Council (TCRPC)
5. Suzanne Gunzburger, Appointed by South Florida Regional Planning Council
6. Peter O'Bryan, Treasure Coast Regional Planning Council (TCRPC)
7. Tod Mowery, Appointed by St. Lucie County Board of Commissioners
8. Norm Taylor, South Florida Regional Planning Council (SFRPC)
9. Ramon Trias, Chair, Treasure Coast Regional Planning Council (TCRPC)
10. James Wolfe, Secretary, Florida Department of Transportation, District 4

Excused Absence

1. Heather Carruthers, Vice Char, South Florida Regional Planning Council
2. Carla Coleman, Director, Urban Land Institute (ULI) SE Florida/Caribbean Chapter
3. Tom Gustafson, Appointed by the Treasure Coast Regional Planning Council
4. Gus Pego, Secretary, Florida Department of Transportation, District 6
5. Barrington Wright, Appointed by the South Florida Regional Planning Council

The Chair, Mr. Ferreri, called to order the Executive Committee Meeting at 10:38 a.m. Mr. Eric Swanson of staff called the roll and determined a quorum was present. The Chair welcomed members and reviewed the agenda. During the review, Mr. Busha informed the Executive Committee that Commissioner Marcus of Palm Beach County was nominated to represent the County. A motion was offered by Ramon Trias and seconded by Suzanne Gunzburger, to approve the nomination of Commissioner Karen Marcus of Palm Beach County to serve on the Executive Committee of the South Florida Regional Partnership. The motion was unanimously approved.

The Chair requested changes to the agenda and a motion was offered by Ramon Trias and seconded by Suzanne Gunzburger, to approve the list of activities on the agenda as presented. The motion was unanimously approved. Following the approval of the agenda, a motion was offered by Ramon Trias and seconded by Suzanne Gunzburger, for approval of the September 30th meeting minutes. The motion carried unanimously.

Jim Murley, Project Director, made general announcements that included highlighting the Partnership's Economic Summit held on Wednesday, October 26th and the latest Partnership brochure that focused on the Regional Vision and Blueprint for Economic Prosperity (RVB), as well as key strategies and programs that are jointly sponsored by the Regional Planning Councils, such as the Six Pillars Initiative, Florida Eight Initiative and the Comprehensive Economic Development Strategy. Mr. Murley also thanked Ms. Marcela Cambor-Cutsaimanis, Program Manager, for her effort in developing the latest Partnership brochure.

Following the general update, Mr. Murley gave an overview for the next steps of ensuring approval of the agreement for services with Dover Kohl, which includes approval by the Committee and HUD before going to the South Florida Regional Planning Council. Ms. Cambor gave a presentation on the Agreement for Services for the South Florida Regional Vision and Blueprint for Economic Prosperity. She welcomed members of Dover Kohl, discussed the timeline for the master consultant selection process, reviewed the existing HUD-approved budget, work plan and schedule, and where we are today regarding the draft agreement with Dover Kohl.

Following the presentation, a lengthy discussion occurred over the contract and several proposed amendments were raised to the draft agreement prior to approval. General comments, requests and recommendations by the Executive Committee include:

General Comments

- Ensuring that the Executive Committee remains a “Policy-Making Body” over the course of this project, allowing the Management Team to handle minor and non-substantive changes and amendments without the need to engage the Committee.
- A request to the Management Team to track potential conflicts of interest over time between Executive Committee members, Consortium Members, and other entities involved in the process.
- Developing one or more Action Plans (or template) for review by the Executive Committee on the December 2nd meeting (or next meeting prior to the end of the year). The Action Plan should clearly identify tasks, detail deliverables, identify responsibilities by party (i.e. consultant, RPC's, consortium member, etc), as well as date of commencement, clear timeline and deadlines.

- Ensure that addition of other firms and/or additional Consortium Members to the lead consultant team is only done as long as they add value to the core team.

The Executive Committee recommended that the SFRPC Board authorize the Executive Director of the South Florida Regional Planning Council and its legal counsel to continue negotiation of the draft Agreement and proposed amendments with the top-ranked firm in order to develop a final contract ready for execution by the SFRPC board. The motion for recommended approval of the contract contingent to Committee comments and recommendations was raised by Doug Bournique and seconded by Ramon Trias. The motion carried unanimously. Listed below include proposed amendments to the draft agreement by the Executive Committee as a whole, which is also subject to HUD's guidelines, recommendations and approval.

Proposed Amendments to the Draft Agreement by the Executive Committee

- Change term of the Agreement from 36 months to effective grant-end date (P.1; Article II).
- Match termination and withdrawal language to HUD's language and requirements (P.2; Article VI).
- Add a new Financial and Audit Section (Section C). This new Section shall establish invoicing guidelines, specific funding assigned to each party, reimbursable fees, hourly rates and/or rate structure, etc., as well specific guidelines that both consultants and grantees need to follow per HUD's requirements.
- Add a Timely Performance Clause. This clause, which could be included as part of the Action Plan, needs to clearly detail schedules, deadlines and timelines, and ensure that the consultant will meet the grant's (HUD's) deadlines and requirements.
- List all 17 firms that make up the lead-consultant team in the Agreement.
- Add language that states that as each Phase is addressed, the Consultant will make every effort to engage Consortium Members as appropriate. This language (could be a separate attachment, letter of intent or letter of agreement) should also clarify who the Consortium members and other firms being considered are, and specify when, in what capacity, and for what specific amount they will be participating in the process.
- Address whether a 15% (or any percentage) retainer fee is acceptable to HUD. (P. 19, Attachment B)

Following the presentation, Mr. Murley gave an update on federal grant activities, which included the grantee convening session in Washington DC and the upcoming Policy Link Conference held in Detroit, Michigan, were a Partnership Delegation representing Southeast Florida will be in attendance in November. Following the federal grant activities update, Ms. Cambor gave notice of upcoming Executive Committee activities and regional meetings, including the Southeast Florida Freight Summit and the Southeast Florida Regional Climate Change Summit, which were items presented in the meeting materials.

Mr. O'Bryan raised discussion over the proposed schedule dates for the Executive Committee in 2012. During discussion of proposed dates, there was a Committee consensus that bi-monthly meetings should occur and that contract milestones should be aligned with those dates. The Committee also established that meeting dates for the Executive Committee need to begin on Friday, January 27th and that the subcommittees should meet between Executive Committee dates, beginning in February. For the last meeting in 2011, there was a request by the Committee, to have the Management Team poll members of the Committee for a December meeting. Upon discussion, there was a preference for Friday, December 2nd. A motion was raised by Suzanne Gunzburger and seconded by Ramon Trias adjourn the meeting. The motion carried.

Motions

A motion was made to approve Commissioner Karen Marcus of Palm Beach County as members to the Southeast Florida Regional Partnership's Executive Committee. The motion was seconded and carried unanimously.

The motion was made for the adoption of the list of activities in the agenda. The motion was seconded and unanimously approved.

The motion was made to approve the minutes to the Friday, September 30th Executive Committee Meeting. The motion was seconded and unanimously approved.

A motion was made for the recommendation that the SFRPC Board authorizes the Executive Director of the South Florida Regional Planning Council and its legal counsel to continue negotiation of the draft Agreement and proposed amendments with the top-ranked firm in order to develop a final contract ready for execution by the SFRPC board.

A general consensus occurred over the approval of proposed dates presented at the meeting, so as long as the meetings occurred bi-monthly, beginning on Friday, January 27, 2012. There was also a request by the Committee for the Management Team to poll members in determining if Friday, December 2nd is feasible as a date for the following Committee meeting.