Tampa Bay Water
Regular Meeting
August 19, 2019 Minutes

The Board of Directors of Tampa Bay Water met in its offices, 2575 Enterprise Road, Clearwater, Florida 33763.

BOARD MEMBERS PRESENT:

Present:  Chair – Commissioner Sandra Murman, Hillsborough County
Vice Chair - Commissioner Dave Eggers, Pinellas County
Mayor Rob Marlowe, City of New Port Richey
Councilman Charlie Miranda, City of Tampa
Commissioner Ron Oakley, Pasco County
Commissioner Kathleen Peters, Pinellas County
Council Member Darden Rice, City of St. Petersburg
Commissioner Mariella Smith, Hillsborough County

Absent:  Commissioner Kathryn Starkey, Pasco County

Staff:  Matt Jordan, General Manager

Presenters:  Jon Kennedy, Engineering Senior Manager
Steve Fleischacker, Water Quality Services Senior Manager
Ken Herd, Chief Science and Technical Officer
Dave Bracciano, Demand Management Coordinator

General Counsel:  Barrie Buenaventura, General Counsel

A list of others present who signed the attendance roster was filed in the permanent files of Tampa Bay Water. Staff and consultants presenting to the Board are listed above.

Chairman Murman opened the Regular Board meeting to public comment. The following speaker(s) made public comment to the Board of Directors:

Public comment was duly recorded and is filed in the permanent records of Tampa Bay Water.

Mark Klutho
David Geddis
Robert Hoff
CONSENT AGENDA

A. GENERAL MANAGER
1. Board Minutes for June 17, 2019, Regular Board Meeting – Approve
2. Public Affairs
   a. Tampa Bay Water Overall Intelligence Dashboard – Update
   b. Agency 2020-2021 District Grant Funding Program – Approve

B. GENERAL COUNSEL
1. 2019-2020 Regulatory Plan – Approve
2. Special Counsel Current Assignments and Purchase Orders – Approve

C. WATER PRODUCTION
2. Capital Improvements Program- Task Order Authorization- Approve
3. Eldridge-Wilde Wellfield Underground Powerline, Project 50040, Environmental Resource Permit Application - Approve
4. As-Needed Professional Surveying Services Agreement – Consulting Services Selection – Five-year Contracts with Eight Top-ranked Consultants each in the amount of $400,000- Approve.
5. HVAC Products, Installation, Services and Related Products and Services – Award Contract #2020-700 – Approve
6. Quicklime Supply Services – Award Contract #2020-701 with Carmeuse Lime and Stone, Inc. – Approve
7. Liquid Ammonium Sulfate & Liquid Sodium Hypochlorite Supply Services at Brandon Urban Dispersed Well No. 7 – Contract No. 2018-008 with Hawkins, Inc. – Second Amendment and Option Year Two – Approve
8. Ferric Chloride Supply Services – Contract No. 2018-007 with PVS Technologies, Inc. – Price Amendment and Option Year Two – Approve
9. Ferric Sulfate Supply Services, Contract No. 2020-021 to the lowest responsive responsible Bidder, Kemira Water Solutions, Inc. – Approve
10. Calcium Hydroxide Supply Services, Contract No. 2020-022 to the lowest responsive responsible Bidder, Lhoist North America of Alabama, LLC – Approve
11. Polymer Supply Services, Contract No. 2020-023 to the lowest responsive responsible Bidder, Polydyne, Inc. – Approve

D. SCIENCE AND TECHNOLOGY
1. Hydrologic Conditions Update – Status Report
2. University of South Florida Research Agreement – Wetland Inundation Potential in the Northern Tampa Bay Area – Approve
3. FY2020 Joint Funding Agreement with the U.S. Geological Survey for Hydrologic Monitoring Services – Approve
4. Regional Water Supplies and Member Demands—Status Report

**E. FINANCE**

1. Contract Renewals—Approve
2. Tampa Bay Water Insurance Program—Delegation of authority for selection of Fiscal Year 2020 Insurance Program—Approve
3. General Managers Quarterly Travel Report—Approve
4. Tampa Bay Water Procurement Fiscal Year 2020—Approve
5. vGrid Distributed Compute System Replacement Project—Approve

**F. CONSENT DISCUSSION**

**Motion:** Commissioner Eggers moved to approve the Consent Agenda. Commissioner Oakley seconded the motion.

Chairman Murman asked for a vote on the Consent Agenda.

**Vote:** The motion carried by a vote of 7-0. Commissioner Smith was not present during the vote.

**REGULAR AGENDA**

**G. GENERAL MANAGER**

1. Executive Committee Report and Minutes—July 15, 2019

Matt Jordan, General Manager, noted the Committee met on July 15, 2019. Mr. Jordan explained topics covered at the Executive Committee Meeting were included in the Board Agenda, including a grant received from the State for funding the replacement of the pumps and motors at Eldridge-Wilde Wellfield.

No Board action was required on this item.

2. Board Meetings and Potential Workshops Follow-Up—Discussion and Approval

Matt Jordan, General Manager, state Item G.2 is a follow up from the June Board meeting. The Board contemplated holding additional meetings and/or workshops. Attached to Item G.2 is information with names and professional background and a scope of services concerning facilitators for the Boards’ consideration.

Council Member Rice asked for input and discussion concerning holding more meetings in lieu of workshops and utilizing agency staff as a facilitator. She also expressed concern about complying with the Sunshine Law when utilizing a facilitator.
Motion: Council Member Rice moved to defer Agenda Item G.2 indefinitely. Commissioner Smith seconded the motion.

Chairman Murman asked for a vote on Council Member Rice’s motion.

Vote: The motion failed with a tie vote of 4-4. (Commissioners Murman, Eggers and Peters, and Mayor Marlowe voted nay).

Commissioner Eggers requested additional consideration and discussion on the matter as well as agency staff provide potential names of staff members for recommendations as facilitator. Chairman Murman directed Tampa Bay Water staff to provide the Board with potential in-house staff names for consideration as facilitator and a draft of a potential workshop agenda.

H. GENERAL COUNSEL
1. Follow up on Legal Analysis Requested at April Board Meeting – Approve

Barrie Buenaventura, General Counsel, introduced Agenda item H.1. Ms. Buenaventura stated approval of Agenda item H.1 would authorize payment in full for services performed to date by George Nickerson. The City of Tampa provided a memorandum in response to Mr. Nickerson’s legal opinion and Mr. Nickerson provided a response to the City’s memorandum and noted a conflict of interest. The law firm of Nabors, Giblin and Nickerson stated it can no longer work with Tampa Bay Water on matters concerning the Tampa Augmentation Project (TAP). These documents were provided to each Board Member.

Motion: Commissioner Smith moved to approve Agenda Item H.1 to authorize payment in full of fees to date and not to utilize the law firm of Nabors, Giblin and Nickerson for any legal work concerning the TAP. Mayor Marlowe seconded the motion.

Council Member Rice moved for a substitute motion to authorize additional funds (without a cap) to allow Mr. Nickerson to address the three issues referenced in his August 4, 2019 letter concerning whether Tampa Bay Water has the legal right to assign its rights or interests in water supply facilities to a Member Government, and understanding and clarifying the reference of Reclaimed Water and who can be party to such an agreement. Commissioner Eggers seconded the substitute motion. Ms. Buenaventura noted if directed by the Board, she would make the request to the firm; however, Nabors, Giblin and Nickerson have stated it would decline to undertake the additional legal work. Jan McLean, Assistant Counsel for City of Tampa, stated the City would not waive any potential conflict by the firm of Nabors, Giblin and Nickerson to work on any of the additional questions on the list. Chairman Murman requested and Council Member Rice agreed to withdraw her substitute motion.

Chairman Murman asked for a vote on Commissioner Smith’s motion.

Vote: The motion carried by a vote of 8-0.

I. WATER PRODUCTION
1. South-Central Hillsborough Wellfield Generator & Motor Replacement Project, Project No. 50033, Award Contract No. 2019-057 to Eau Gallie Electric, Inc. – Approve

Jon Kennedy, Engineering Senior Manager, provided a presentation on the South-Central Hillsborough Wellfield Generator & Motor Replacement Project. Mr. Kennedy reviewed a summary of the project which will replace 17 pump motors, two older generators and add four new generators.

A copy of the full presentation can be found in the agency’s Records Department.

Motion: Councilman Miranda moved for approval of Agenda Item I.1. Commissioner Smith seconded the motion.

Vote: The motion carried by a vote of 8-0.

2. South-Central Hillsborough County Supply Improvements Program—Status Report

Jon Kennedy, Engineering Senior Manager, provided a presentation on the status of the South-Central Hillsborough County Supply Improvements Program. Mr. Kennedy explained the short- and long-term plans intended to meet increasing demands in South Central Hillsborough County. Next, Mr. Kennedy provided a progress report of each plan. Mr. Kennedy noted that the agency recently received a written request from Hillsborough County for a new delivery point. Staff is currently reviewing this request.

Chairman Murman asked if the plan includes a timetable for the pump station, pipeline and new water supply. Mr. Kennedy responded yes. However, there is considerable acquisition necessary and staff has identified a 6-8-year timeframe to get a major pipeline online. Chairman Murman asked if staff knows where the new pipeline will go. Mr. Kennedy responded the details need to be worked out, but in the vicinity of the County’s southeast landfill. Chairman Murman asked when the PD&E will start on the pipeline. Mr. Kennedy stated staff will seek public outreach and comment first. Commissioner Eggers asked if the pipeline will be part of the delivery system. Mr. Kennedy responded yes.

A copy of the full presentation can be found in the agency’s Records Department.

No Board action was required on this item.

J. SCIENCE AND TECHNOLOGY
1. Demand Management Implementation and Florida Friendly Landscaping—
   a. Florida Friendly Landscaping Program-One-year Funding Agreements with Hillsborough, Pasco, and Pinellas counties—Approve

Dave Bracciano, Demand Management Coordinator, provided a presentation on the Florida Friendly Landscaping Program One-year Funding Agreements. Mr. Bracciano provided a
brief overview and background of the program and explained the nine principles of the program. Due to the success of the Program, the region saved an estimated 200,000 gallons of water every day in 2018.

A copy of the full presentation can be found in the agency’s Records Department.

Chairman Murman asked why the agency is only asking for funding of $488,224 for the program. Mr. Bracciano explained that was the amount requested from the Counties and they match the funds as well. Chairman Murman asked if staff would come back within the next year on ways to expand the program. Mr. Jordan explained staff will have discussions with staff from the three Counties concerning other opportunities and report back to the Board. Council Member Rice asked of staff considered ways member governments could opt in and separate monies from administrative support. Mr. Bracciano explained the process of administering funds across the counties and that the question might be associated with item J.1 b.

Chairman Murman asked for a motion to approve Agenda Item J.1.a

**Motion:** Commissioner Smith moved for approval of Agenda Item J.1.a. Commissioner Eggers seconded the motion.

**Vote:** The motion carried by a vote of 8-0.

b. Demand Management Implementation Program Update—*Status Report*

Dave Bracciano, Demand Management Coordinator, provided an update presentation on the Demand Management Implementation Program. Mr. Bracciano first provided a historical overview of conservation programming in the region stating an estimated 24.5 million gallons per day (mgd) of potable water was saved due to programs implemented by the Members between 1996 and 2017. Mr. Bracciano explained the Demand Management goals adopted by the Board in 2018 provide the impetus to optimize implementation of programs in a definable fashion and the benefits of this demand management effort is reduce the need for new expensive supply capacity before its needed, noting demand projections show a need of an additional 10 mgd in 2028. Next, Mr. Bracciano explained the three conservation funding allocation options identified, along with the impacts associated with them, and recommended continuation of market-based programming, and having staff bring this item to the Board annually in April for discussion and review.

A copy of the full presentation can be found in the agency’s Records Department.

No Board action was required on this item.

2. Long-term Master Water Plan Feasibility Studies - Professional Services Shortlist for Surface Water Expansion and Desalination Plant Expansion—*Approve*
Ken Herd, Chief Science and Technical Officer, provided a presentation on the Long-term Master Water Plan Feasibility Studies concerning new supply sources. Mr. Herd stated the forecast is updated annually and future demand is projected to surpass supply in 2028 and surpass supply by 15 mgd in 2040. The forecast is updated annually utilizing the latest economic and growth data available. Mr. Herd reviewed the timeline for new supply implementation. Additional feasibility studies were recommended for three shortlisted projects pursuant to the Long-term Master Water Plan. Mr. Herd reviewed the preliminary schedule for each study noting that the studies will take an estimated 2 years to complete. Mr. Herd explained SWFWMD plans to assist with funding for approximately one-half of the costs of the desalination and surface water studies. Once Tampa Bay Water has a Memorandum of Understanding (MOU) for the SHARP project, SWFWMD should also support funding that that project.

Commissioner Eggers asked if it is agency’s recommendation to evaluate the desalination option and is there an idea of whether SWFWMD will fund the project and how much it is expected to fund. Mr. Herd responded yes. The study will help to compile information for evaluation of future project costs and staff will continue to work closely with SWFWMD on the process. Commissioner Oakley asked what effect lower water temperatures will have on the desalination facility. Mr. Herd explained potential changes to the source water is being evaluated and considered as part of the study. Commissioner Oakley asked if expanding the surface water system by adding another surface water plant for more water is being considered. Mr. Herd stated we are looking at that option as part of the study. Council Member Rice asked about the timeline on the Hillsborough County MOU. Mr. Herd stated it would be critical to have the MOU by 2021, but early 2020 would be preferable.

A copy of the full presentation can be found in the agency’s Records Department.

Chairman Murman asked for a motion to approve Agenda Item J.2.

**Motion:** Councilman Miranda moved for approval of Agenda Item J.2. Commissioner Smith seconded the motion.

**Vote:** The motion carried by a vote of 8-0.

The Board recessed briefly at 11:32 a.m. and reconvened at 11:47 a.m.

3. Water Quality Update – *Status Report*

Steve Fleischacker, Water Quality Services Senior Manager, provided an update presentation on the Exhibit D Water Quality Study. Mr. Fleischacker provided a brief history on Exhibit D. Requirements were developed in 1998-1999, initially reevaluated in 2004 and the water quality limits are being evaluated again, 15 years later, at the request of the member governments. Next, Mr. Fleischacker reviewed the water quality parameters being evaluated for potential modification. He outlined the three-phased approach to the Exhibit D Water Quality Study, provided an updated status on the study implementation and next steps.
Council Member Rice asked if additional time would be needed in order to allow member governments to take staff recommendations back to their jurisdictions to get a resolution in support. Mr. Fleischacker responded yes. The plan involves a very comprehensive approach. Workshops and meetings are planned for September and October with agency staff possibly bringing recommendations to the Board in December.

A copy of the full presentation can be found in the agency’s Records Department.

No Board action was required on this item.


Ken Herd, Chief Science and Technical Officer, provided a brief presentation of the As-Needed Well Pump Repair and Maintenance Contract and As-Needed Well Evaluation, Rehabilitation and Construction Contract. Mr. Herd explained each contractor will have two contracts (one contract for the well pump repair and maintenance; and one contract for the well evaluation, rehabilitation and construction). Each contract is a three-year contract with a 2-year renewal option with Board approval.

A copy of the full presentation can be found in the agency’s Records Department.

Chairman Murman asked for a motion to approve Agenda Item J.4.

Motion: Commissioner Eggers moved for approval of Agenda Item J.4. Councilman Miranda seconded the motion.

Vote: The motion carried by a vote of 8-0.

K. FINANCE
1. Year-End Account Transfers of Encumbered and Unencumbered Funds – Approve

Christina Sackett, Chief Financial Officer, provided a presentation on the Year-End Account Transfer of Encumbered and Unencumbered Funds. Ms. Sackett explained the requirements and process of transferring unexpended funds at the end of each year. Ms. Sackett then reviewed the carry forward recommendations. Next, Ms. Sackett reviewed the totals for estimated unencumbered funds as well as the estimated year-end balances after transfers.

Commissioner Eggers asked Mr. Jordan to speak on the funds going into rate stabilization and the funds anticipated use. Mr. Jordan explained the rate stabilization account is kept at approximately 10 percent and has been used to assist in maintaining the water rate. The proposed transfer would increase the account to approximately $31 million. As the agency moves into the next debt issuance, staff will continue to provide financial options for the Board’s consideration possibly reducing the amount borrowed.
A copy of the full presentation can be found in the agency’s Records Department.

Chairman Murman asked for a motion to approve Agenda Item K1.

**Motion:** Councilman Miranda moved for approval of Agenda Item K.1. Commissioner Smith seconded the motion.

**Vote:** The motion carried by a vote of 8-0.

2. **Management & Performance Audit, Professional Services Contract No: 2020-001 – Approve**

Christina Sackett, Chief Financial Officer, provided a presentation on the Management & Performance Audit, Professional Services Contract. Ms. Sackett explained the agency is required under the Interlocal Agreement to conduct a performance audit and management study every five years. Ms. Sackett reviewed the status on recommendations from the 2015 report and the approach to be taken for the 2020 management and performance audit.

Commissioner Eggers asked how many of the original 15 tasks have been completed. Ms. Sackett responded 5 were completed, 8 are in progress and 2 are continuously ongoing. Commissioner Eggers asked about the status of the projects in progress. Mr. Jordan noted that most of the projects were already part of the agency’s Strategic Plan. Mr. Jordan stated staff will prepare and provide detailed information to the Board at a later date.

A copy of the full presentation can be found in the agency’s Records Department.

Chairman Murman asked for a motion to approve Agenda Item K.2.

**Motion:** Commissioner Eggers moved for approval of Agenda Item K.2. Commissioner Oakley seconded the motion.

**Vote:** The motion carried by a vote of 8-0.

**L. OLD BUSINESS AND OTHER ADMINISTRATIVE MATTERS**

1. **General Manager’s 2019 Performance Evaluation**

The Board briefly discussed the agenda Item L. Chairman Murman asked each Board Member to review the General Manager’s contract and bring all questions to Roberta Kety, Senior Director of Human Resources. Commissioner Eggers asked Mr. Jordan to provide an Executive Team succession list.

Chairman Murman asked for a motion to approve Agenda Item L.1.

**Motion:** Commissioner Smith moved for approval of Agenda Item L.1. Mayor Marlowe seconded the motion.

**Vote:** The motion carried by a vote of 8-0.
M. RECEIVE & FILE
1. Human Resources Activity Report for June and July 2019
2. General Counsel Activity Report
   a. Legal Services Activity Report for June and July 2019
   b. Legal Services Budget Report for June and July 2019
3. Public Affairs Activity Report for June and July 2019
4. Finance and Administration Activity Reports:
   a. Finance & Administration Activity Report for June and July 2019
   b. Comprehensive Check List with Delegated Check Approval for May and June 2019
   c. Investment Schedules as of May and June 2019
   d. Financial Statements and Fund Analysis for May and June 2019
   e. Disposition of Assets through June 2019
   f. Vendor Status Report through June 2019
   g. Budget Amendments-Transfer Quarterly Report – 3rd Quarter FY19
5. Water Production Activity Report for June and July 2019
6. Science and Technical Activity Report for June and July 2019

Chairman Murman asked for a motion to approve the Receive & File.

Motion: Councilman Miranda moved for approval of Receive & File. Commissioner Smith seconded the motion.

Vote: The motion carried by a vote of 8-0.

IV. ADJOURNMENT

The Board adjourned at 12:21 p.m.

Attest: ...........................................................
        Matt Jordan, General Manager/Secretary

Date: 10/21/19