



Board of Directors Meeting

November 8, 2023, at 1:30 p.m. CT

Gulf Breeze Council Chambers

1070 Shoreline Drive, Gulf Breeze, FL 32561

1. Call to Order

2. Roll Call

3. Approval of Board Agenda

Recommend the Board approve the November 8, 2023, meeting agenda.

4. Approval of September 27, 2023, Board Minutes

Recommend the Board approve the September 27, 2023, meeting minutes.

5. Staff Updates

- a. Director's Update
- b. Technical Update
- c. Outreach Update

6. Action Items

- a. **Ratifying Approval of Pensacola and Perdido Bays Estuary Program's Insurance Policies**
Recommend the Board ratify approval of the following insurance policies for FY24: Worker's Comp, General and Professional Liability, Directors and Officers, Property, EPLI, Crime, and Cyber.
- b. **Approval of the Revised Pensacola and Perdido Bays Estuary Program Employee Handbook**
Recommend the Board approve the revised Pensacola and Perdido Bays Estuary Program Employee Handbook.
- c. **Approval of the Pensacola and Perdido Bays Estuary Program Conflict of Interest Policy**
Recommend the Board approve the Pensacola and Perdido Bays Estuary Program Conflict of Interest Policy, and authorize the Chairman to sign Resolution R2023-03.
- d. **Approval of the 2024 Holiday Schedule**
Recommend the Board approve the 2024 Holiday Schedule.
- e. **Approval of the 2024 Board Meeting Schedule**
Recommend the Board approve the 2024 Board Meeting Schedule.
- f. **Approval of the 2024 Travel Schedule**
Recommend the Board approve the 2024 Travel Schedule.



- g. Approval of Change Order #1 to Beggs & Lane’s Legal Services Contract for FY22-23**
Recommend the Board approve Change Order #1 to Beggs & Lane’s Legal Services Contract for FY22-23, in the amount of \$5,470.
- h. Approval of a Subaward Agreement with Florida State University – St. Andrew & St. Joseph Bays Estuary Program, in the amount of \$324,321, for the Florida RESTORE Act Centers of Excellence Living Shorelines Effectiveness Monitoring Project**
Recommend the Board approve, and authorize the Chairman to sign, a Subaward Agreement with Florida State University – St. Andrew & St. Joseph Bays Estuary Program, in the amount of \$324,321, for the Florida RESTORE Act Centers of Excellence Living Shorelines Effectiveness Monitoring Project.
- i. Approval of Florida Department of Environmental Protection Grant Agreement No. OWP02 Amendment 6, in the Amount of \$926,000**
Recommend the Board approve, and authorize the Chairman to sign, Florida Department of Environmental Protection Grant Agreement No. OWP02 Amendment 6, in the amount of \$926,000, for the FY23-24 Legislative Appropriation.
- j. Approval of a Purchase Order with Step One Automotive Ford Crestview, in the Amount of \$47,026, for a 2024 Ford F-150 4x4 Super Cab**
Recommend the Board approve, and authorize the Executive Director to sign, a Purchase Order with Step One Automotive Ford Crestview, in the amount of \$47,026, for a 2024 Ford F-150 4x4 Super Cab.
- k. Approval of Subaward Agreement No. NOAA23-01 to Santa Rosa County, in the amount of \$1,650,000, in Support of the Pensacola Bay Oyster Restoration Initiative**
Recommend the Board approve, and authorize the Executive Director to sign, Subaward Agreement No. NOAA23-01 to Santa Rosa County, in the amount of \$1,650,000, in Support of the Pensacola Bay Oyster Restoration Initiative.
- l. Approval of Subaward Agreement No. NOAA23-02 to The Nature Conservancy, in the amount of \$351,417, in Support of the Pensacola Bay Oyster Restoration Initiative**
Recommend the Board approve, and authorize the Executive Director to sign, Subaward Agreement No. NOAA23-02 to The Nature Conservancy, in the amount of \$351,417, in Support of the Pensacola Bay Oyster Restoration Initiative.
- m. Approval of Subaward Agreement No. NOAA23-05 to Troy University, in the amount of \$200,150, in Support of the Perdido Watershed Habitat and Community Resilience Initiative**
Recommend the Board approve, and authorize the Executive Director to sign, Subaward Agreement No. NOAA23-05 to Troy University, in the amount of \$200,150, in Support of the Perdido Watershed Habitat and Community Resilience Initiative.



n. **Approval of an Agreement with Santa Rosa County Regarding the Trash Free Waters Program at Pond Creek**

Recommend the Board approve, and authorize the Chairman to sign, an Agreement with Santa Rosa County to assume ownership and responsibility of the litter boom at Mayo Park in Santa Rosa County, and to provide \$30,000 from the EPA Trash Free Waters grant for litter prevention at the Creek.

o. **Approval of an Agreement with Keep Pensacola Beautiful Regarding the Trash Free Waters Program at Carpenter Creek**

Recommend the Board approve, and authorize the Chairman to sign, an Agreement with Keep Pensacola Beautiful to assume ownership and responsibility of the litter boom at Carpenter Creek within the City of Pensacola.

7. Discussion Items

- a. Executive Director's Annual Evaluation
- b. Florida Retirement System Update

8. Committee Updates

- a. Technical Committee
- b. Education and Outreach Committee
- c. Environmental Justice Committee

9. Board/Agency Updates

10. Public Comment

11. Adjourn



Agenda Item 6.a.

Ratifying Approval of Pensacola and Perdido Bays Estuary Program’s Insurance Policies

Background: At the September 27, 2023 Board Meeting, the Board authorized the Chairman to execute annual insurance policies on behalf Board subject to ratification at the November 8, 2023 Board Meeting. Staff has worked with Hub International to obtain the following coverage: Worker’s Compensation, General and Professional Liability, Property and Inland Marine, Directors and Officers, Employment Practices Liability Insurance (EPLI), Crime, and Cyber.

As of November 1, only the Worker’s Compensation and General and Professional Liability policies have been executed. Hub International is working to prepare the policies for the remaining coverage.

Recommendation: Recommend the Board ratify approval of the following insurance policies for FY24: Worker’s Comp, General and Professional Liability, Directors and Officers, Property, EPLI, Crime, and Cyber.

Financial Impact: \$12,500 was budgeted in the FY23-24 budget for insurance. Total insurance costs are \$3,369.45 over budget. The delta of the insurance cost can be covered through general operating. A mid-year budget amendment to the operating budget will be brought back to the Board for approval in March/April 2024.

Coverage	Annual Premium
Worker’s Comp	\$2,254.99
General and Professional Liability	\$3,347.40
Property and Inland Marine	\$3,869.06
Directors and Officers	\$5,292
EPLI	\$389
Crime	\$322
Cyber	\$395
Total:	\$15,869.45

Legal Review: Mary Jane Bass has reviewed and provided legal signoff for executed policies.



Agenda Item 6.b.

Approval of the Revised Pensacola and Perdido Bays Estuary Program Employee Handbook

Background: At the September 27, 2023 Board Meeting, the Board adopted the first version of the Pensacola and Perdido Bays Estuary Program Employee Handbook. Discussion was held on PTO pay outs upon termination or resignation, annual PTO roll-over, work week hours, retirement options, and family members considered eligible for family medical leave.

Version 2 of the Employee Handbook proposes three modifications discussed at the September Board Meeting. Revision one amends language in Section 2.4.B.1.a. to revise the number of hours authorized to carry forward from one year to the next from 175 hours to 120 hours. Additionally, Section 2.4.B.1.a. was revised to specify the maximum PTO payout for employees resigning to up to 80 hours. Finally, Section 2.4.C.3. was revised to include nieces and nephews, and Section 2.4.D.1. was revised to reference “immediate family”, consistent with the language in Section 2.4.C.3.

Recommendation: Recommend the Board approve the revised Pensacola and Perdido Bays Estuary Program Employee Handbook.

Financial Impact: N/A

Legal Review: N/A



Agenda Item 6.c.

Approval of the Pensacola and Perdido Bays Estuary Program Conflict of Interest Policy

Background: As PPBEP transitions into an independent entity, PPBEP is required to establish policies and procedures to ensure appropriate checks and balances are in place. The Pensacola & Perdido Bays Estuary Program Employee Handbook establishes hiring, disciplinary, termination, travel, paid time off, and other standard employment operating policies for the Program. This Operating Manual is based on Tampa Bay Estuary Program Employee Handbook.

Recommendation: Recommend the Board approve the Pensacola and Perdido Bays Estuary Program Conflict of Interest Policy, and authorize the Chairman to sign Resolution R2023-03.

Financial Impact: N/A

Legal Review: Mary Jane Bass has prepared the Conflict of Interest Policy.



Agenda Item 6.d.

Approval of the 2024 Holiday Schedule

Background: The Board is required to approval the annual holiday schedule. The proposed 2024 holiday schedule is consistent with other local government agencies.

Recommendation: Recommend the Board approve the 2024 Holiday Schedule.

Financial Impact: N/A

Legal Review: N/A



Agenda Item 6.e.

Approval of the 2024 Board Meeting Schedule

Background: The Board is required to approve the annual Board of Directors meeting schedule.

Recommendation: Recommend the Board approve Board meeting schedule.

Financial Impact: N/A

Legal Review: N/A



Agenda Item 6.f.

Approval of the 2024 Travel Schedule

Background: The provided conference/annual travel schedule lists all of the conferences, workshops, and meetings that the Executive Director may wish to attend during the calendar year.

February 2024	GOMCon (Gulf of Mexico Alliance Conference)	Tampa, FL
July 2024	Permitting Summer School	Marco Island, FL
September 2024	FLERA Annual Conference/FAC Innovation Symposium	Pensacola Beach, FL
October 2024	Restore America's Estuaries Summit	Washington D.C.
TBD	Resilient Florida Conference	TBD
TBD	UF Water Symposium	TBD
TBD	Wildlife Corridor Summit	TBD
TBD/Various	Any meetings related to NEP designation	TBD
TBD/Various	Any meetings related to Florida Legislature/Alabama Legislature	TBD
TBD/Various	Any partnership/project meetings	TBD
TBD/Various	Any Deepwater Horizon funding/other funding opportunity meetings	TBD

Recommendation: Recommend the Board approve the 2024 Travel Schedule.

Financial Impact: N/A

Legal Review: N/A



Agenda Item 6.g.

Approval of Change Order #1 to Beggs & Lane’s Legal Services Contract for FY22-23

Background: The FY22-23 contract for legal services with Beggs & Lane was authorized by the Board as not to exceed \$10,000. Due to the workload associated with establishing the new organization, recording filings, developing and reviewing policies and procedures, and transitioning services from the County to the new entity, Beggs & Lane has exceeded the original number of hours budgeted. This Change Order will authorize the Executive Director to pay for services rendered in August and September 2023 to closeout the fiscal year.

Vendor:	Beggs & Lane
Change Order #:	1
Original Contract Amount:	\$10,000
Change Order Amount:	\$5,470
Change Order Type:	Additive
New Total Amount:	\$15,470

Recommendation: Recommend the Board approve Change Order #1 to Beggs & Lane’s Legal Services Contract for FY22-23, in the amount of \$5,470.

Financial Impact: \$10,000 was budgeted for legal services in FY22-23. If the Board authorizes the Change Order, the Change Order amount of \$5,470 will be covered by FY22-23 reserve funds.

Legal Review: Legal Counsel has reviewed the RAE Subaward Agreement.



Agenda Item 6.h.

Approval of a Subaward Agreement with Florida State University – St. Andrew & St. Joseph Bays Estuary Program, in the amount of \$324,321, for the Florida RESTORE Act Centers of Excellence Living Shorelines Effectiveness Monitoring Project

Background: PPBEP partnered with the St. Andrew & St. Joseph Bays Estuary Program (SASJBEP) on a successful proposal to the Florida RESTORE Act Centers of Excellence to obtain funding to evaluate the effectiveness of living shoreline projects across Northwest Florida. SASJBEP will serve as the lead entity.

PPBEP staff will lead site selection in the Pensacola and Perdido Bay systems in addition to compiling existing monitoring and spatial data from selected restored project sites. Staff will coordinate with agency project leads and program partners to conduct additional supplemental monitoring, if needed. The data collected as part of this project and any final products will be used to communicate the benefits of living shorelines on an estuary scale. This data will also be used in conjunction with recently completed Living Shoreline Suitability Models for Pensacola and Perdido Bay systems to incentivize the implementation of recommendations for the use of nature-based solutions and the development of a future Living Shoreline Cost Share Program.

Recommendation: Recommend the Board approve, and authorize the Chairman to sign, a Subaward Agreement with Florida State University – St. Andrew & St. Joseph Bays Estuary Program, in the amount of \$324,321, for the Florida RESTORE Act Centers of Excellence Living Shorelines Effectiveness Monitoring Project.

Financial Impact: This action will increase the Grant Fund revenue account by \$324,321.

Legal Review: The Subaward Agreement is currently under legal review by FSU. Should any revisions be proposed, a revised Agreement will be brought back to the Board for execution.



Agenda Item 6.i.

Approval of Florida Department of Environmental Protection Grant Agreement No. OWP02 Amendment 6, in the Amount of \$926,000

Background: Florida Department of Environmental Protection Grant Agreement No. OWP02 was originally entered into with Escambia County as host agency for the Estuary Program. The Florida legislative appropriation directed to the Estuary Program the past three years has been awarded by way of this agreement. Now that the Estuary Program is independent of Escambia County, the Agreement, as well as FY23-24 funds included with Amendment 6, are directly awarded to Pensacola and Perdido Bays Estuary Program, Inc.

These funds will support the Community Grant Program, the Pensacola Bay System Oyster Restoration Initiative, the Monitoring Program, and Program operations.

Recommendation: Recommend the Board approve, and authorize the Chairman to sign, Florida Department of Environmental Protection Grant Agreement No. OWP02 Amendment 6, in the amount of \$926,000, for the FY23-24 Legislative Appropriation.

Financial Impact: This action will increase the Grant Fund revenue account by \$926,000.

Legal Review: This Agreement has been reviewed by Mary Jane Bass.



Agenda Item 6.j.

Approval of a Purchase Order with Step One Automotive Ford Crestview, in the Amount of \$47,026, for a 2024 Ford F-150 4x4 Super Cab

Background: Since the organizational transition on October 1st, the Program no longer has access to Escambia County's Natural Resources Department vehicle fleet. Even while the Program was hosted by the County, access to vehicles were limited. Staff has looked to member local governments over the last year to evaluate opportunities to surplus a vehicle to the Program. Unfortunately, those opportunities have not materialized. Most recently, staff has worked with a member of the Business Partnership Program to evaluate opportunities to donate a vehicle to the Program from a local dealer. Those opportunities have also not materialized.

Staff has received approval from the Florida Department of Environmental Protection to purchase a vehicle through the Program's FY23-24 Appropriation. Staff has identified a Ford F-150 4x4 Super Cab as the most ideal long-term need to support Program operations, including monitoring, trailering kayak trailer and vessels, hauling materials for restoration projects, and transporting personnel and supplies for outreach events.

Staff has utilized the Florida Sheriff Association's Cooperative Purchasing Program, Contract #FSA 23-VEL31.0, to obtain quotes from three approved vendors in the western region. Two quotes were received from Duval Ford Fleet and from Step One Automotive Ford Crestview. Step One Automotive offered the lowest total price at \$47,026 and can deliver the vehicle within 90 to 120 days from time of order.

Recommendation: Recommend the Board approve, and authorize the Executive Director to sign, a Purchase Order with Step One Automotive Ford Crestview, in the amount of \$47,026, for a 2024 Ford F-150 4x4 Super Cab.

Financial Impact: This action will encumber \$47,026 from DEP Grant Agreement No. OWP02 for purchase of the vehicle.

Legal Review: Use of the Florida Sheriff's Association Cooperative Purchasing Program has been approved by Legal Counsel.

Agenda Item 6.k.

Approval of Subaward Agreement No. NOAA23-01 to Santa Rosa County, in the amount of \$1,650,000, in Support of the Pensacola Bay Oyster Restoration Initiative

Background: The Santa Rosa County component of NOAA Grant Agreement No. NA23NMF4630079 includes the Sandy Hollow Gully Restoration project for sediment reduction and a Greenhouse Installation on County property to cultivate appropriate plants to utilize in living shoreline and restoration projects impacting the Pensacola Bay System, specifically Escambia River and Bay, and improve downstream ecological communities.

The Sandy Hollow Gully Restoration's primary objective is to design a system that will stabilize active gully head-cuts to reduce future downstream sediment loading and allow restoration of downstream aquatic environment and riparian habitat to the greatest extent possible. Santa Rosa County and the Blackwater Soil and Water Conservation District will complete the associated feasibility study, design, and permitting. design. The target condition would be to reduce the maximum amount of sediment from gully erosion using the most economically feasible alternatives having the greatest environmental downstream benefit. The reduction in sediment will improve water quality and clarity, and enhance suitability for downstream aquatic habitat restoration, including oyster habitat. The impact of this restoration project, along with other gully restorations efforts underway in the county, is expected to reduce sediment loading to the PBS on the order of over 100,000 tons annually, greatly enhancing fishery and oyster habitat.

Santa Rosa County will install a modular greenhouse facility on county property that will serve as a place to grow native aquatic marsh plants for use in the planned Living Shoreline Cost Share Program. Living shoreline projects include native aquatic salt marsh habitat species of plants that establish deep root systems holding coastal sediment in place. The primary objective is to develop a local source for aquatic marsh plants needed for restoration projects that are typically sourced hundreds of miles away outside the area. The distance from such sources, increase costs and vulnerability of plant survival as well as limits genetic diversity. In the long term, sourcing plant stock and growing plants closer to the location where they will be transplanted will increase survivability, genetic diversity and reduce costs for future restoration projects throughout the Pensacola Bay System.

Recommendation: Recommend the Board approve, and authorize the Executive Director to sign, Subaward Agreement No. NOAA23-01 to Santa Rosa County, in the amount of \$1,650,000, in Support of the Pensacola Bay Oyster Restoration Initiative.

Financial Impact: This action will encumber \$1,650,000 in the NOAA Pensacola Grant Agreement.

Legal Review: Legal Counsel has reviewed and approved the standard Subaward Agreement.



Agenda Item 6.I.

Approval of Subaward Agreement No. NOAA23-02 to The Nature Conservancy, in the amount of \$351,417, in Support of the Pensacola Bay Oyster Restoration Initiative

Background: The Pensacola Bay System Oyster Restoration Initiative (Initiative) establishes a transformational vision to restore 600-hectares (1,482 acres) of oyster habitat in the Pensacola Bay System (PBS) over the next ten years to enhance ecosystem resilience, rebuild a sustainable fishery, and improve economic vitality. This award will initiate this vision and result in achieving a significant milestone to this ten-year target by constructing up to 100 hectares (247 acres) of oyster habitat in the PBS. The Nature Conservancy's role will be to provide science expertise on data collection, modeling (e.g., habitat suitability and water filtration), design, construction, permitting, monitoring, and community engagement to accomplish the project.

Recommendation: Recommend the Board approve, and authorize the Executive Director to sign, Subaward Agreement No. NOAA23-02 to The Nature Conservancy, in the amount of \$351,417, in Support of the Pensacola Bay Oyster Restoration Initiative.

Financial Impact: This action will encumber \$351,417 in the NOAA Pensacola Grant Agreement.

Legal Review: Legal Counsel has reviewed and approved the standard Subaward Agreement.



Agenda Item 6.m.

Approval of Subaward Agreement No. NOAA23-05 to Troy University, in the amount of \$200,150, in Support of the Perdido Watershed Habitat and Community Resilience Initiative

Background: Troy University (Troy), working under PPBEP, will provide ecological and geospatial assistance needed to create a current compressive Living Shoreline Model (LSSM) for all Perdido Bay tidal shorelines in Florida and Alabama using LSSM v5.1. The LSSM will provide shoreline protection recommendation that encourages the installation of nature-based solutions where needed and feasible. In addition, Troy will design and develop an associated interactive 2D and 3D online Geospatial viewer and mobile GIS App, assist with workshops and outreach events, and provide annual coastal monitoring and erosion-rate calculation needed for the PPBEP Living Shoreline Cost Share Program.

Recommendation: Recommend the Board approve, and authorize the Executive Director to sign, Subaward Agreement No. NOAA23-05 to Troy University, in the amount of \$200,150, in Support of the Perdido Watershed Habitat and Community Resilience Initiative.

Financial Impact: This action will encumber \$200,150 in the NOAA Perdido Grant Agreement.

Legal Review: Legal Counsel has reviewed and approved the standard Subaward Agreement.



Agenda Item 6.n.

Approval of an Agreement with Santa Rosa County Regarding the Trash Free Waters Program at Pond Creek

Background: The Program has led the EPA Trash Free Waters Program since 2020. The Project has heavily engaged the community in trash removal and prevention to reduce water-borne trash and improve the safety, health, and beauty of Pond Creek in Santa Rosa County. As the EPA Trash Free Waters Grant comes to a close, Santa Rosa County will be taking over ownership and maintenance of the litter boom in Pond Creek. The Program will work in good faith with the County to collect data to inform future litter management measures.

Recommendation: Recommend the Board approve, and authorize the Chairman to sign, an Agreement with Santa Rosa County to assume ownership and responsibility of the litter boom at Mayo Park in Santa Rosa County, and to provide \$30,000 from the EPA Trash Free Waters grant for litter prevention at the Creek.

Financial Impact: This action will encumber \$30,000 in the EPA Trash Free Waters Grant Agreement.

Legal Review: Legal Counsel has reviewed the Agreement.



Agenda Item 6.o.

Approval of an Agreement with Keep Pensacola Beautiful Regarding the Trash Free Waters Program at Carpenter Creek

Background: The Program has led the EPA Trash Free Waters Program since 2020. The Project has heavily engaged the community in trash removal and prevention to reduce water-borne trash and improve the safety, health, and beauty of Carpenter Creek within the City of Pensacola. As the EPA Trash Free Waters Grant comes to a close, Keep Pensacola Beautiful will be taking over ownership and maintenance of the litter boom in Carpenter Creek. The Program will work in good faith with Keep Pensacola Beautiful to collect data to inform future litter management measures.

Recommendation: Recommend the Board approve, and authorize the Chairman to sign, an Agreement with Keep Pensacola Beautiful to assume ownership and responsibility of the litter boom at Carpenter Creek within the City of Pensacola.

Financial Impact: N/A

Legal Review: Legal Counsel has reviewed the Agreement.