

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 ADMINISTRATIVE/BUDGET COMMITTEE

4
5 Webinar

6
7 JUNE 15, 2020

8
9 **VOTING MEMBERS**

10 Phil Dyskow.....Florida
11 Patrick Banks.....Louisiana
12 Susan Boggs.....Alabama
13 Dave Donaldson.....GSMFC
14 Martha Guyas (designee for Jessica McCawley).....Florida
15 Paul Mickle (designee for Joe Spraggins).....Mississippi
16 Lance Robinson (designee for Robin Riechers).....Texas
17 Ed Swindell.....Louisiana
18 Troy Williamson.....Texas

19
20 **NON-VOTING MEMBERS**

21 Kevin Anson (designee for Scott Bannon).....Alabama
22 Leann Bosarge.....Mississippi
23 Roy Crabtree.....NMFS
24 Dale Diaz.....Mississippi
25 Jonathan Dugas.....Louisiana
26 Tom Frazer.....Florida
27 Lt. Nicholas Giancola.....USCG
28 John Sanchez.....Florida
29 Greg Stunz.....Texas

30
31 **STAFF**

32 Assane Diagne.....Economist
33 Matt Freeman.....Economist
34 John Froeschke.....Deputy Director
35 Lisa Hollensead.....Fishery Biologist
36 Ava Lasseter.....Anthropologist
37 Mara Levy.....NOAA General Counsel
38 Jessica Matos.....Document Editor & Administrative Assistant
39 Natasha Mendez-Ferrer.....Fishery Biologist
40 Emily Muehlstein.....Public Information Officer
41 Kathy Pereira.....Meeting Planner & Travel Coordinator
42 Ryan Rindone.....Fishery Biologist & SEDAR Liaison
43 Bernadine Roy.....Office Manager
44 Charlotte Schiaffo.....Administrative & Human Resources Assistant
45 Camilla Shireman.....Administrative & Communications Assistant
46 Carrie Simmons.....Executive Director
47 Carly Somerset.....Fisheries Outreach Specialist

1 **OTHER PARTICIPANTS**

2 Peter Hood.....NMFS
3 Jack McGovern.....NMFS
4 Steve Poland.....SAFMC
5 Clay Porch.....SEFSC
6 Chris Schieble.....LA
7 Joe Spraggins.....MS

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9 - - -
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TABLE OF MOTIONS

PAGE 6: Motion to approve the staff's suggested text for both Sections 3.0 and 3.6. The motion carried on page 9.

1 The Administrative/Budget Committee of the Gulf of Mexico
2 Fishery Management Council convened via webinar on Monday
3 morning, June 15, 2020, and was called to order by Chairman Phil
4 Dyskow.

5
6 **ADOPTION OF AGENDA**
7 **APPROVAL OF MINUTES**
8 **ACTION GUIDE AND NEXT STEPS**
9

10 **CHAIRMAN PHIL DYSKOW:** I would like to call this meeting of the
11 Administrative/Budget Committee to order. The first item is to
12 adopt the agenda, and so I would entertain a motion to do that
13 at this time.

14
15 **GENERAL JOE SPRAGGINS:** Motion from Mississippi.

16
17 **MR. DAVE DONALDSON:** Second.

18
19 **CHAIRMAN DYSKOW:** Thank you. Any opposition to that motion?
20 Hearing none, the motion passes. The next item is the Approval
21 of the January 2020 Minutes, and I would entertain a motion to
22 accept those.

23
24 **MR. LANCE ROBINSON:** So moved.

25
26 **CHAIRMAN DYSKOW:** Thank you. I need a second.

27
28 **MR. DONALDSON:** Second.

29
30 **CHAIRMAN DYSKOW:** Thank you, Dave. Is there any opposition?
31 Hearing no opposition, the motion passes. The next item on the
32 agenda is the Action Guide and Next Steps, which is Tab G,
33 Number 3. Dr. Simmons will lead us with this, and I believe
34 there is a requirement for a motion at the end of this
35 presentation. Dr. Simmons.

36
37 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair.
38 Hello, everyone. It's good to see you, even if it is virtually.
39 I am going to go through Tab G, Number 3. Just a reminder is,
40 during our May council meeting, the council reviewed Section 3.0
41 of the Council Meetings section of the SOPPs, and they made some
42 changes, you made some changes, to that, and that's now
43 reflected in Tab G, Number 4.

44
45 Then you decided that you wanted to discuss this again in June,
46 and so we've put it back on the agenda, and we have included
47 some excerpts from the South Atlantic Council's SOPPs for you to
48 consider, and they're in Tab G, Number 4, as well as what's

1 currently written in our SOPPs, and then some proposed changes
2 from staff. I will stop there.

3
4 **CHAIRMAN DYSKOW:** Are there any questions for Dr. Simmons at
5 this point? Hearing none, I'm going to ask Dr. Simmons to
6 continue.

7
8 **DISCUSSION OF SOPPs: SECTION 3.0 - COUNCIL MEETINGS**

9
10 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. As you
11 recall, I think Dr. Crabtree brought up the South Atlantic
12 Council's administrative handbook and what they had written in
13 there regarding in-person meetings, and so this is an excerpt
14 from their handbook.

15
16 You made a change in May that you have -- It's the third
17 sentence down: Council members must be physically present at
18 Council meetings in order to present a motion or vote, unless
19 approved to do so remotely by a majority decision of the
20 Chairman, Vice-Chairman, and Executive Director. This is what
21 is currently written in the SOPPs, as amended during your May
22 meeting.

23
24 The other part was a lot of discussion about having the public
25 involvement and the importance of in-person meetings, and so
26 staff has proposed two changes. Before the section you amended
27 in May, we're suggesting the blue text there for your
28 consideration, and so that section, and also, for Section 3.6,
29 for Location, we're suggesting adding the blue text, or some
30 version of that, under 3.6, Location, in the SOPPs. I will stop
31 there.

32
33 **CHAIRMAN DYSKOW:** We will entertain questions at this point, if
34 anyone has any questions. Continue, Dr. Simmons.

35
36 **EXECUTIVE DIRECTOR SIMMONS:** I think we might have some
37 questions. Bernie, can you put something on the screen, so we
38 know who has a question? Tom, you had a question, correct?

39
40 **DR. TOM FRAZER:** I did. I was just thinking that it might be
41 good, with the tab that was up, showing in blue, if we could
42 reduce the screen size just a bit, so we could see the blue.

43
44 **CHAIRMAN DYSKOW:** In the meantime, we had a question from Susan
45 Boggs. Susan.

46
47 **MS. SUSAN BOGGS:** Thank you, Mr. Chair. I don't have a
48 question, but I was just going to make a motion to approve the

1 **staff's suggested text for both Sections 3.0 and 3.6.**
2
3 **CHAIRMAN DYSKOW:** Do we have a second for that motion?
4
5 **GENERAL SPRAGGINS:** I will second.
6
7 **CHAIRMAN DYSKOW:** Okay. We have a motion and a second. Is
8 there any discussion on that motion?
9
10 **DR. FRAZER:** Phil, let's just slow down for just a second, as
11 we're working through the technology here, and we'll let the
12 staff get that motion on the board.
13
14 **CHAIRMAN DYSKOW:** Okay. That's fine. Tom, while we're getting
15 that on the board, I have a question that is regard to a point
16 of order. It's my understanding that the -- Then, at Full
17 Council, we take it for a final vote, and is that correct?
18
19 **DR. FRAZER:** That's correct.
20
21 **CHAIRMAN DYSKOW:** While we're doing that, let me just remind
22 everybody of who the voting members of the committee are. It's
23 myself, Phil Dyskow, Dr. Paul Mickle, who is Vice Chair, Patrick
24 Banks, Susan Boggs, Dave Donaldson, Martha Guyas, Robin
25 Riechers, Dr. Bob Shipp, Ed Swindell, and Troy Williamson, and
26 the two staff members on this committee are Dr. Carrie Simmons
27 and Beth Hager.
28
29 **GENERAL SPRAGGINS:** Real quick, it will be Joe Spraggins as the
30 Vice, because I'm the one that's on the --
31
32 **CHAIRMAN DYSKOW:** That would be fine. We had two hands up, from
33 Ed Swindell and also from Martha Guyas. Ed, why don't you go
34 first?
35
36 **MR. ED SWINDELL:** I tried to take my hand down, but it didn't
37 work, and so I'm okay.
38
39 **CHAIRMAN DYSKOW:** All right. Thank you. Martha.
40
41 **MS. MARTHA GUYAS:** Mine is just a clarification for the
42 suggested language under 3.6. That's in addition to what's
43 already in the SOPPs, correct, for that section?
44
45 **EXECUTIVE DIRECTOR SIMMONS:** Correct.
46
47 **CHAIRMAN DYSKOW:** Yes, it would be in addition.
48

1 **MS. GUYAS:** Thanks.
2
3 **DR. FRAZER:** Phil, I think it might be helpful, and we have that
4 motion on the board, if you would be so kind as to go ahead and
5 read the highlighted text in both Section 3.0 and 3.6, for the
6 record.
7
8 **CHAIRMAN DYSKOW:** I will do that. In Section 3.0, the suggested
9 change is: The council prefers in-person meetings with the
10 ability to freely discuss and exchange information and the
11 interaction with the public. However, health, budgetary, and/or
12 time constraints may require virtual participation of a council
13 member when an in-person council meeting is held. Therefore,
14 council members must be physically present at in-person council
15 meetings in order to present a motion or vote, unless approved
16 to do so remotely by a majority decision of the Chairman, Vice-
17 Chairman, and Executive Director.
18
19 **DR. FRAZER:** Thank you.
20
21 **CHAIRMAN DYSKOW:** Mara Levy has a question. Mara.
22
23 **MS. MARA LEVY:** Thank you. I just wanted to -- The part that
24 says "health, budgetary, and/or time constraints", is that
25 supposed to be some sort of limiting list, or are you just
26 noting those as examples? I mean, I don't know what else there
27 would be, but I just want to make sure that you're not -- When
28 we come back later to this, if the intent was for it to be only
29 these three things, that we know that it's not, or, if it is,
30 that it is.
31
32 **CHAIRMAN DYSKOW:** I would direct that to staff, since they wrote
33 it.
34
35 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Yes, Ms.
36 Levy, it was just a suggestion of examples, and we were also
37 trying to refer and incorporate some of the things that the
38 South Atlantic Council's handbook had listed in their SOPPs as
39 well.
40
41 **CHAIRMAN DYSKOW:** Thank you, Carrie, for clarifying that. I
42 have one other point of order. I want to make sure that the
43 seconder of this motion was a member of the committee, and could
44 you read back who seconded this motion, please?
45
46 **DR. FRAZER:** I believe that was General Spraggins.
47
48 **CHAIRMAN DYSKOW:** Great. Thank you. If there is no other

1 discussion, and I see that there are no hands up, I would like
2 to call for a vote on this motion, and, again, this is for the
3 committee members only, and what is your preference, Dr. Frazer?
4 Would you like a roll call vote, or how would you like to
5 proceed?
6

7 **DR. FRAZER:** We want to make sure, Phil, before we proceed -- I
8 am not sure that we read the second part of the modified text,
9 Section 3.6.

10
11 **CHAIRMAN DYSKOW:** I will read that right now. **The council**
12 **prefers holding in-person meetings. However, national**
13 **emergencies, health pandemics, natural catastrophes, budgetary,**
14 **and time-sensitive issues may require the use of remote meeting**
15 **technologies. In these rare cases, the council is prepared to**
16 **hold virtual meetings using alternative technologies for**
17 **committee and council meetings. Members of the public will be**
18 **given the opportunity to provide written and/or verbal comments**
19 **during virtual meetings of the Full Council.**
20

21 **DR. FRAZER:** Thank you, Phil. Just to your point, I think, as a
22 general way of operating in this format, I would exercise some
23 judgment with regard to the amount of discussion, as it relates
24 to the motion, and, if the discussion is limited, or non-
25 controversial, I would probably opt to see if there was any
26 opposition to the motion, or if there's no opposition to the
27 motion, and we will accept the motion. I will leave it to you,
28 but that would be my suggestion.

29
30 **CHAIRMAN DYSKOW:** Of the two alternatives, one would be a roll
31 call vote of the committee, and the other would be to determine
32 if there's any opposition, and I agree with the Chair. Let us
33 proceed in that manner. **Is there any opposition to this motion**
34 **from the committee? Hearing none, the motion passes.**
35

36 Next, we will move on to Other Business. I have only received
37 one comment regarding other business, and a non-committee member
38 pointed out, and no surprise, and it's been a very disruptive
39 year, and the council has a lot of unfinished business, and that
40 individual, that council member, asked me to bring up the idea
41 of extending the term of the Chair and the Vice Chair for an
42 additional year, to allow them the opportunity to complete the
43 business that we have at hand, and I would like to open that up
44 for discussion. Would the person that made the suggestion like
45 to give any comments?
46

47 **OTHER BUSINESS**
48 **DISCUSSION OF EXTENDING CHAIR AND VICE-CHAIR TERMS**

1
2 **MR. JOHN SANCHEZ:** My comments regarding that suggestion, and I
3 appreciate you bringing it up, Mr. Chairman, was that I feel
4 that, due to the pandemic and the disruption that the COVID
5 virus has caused, the Chair and the Vice Chair, who have both
6 done, in my opinion, an exceptional job, haven't had a true
7 second term, and so, while I don't want to change our procedure
8 of only allowing two terms, I think an exception to that rule,
9 without rewriting the playbook, might be warranted, given these
10 unique circumstances, and so that is why I brought this up for
11 committee member discussion.

12
13 Just to be clear, I would really like it if they had a chance to
14 have a complete, unhindered second term, as that has not been
15 the case, both the Chair and the Vice Chair, assuming they are
16 agreeable to that. Thank you.

17
18 **CHAIRMAN DYSKOW:** We also have a question from Leann. Leann,
19 you have the floor.

20
21 **MS. LEANN BOSARGE:** Thanks, Mr. Dyskow. Yes, I would be in
22 support of that, as an exception in this case to the SOPPs, and
23 my rationale, and I haven't really thought about this, but, when
24 you take over as Chair or Vice Chair, there is a decent learning
25 curve of things that you have to do and what your role is and
26 logistically how to perform those functions.

27
28 That may be a difficult thing to navigate for a new Chair or
29 Vice Chair that hasn't been in that role before in the
30 environment that we're in, where we're doing virtual webinars,
31 and they're not actually face-to-face and in a meeting with
32 staff right there by their side, and so I would say, yes, this
33 may be a time where we would want to extend that term for an
34 additional year for Dr. Frazer and Mr. Diaz.

35
36 **CHAIRMAN DYSKOW:** Thank you, Leann. Mara Levy also has her hand
37 up for a question.

38
39 **MS. LEVY:** Thank you. When you're talking about this, I just
40 think we need to be clear whether we're talking about an
41 exception to the provision that says that the Chair and Vice
42 Chair can serve no more than two consecutive terms, right, and
43 so there's that piece, and then there's the idea that they are
44 elected for one-year terms, and that election happens in August.

45
46 I think just think about what you're talking about, because
47 we're not going to sort of extend their terms at this meeting,
48 necessarily, but I'm just not sure whether you're saying have

1 their term be two years instead of one or let's just make an
2 exception to that provision that doesn't allow them to do more
3 than two consecutive terms.

4
5 **CHAIRMAN DYSKOW:** Thank you, Mara. John Sanchez has his hand
6 up, and we'll go on to him.

7
8 **MR. SANCHEZ:** Thank you, Mr. Chair. Again, not a committee
9 member, but, to Mara's point, I have no problem being, I guess,
10 the proponent of this, that we could, in August, when we re-do
11 these votes on who the Chair and Vice Chair are, if we kind of
12 couch this as allow them to have one-time exception to be once
13 again nominated and do an additional year term, and I would be
14 fine with that.

15
16 **CHAIRMAN DYSKOW:** Are there any other comments at this time? I
17 think the way to proceed with this, unless Tom views it
18 differently, is, if we wish to go forward with this, I would
19 entertain a motion from a committee member, and then we will
20 vote on that motion, after discussion, and then it will, of
21 course, go before the full board prior to the end of this
22 meeting, but we have a question from Susan Boggs.

23
24 **MS. BOGGS:** Thank you, Mr. Chair. Back to I want to clarify
25 with Mara. Is this something that we would need to take action
26 on today, or is this something that will be addressed in August,
27 when the election comes back up? Do we need to do something to
28 modify our SOPPs today that would allow us to make that motion
29 and vote in August?

30
31 **CHAIRMAN DYSKOW:** Mara, you have the floor, if you would like to
32 respond.

33
34 **MS. LEVY:** Thank you. I guess it depends what you're trying to
35 do. I mean, if you're not -- If you don't want to modify the
36 SOPPs, per se, and, I guess, my advice would always be that we
37 should be following our SOPPs, and I know that exceptions come
38 up, and the SOPPs don't really allow for exceptions.

39
40 You could modify it to allow for exceptions, although I
41 understand that that might not be desirable, because we don't
42 really anticipate this coming up again, and so, to the extent
43 you want to modify the SOPPs and have them applicable at the
44 next meeting, you could do that here, and you could probably
45 also get it done at the next meeting, before you actually take
46 the vote, because we do that at the end of the meeting, and I
47 don't know if anyone wants to reconsider the idea of having the
48 term limit, meaning -- I assume it was put in there for a

1 reason, and we have it in there, and so I guess I don't know how
2 far you want to go, but I think you could either do it here or
3 it could get done at the next meeting.

4
5 If you're not going to modify the SOPPs, then I really think at
6 the next meeting, because, if you're just going to say for this
7 one time we're going to make an exception and allow them to be
8 re-nominated for an additional term, then that's not really --
9 That would apply at the next meeting, and I hope that makes
10 sense.

11
12 **CHAIRMAN DYSKOW:** That makes sense to me. As chair of the
13 committee, what I would prefer is that we have placed this in
14 the record, and it will be in the minutes, and it will be
15 brought up again during our final report to the Full Council,
16 and I think, for right now, let's just recognize that this is a
17 discussion point within the committee, and we've had input from
18 other council members regarding the feasibility and advisability
19 of this, and that we will discuss it further during the full
20 session, and this will give staff time to evaluate this, and
21 maybe we'll just punt it down to the next meeting, as far as a
22 motion and a vote. Does that make sense to everybody?

23
24 **MR. DONALDSON:** Yes.

25
26 **CHAIRMAN DYSKOW:** Well, if that makes sense, we will do that,
27 and, if staff needs any more input, they can ask for it during
28 our report at the full session, and, Carrie, did you have your
29 hand up?

30
31 **EXECUTIVE DIRECTOR SIMMONS:** No, I didn't, but I think Mr.
32 Sanchez did.

33
34 **CHAIRMAN DYSKOW:** John, you have the floor.

35
36 **MR. SANCHEZ:** Thank you, Mr. Chairman. The only reason why I
37 brought it up at this meeting, and I was thinking about that,
38 was I didn't want to, as we're going into the nominations in
39 August, to kind of surprise the council and the committee
40 members with this, and so I thought a more prudent course would
41 have been to bring it up now and see how everybody feels about
42 it, and then we can collectively look at this in a timely manner
43 and not spring it on everybody in August.

44
45 That said, I totally agree that, if you guys want to punt it, as
46 a committee, to Full Council, and then we can get into making
47 motions and such then, I'm absolutely fine with that, too.
48 Thank you.

1
2 **CHAIRMAN DYSKOW:** Thanks, John. What I would ask from council
3 staff is that, when we discuss this at the full session later in
4 this meeting, that you give us some direction on how we would
5 have to proceed with this to be consistent with our operating
6 procedures, and so, during full session, we can revisit this
7 issue, and perhaps you can provide us some input on how we would
8 have to proceed, whether an amendment is required or we can
9 simply do this in a less formal manner, and so, with that said,
10 we can end the discussion on this point, and, coincidentally,
11 that also ends the report and presentation from the Admin and
12 Budget Committee, and so, unless there is any other new
13 business, I will close this meeting of the committee. Thank
14 you.

15
16 (Whereupon, the meeting adjourned on June 15, 2020.)

17
18 - - -
19