

## **Partnership for Public Facilities and Infrastructure Act Guidelines Task Force Meeting**

### **Meeting Date: August 28, 2013**

37 Senate Office Building  
404 South Monroe Street  
Tallahassee, Florida

### **Agenda**

- I. Call to Order
- II. Roll Call
- III. Introductions
- IV. Training: Government-in-the-Sunshine, Public Meetings and Public Records
- V. Consideration and Adoption of Task Force Bylaws
- VI. Election of Task Force Vice Chair
- VII. Review Proposed Schedule
- VIII. Open Discussion
- IX. Adjourn

### **Call to Order**

Meeting called to order and welcome at 9:10 a.m. by Chair Nichols

### **Roll Call**

Roll was called at 9:11 a.m. by task force staff

### **Members present:**

Craig Nichols, Chair  
George Burgess  
Sonya Little  
Michael Oelnick  
John (Jay) Smith  
Andy Tuck

### **Members absent:**

Frank Attkisson – approved absence

### **Business**

**Motion to amend the current meeting agenda to accommodate an earlier training presentation by Pat Gleason, moving Introductions to after the Training at 9:15 a.m.**

Motion by Andy Tuck, Second by Michael Oelnick

Vote: All in favor, 0 opposed, 0 abstained

Resolved: Motion carried

**Training: Government-in-the-Sunshine, Public Meetings and Public Records** began at 9:18 a.m., provided by Pat Gleason, Special Counsel on Open Government for the Attorney General. Several members asked questions relating to task force member ability to send articles to all task force members, use of task force staff to share information, and social situations.

**Introductions of Members** began at 9:44 a.m.

Chair Nichols discussed the eight items the task force must consider in developing its recommendations:

1. Opportunities for competition through public notice and the availability of representatives of the responsible public entity to meet with private entities considering a proposal. **(Solicited and Unsolicited Proposals)**
2. Reasonable criteria for choosing among competing proposals. **(Selection Criteria)**
3. Suggested timelines for selecting proposals and negotiating an interim or comprehensive agreement. **(Process Timelines)**
4. If an accelerated selection and review and documentation timelines should be considered for proposals involving a qualifying project that the responsible public entity deems a priority. **(Priority Exceptions)**
5. Procedures for financial review and analysis which, at a minimum, include a cost-benefit analysis, an assessment of opportunity cost, and consideration of the results of all studies and analyses related to the proposed qualifying project. **(Financials)**
6. The adequacy of the information released when seeking competing proposals and providing for the enhancement of that information, if deemed necessary, to encourage competition. **(Specifications for Proposals)**
7. Current exemptions from public records and public meetings requirements, if any changes to those exemptions are necessary, or if any new exemptions should be created in order to maintain the confidentiality of financial and proprietary information received as part of an unsolicited proposal. **(Public Record and Public Meeting Exemptions)**
8. Recommendations regarding the authority of the responsible public entity to engage the services of qualified professionals, which may include a Florida-registered professional or a certified public accountant, not otherwise employed by the responsible public entity, to provide an independent analysis regarding the specifics, advantages, disadvantages, and long-term and short-term costs of a request by a private entity for approval of a qualifying project, unless the governing body of the public entity determines that such analysis should be performed by employees of the public entity. **(Third Party Review)**

Members were asked to introduce themselves, comment on their professional background and its applicability to the work of the task force, what members hope to bring to the discussions of the task force, and motivation to serve on this task force, etc.

**Motion for Adoption of the Proposed Task Force Bylaws** at 10:07 a.m.

Motion by George Burgess, Second by Michael Oelnick

Vote: All in favor, 0 abstained

Resolved: Motion carried

**Motion for Election of Frank Attkisson as Vice Chair** at 10:09 a.m.

Motion by Michael Oelnick, Second by Andy Tuck

Vote: All in favor, 0 abstained

Resolved: Motion carried and Frank Attkisson is elected Vice Chair of the task force

**Discussion of Proposed Schedule** at 10:13 a.m.

Discussion of the following dates that were provided as weeks identified for possible meeting dates:

- Week of September 30 – October 4
- Week of October 28 – November 1
- Week of November 18 – 22
- Week of December 16 – 20
- Week of January 27 – 31
- Week of February 24 – 28

Members provided feedback that the first proposed week (September 30 – October 4) would not work for members. A member provided feedback that Tuesdays would not work.

Members discussed the workflow of future meetings and the need for an educational process for task force members. Members requested the following informational presentations be provided in future meetings:

- Presentations from other states and governments that use public-private partnerships to share their best practices and lessons learned;
- Outside presentations to understand finance needs, perhaps from major equity firms, to understand private sector needs in public-private partnerships;
- Presentation from the National Council for Public-Private Partnerships to facilitate an overview of other states (17 states);
- Presentations from cities, counties and school boards (and their associations) to incorporate state and local concerns early and work to de-mystify the public-private partnership process for affected stakeholders;
- Presentation from the Florida Department of Transportation on current use of public-private partnerships in Florida and lessons learned.

**Motion for members to identify presenters for future meetings** at 10:29 a.m.

Motion by Jay Smith and George Burgess, Second by Michael Oelnick

Vote: All in favor, 0 abstained

Resolved: Motion carried

**Open Discussion** at 10:36 a.m.

The Floor was opened for comment, questions and statements from members.

Members provided feedback that they would like a detailed schedule for future meetings.

The Floor was opened for public comment, questions and statements. No public comment was provided.

**Adjournment** at 10:39 a.m.