

**ALABAMA GULF COAST RECOVERY COUNCIL MEETING
FEBRUARY 15, 2013 AT 10:00 A.M. CENTRAL TIME
MOBILE, ALABAMA**

A meeting of the Alabama Gulf Coast Recovery Council was held at the time specified above in the Multi Purpose Room at Mobile Government Plaza, 205 Government Street, Mobile, Alabama. Director James K. Lyons, Vice Chairperson of the Council, presided over the meeting.

PRESENT: Director Lyons, Commissioner Tucker Dorsey, Commissioner Merceria Ludgood, Mayor Jeff Collier, Mayor Robert Craft, Mayor Sam Jones, Mayor Tim Kant, and Mayor Tony Kennon.

ABSENT: Governor Robert Bentley and Mayor Stan Wright.

As the first order of business, Director Lyons opened the meeting with a discussion of the RFP to select a planning consultant to facilitate several retreats to align the Council into a functional body, and to assist the Council with developing a project selection process and public outreach. He reported that the Subcommittee that was appointed at the last meeting to develop an RFP for the selection of such planning consultant, consisting of Commissioner Ludgood, Mayor Collier, Mayor Craft, Mayor Kennon and himself, with the assistance of David Perry on behalf of Governor Bentley, had developed the RFP and sent it to all companies that had expressed an interest in making a proposal to the Council. He noted that the requested scope of services in the RFP was divided into three tasks: (I) facilitating two Council alignment and planning retreats ("Task I"); (II) assisting the Council in recruiting a community advisory group to include stakeholders in the community for the purpose of reviewing and providing input into the project selection process and the related criteria to be developed by the Council ("Task II"); and (III) conducting a series of public outreach meetings to communicate the project selection process and to solicit community comment ("Task III"). He also noted that the RFP reserved the right to award each Task separately and that the RFP requested some indication of pricing.

Director Lyons then reported that after the proposals were received, they were sent to the Subcommittee members along with a score sheet for purposes of evaluating the proposals and that the Subcommittee met on February 14, 2013 to either make a selection recommendation or to determine whether more interviews and further evaluation was necessary. He reported that the Subcommittee agreed that all firms submitted good proposals and were capable of performing the three Tasks in the scope of services and that two of the firms provided hourly rates and the other firm broke the costs down by Task and effort which gave a clearer picture of the costs and effort anticipated for each of the three Tasks. He reported that five of the six Subcommittee members that participated in the meeting ranked the proposal from Ascendant Strategy Management Group number one for both Tasks I and II and that after some discussion, the Subcommittee agreed to recommend Ascendant Strategy Management Group to provide the services for Tasks I and II but to defer the selection of a consultant for Task III until a later date.

Discussion then ensued among the Council members as to Task III. Director Lyons advised the Council that he considered the public outreach meetings to be covered by Task III to be the most important Task of the three and that the Subcommittee may again solicit all of the previous responding firms for performing Task III unless by that time the Council will have selected an administrator and decided to have the administrator be the facilitator for Task III.

Further discussion was then held by Council members to fully explain the details of the three Tasks and how the firm or firms facilitating them are to be compensated and the time frame for completion of the Tasks. Following that discussion, on a motion by Commissioner Ludgood and seconded by Mayor Kennon, the Council voted unanimously to engage the services of Ascendant Strategy Management Group for Tasks I and II as set out in the RFP and its response thereto.

As the next order of business, Director Lyons noted that the public will be invited to speak at the conclusion of each Council meeting. A discussion then ensued as to how the Council can ensure that appropriate information is distributed to the public about the Council meetings, including its proposed meeting agendas, in a timely manner. David Perry stated that he hopes that the website, to be discussed later in the meeting, will help in getting this accomplished. It was noted that having press releases prepared and issued following each Council meeting that reports the results of each meeting would also be helpful so that the Council can proactively attempt to inform the community of its activities, especially since the Council doesn't have a public relations office of its own. A comment was made during the discussion that while it is hoped that when the administrator is in place the Council will have a Public Information Officer that can assist in disseminating information about the Council's past and future activities, in the meantime, the Council will have to rely on the media to assist in disseminating such information to the public.

A discussion then ensued regarding how much time should be allotted to anyone wishing to speak before the Council and how the Council can ensure that the topics they are allowed to address remain germane to the Council's deliberations. Commissioner Ludgood stated that while she understood the concern regarding time constraints, she wanted to make sure that the Council doesn't make anyone feel shut down in what they want to bring to the Council. She further stated that while the Council will have some very sophisticated people who are part of this process that will know how to participate in the process, there may be others who may have really great ideas that may not have the same kind of experience and that efforts should be made to make them feel welcome to bring something to the Council and to feel like their views will carry as much value as anyone else's. She further noted that this would be the tension that the Council would have to try and manage so as to ensure that everybody feels heard and that nobody walks away feeling like "Oh, those are just politicians, and they are going to do whatever they want to do". Mayor Craft mentioned that it would be very useful if the public is encouraged to send information in writing to the Vice Chairman which can then be distributed to the Council members. Director Lyons stated that he acknowledged the concerns of the Council members and hopefully, in the future, there will be a template under which all projects of a certain type will be submitted by the public and evaluated by the Council members.

As the next order of business, David Perry gave the Council an update on the Transocean Settlement, BP Litigation, NRDA, and related matters. Discussion then ensued as to when it is anticipated that the monies that are to be paid under the Restore Act and how they will be held specifically for the Restore Council until projects are identified.

As the next order of business, Director Lyons addressed the status of the website that was being developed for the Council's activities. He noted that the notice for today's meeting had been posted on the Council's website and that while there was a commitment to having the site up and running as a bulletin board for the Council's activities, it was not clear whether the website will have the ability for people to sign up and automatically receive notices or alerts of any Council meetings. He assured everyone however that it was the intention of the Council to have a good website that will provide information to anyone in the public that would like to get it and hopefully provide a way for some two way communications.

A discussion then ensued as to the appointment of an administrator and the requirements for the same. It was suggested that a Subcommittee be appointed to begin drafting such requirements so that as soon as the Treasury Regulations are issued the Council will be ready. Mayor Craft recommended that when Ascendant Strategy Management Group interviews the Council members, they should be tasked with getting the Council members' thoughts on what an administrator will look like and what an administrator will do, and then compile that information and bring it back to the Council instead of a subcommittee. It was then agreed by the Council to take the approach recommended by Mayor Craft.

As the next order of business, anyone from the public was invited to address the Council. The first speaker was Mark Berte, the Executive Director of the Alabama Coastal Foundation. He advised that there would be a meeting on February 28th from 11:30 am to 1:00 pm at the Oyster House on the Causeway regarding the restoration and recovery in Alabama which would be open to the public and that all Council members were invited to attend. Further, he said that he would take steps to make sure all of the Council members get notice of all future meetings of the Alabama Coastal Foundation.

The next speaker was David Underhill of the Mobile Bay Sierra Club. In his remarks, he requested information as to whether the public meeting laws apply to the Council and if they do not, whether the Council would possibly institute the procedures that accomplish the same thing regarding public notice, public participation in all proceedings, including sub committees and the smaller groups. Director Lyons responded to the question by stating that since the Restore Council was not a state entity, it was not subject to such laws. However, he noted that he felt like it was the intention of the Council to be as open as it possibly can be even though there might be some meetings that will not be open to the public.

The next speaker was Avery Bates, a commercial fisherman and Vice President of the Organized Seafood Association. In his remarks, he stated that fishermen feel that their voice has been left out and that they have been greatly impacted by the BP oil spill. He stated that

there is a need to build the reefs back not just for noncommercial purposes but for commercial purposes as well. He further advised that projects were needed that benefit Mobile and Baldwin Counties, since they were the most impacted. He also stated that the oyster industry, shrimping industry and crabbing industry were affected by the oil spill and that they greatly needed reef restoration to build back the habitats of the seafood population in order to continue to produce good seafood for the state and for the country.

The next speaker was Casi Calloway of Mobile Bay Keeper. In her remarks, she listed some specific points for the Council to consider, which were to: (1) define the minimum time period for advance notice for Council meetings; (2) identify media sources and have them publish the information; (3) make the information on the RFPs and related proposals available to the public; and (4) getting a list server. She then asked whether of all the Federal Council public meetings notices that have been put out except for Alabama and Texas, is Alabama considered checked off the list because it has had one meeting. She also noted that some states were meeting jointly with the Federal Council and asked whether there were any plans for that to happen for Alabama. David Perry responded by stating that it was envisioned that the public input process that the Alabama Council will be going through should serve the dual purpose roles of obtaining input for purposes of the Federal Council and that when comments from constituents in this area are received, they will be shared with the Federal Council as to what the people in Alabama want. Mr. Perry also advised that there were no plans for a joint meeting with the Federal Council and the Alabama Gulf Coast Recovery Council.

The next speaker was Greg Rigarmer, the principal of GCR. He first thanked the Council for considering the proposal GCR has submitted in response to the RFP and stated that if GCR could help in any way, to please let them know.

The next speaker was Bethany Craft, the Director of the Ocean Conservancy. She thanked the Council for moving the process forward in such a way that shows Alabama is charting a course toward developing a plan. She also stated that she would like to see that the Council develop a comprehensive plan.

As the next order of business, a discussion ensued as to when the next meeting date for the Council should be. It was generally agreed that it should be deferred until after the interviews of the Council members by Ascendant Strategy Management Group. It was also noted that the notice of the meeting and agenda will be posted on the Council's website.


On a motion by Mayor Sam Jones and seconded by Mayor Jeff Collier, the Council voted unanimously by all members present to approve the minutes of the December 17, 2012 Council meeting that had been furnished to the Council members.

On a motion duly made and seconded, the Council then adjourned at 11:17 a.m. Central Time.

ALABAMA GULF COAST RECOVERY COUNCIL

By: Robert Bentley
Governor Robert Bentley
Its Chair

ATTEST:

By: 
Director James K. Lyons
Its Vice Chair