



Tampa Bay Water

Regular Meeting

February 19, 2020 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
Commissioner Kathryn Starkey, Pasco County

Staff: Matt Jordan, General Manager

Presenters: Peter Dunbar, Dean Mead Dunbar
Matthew Blair, Corcoran Partners
Jon Kennedy, Engineering Senior Manager
Maribel Medina, Senior Professional Engineer IV
Warren Hogg, Water Use Permitting Manager
Steve Fleischacker, Water Quality Services Senior Manager

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:

Mark Klutho
David Geddis

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

CONSENT AGENDA

A. GENERAL MANAGER

1. Board Minutes for December 16, 2019, Regular Board Meeting – *Approve*
2. Public Affairs
 - a. Tampa Bay Water Performance Dashboard Update – *Status Report*
 - b. Granicus Government Meeting Technology Update – *Status Report*

B. GENERAL COUNSEL

No items were presented to the Board.

C. WATER PRODUCTION

1. Mowing & Grounds Maintenance Services – Contract No. 2019-001 with Albert E. Roller, LLC – Price Amendment and Contract Value Increase – *Approve*
2. Paving Services Agreement No. 2020-702 with Ajax Paving Industries of Florida, LLC – *Approve*
3. Increase contract amount for As-Needed Medium and Low Voltage Electrical Contractors, Contract Nos: 2017-015 thru 2017-018 - *Approve*
4. Energy Management Program – *Status Report*
5. Capital Improvements Program – Task Order Authorization – *Approve*
6. Termination of Easement, Mid-Pinellas Property, Parcels 2601.01.01, .02, .03 & .04 Clean up title issues for property sold in 2018 - *Approve*
7. Fleet Management Contract with Enterprise F M Trust – Authorize cost increase for replacement of additional vehicle – *Approve*
8. Sole-Source Procurement for Analytical Equipment, Replacement Parts and Consumable Supplies, SSP #2020-515 - *Approve*

D. SCIENCE AND TECHNOLOGY

1. Hydrologic Conditions Update – *Status Report*
2. Water Conservation Month Proclamation - *Approve*
3. Demand Management and Member Conservation Update - *Status Report*
4. Toilet and Urinal Rebate Inspection Services Contract No. 2020-027 - *Reject all Bids*
5. Regional Water Supplies and Member Demands - *Status Report*
6. Long-term Master Water Plan Feasibility Studies – *Status Report*
7. America's Water Infrastructure Act (AWIA) Risk & Resilience Assessment – *Status Report*

E. FINANCE

1. General Manager's Quarterly Travel Report – *Approve*
2. Contract Renewals - *Approve*

F. CONSENT DISCUSSION

Motion: Councilman Miranda 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 9-0.

REGULAR AGENDA

G. GENERAL MANAGER

1. Executive Committee Report and Minutes – January 27, 2020

Matt Jordan, General Manager, noted topics covered at the January 27, 2020 Executive Committee Meeting which included the status of the facilitator workshop.

2. 2019 Agency Accomplishments/2020 Agency Outlook

Mr. Jordan reported the highlights of the agency accomplishments in 2019 which included providing quality water to the region, the Long-term Master Water Plan feasibility studies, the regions first Demand Management Program was implemented, completing a desktop analysis on regional water quality treatment options, maintaining the utility's infrastructure, completing 8 capital improvement projects, maintaining the uniform rate of \$2.559 per 1,000 gallons for the 8th consecutive year, and receiving Board approval of the Fiscal Year 2020 Budget marking the 9th year at the same uniform rate. Mr. Jordan noted upcoming projects and board decisions for 2020 including the South-Central Hillsborough Booster Station and Pipeline, submittal of the certification to America's Water Infrastructure Act; Fiscal Year 2021 Budget approval; next phase of the Regional Water Quality Study; implementation of the Demand Management Program; completion and approval of the Pay and Class Study and Management and Performance Audit; Consolidated Permit Renewal approval; Demand Forecast update; Regional Chlorine Maintenance Study; Reclaimed Water Credit Valuation; Facilitated Workshops; Quarterly Utility Directors Meetings and Finance Rate Modeling.

A copy of the full report can be found in the agency's Records Department.

No Board action was required on this item.

3. 2020 Legislative Program – *Status Update*

Peter Dunbar, Dean Mead Dunbar, Legislative Counsel, provided an update on the legislative session. Mr. Dunbar stated HB715 was moving through the process; however, may be amended. The Legislative Tracking Report is provided weekly and Mr. Dunbar and Mr. Blair continue to participate in weekly calls with agency staff to discuss any concerns. Matthew Blair, Corcoran Partners, provided an update on appropriations for the Cypress Bridge project.

A copy of the full report can be found in the agency's Records Department.

No Board action was required on this item.

H. GENERAL COUNSEL

1. Agreement for Representation in Per- and Polyfluoroalkyl Substances (PFAS) Litigation – *Approve*

Barrie Buenaventura, General Counsel, presented on an Agreement for Representation in Per- and Polyfluoroalkyl Substances (PFAS) Litigation. Ms. Buenaventura stated that Agenda Item H.1. is a follow-up to her report provided at the Executive Committee meeting on a water quality issue concerning PFAS. Ms. Buenaventura noted that the last time sampling was done in cooperation with member governments was in 2015. The compounds were not detected using the methodologies in place at that time. The EPA will be coming out with new testing guidelines for the next round of testing. Ms. Buenaventura explained currently there is a multi-district lawsuit against the PFAS manufacturers. Two separate teams of lawyers have approached Tampa Bay Water concerning representation. Ms. Buenaventura recommended the Board retain one of the firms for representation should compounds be detected in the future and delegate authority to the General Manager, in consultation with the General Counsel and the Chairman, to file suit in the future if testing shows actionable levels of the compound are present in Tampa Bay Water's system.

Councilman Miranda abstained and left the room explaining he has a family member on staff at one of the law firms being considered. Chairman Murman opened the item for discussion. Council Member Rice asked that the item be held and discussed at a future workshop. The Board Members discussed the options to discuss the issue at a workshop or retain counsel and perform testing after the EPA provides its new guidelines. Ms. Buenaventura explained it's at the Board's discretion whether to perform testing before the EPA provides the new guidelines or after, or both. Commissioner Eggers and Commissioner Oakley noted they would prefer to discuss the matter further at the workshop. Commissioner Oakley asked if the agency would be incurring legal expenses. Ms. Buenaventura explained representation would be on a contingency basis.

A copy of the full report can be found in the agency's Records Department.

Motion: Commissioner Smith moved for approval of Agenda Item H.1. Commissioner Peters seconded the motion.

Vote: The motion carried by a vote of 5-3. Commissioner Eggers, Commissioner Oakley and Council Member Rice voted nay). Councilman Miranda was not present during the vote.

I. WATER PRODUCTION

1. Comprehensive Management Plan for the Hillsborough River, the Tampa Bypass Canal, Sulphur Springs and the Morris Bridge Wellfield - *Approve*

Chuck Carden, Chief Operating Officer, provided a brief presentation on the Comprehensive Management Plan for the Hillsborough River, the Tampa Bypass Canal, Sulphur Springs and the Morris Bridge Wellfield. Mr. Carden noted the Comprehensive Management Plan is the result of Tampa Bay Water, the City of Tampa and Southwest Florida Water Management District (SWFWMD) working together to create the Plan. The Plan facilitates management of water-related activities in the region and will be updated every five years, as needed. Staff recommended Tampa Bay Water agree to the Comprehensive Plan subject to the City of Tampa and SWFWMD also agreeing to the Plan.

A copy of the full report can be found in the agency's Records Department.

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

Vote: The motion carried by a vote of 9-0.

2. South-Central Hillsborough County Supply Improvements Program –
 - a. Southern Hillsborough County Booster Pump Station, Project 01609 — Consultant Ranking and Authorization to Negotiate Contract No. 2020-032 with top-ranked firm, Reiss Engineering, Inc. – *Approve*

Jon Kennedy, Engineering Support Senior Manager, provided a presentation on engineering selection for the Southern Hillsborough County Booster Pump Station, Project. Mr. Kennedy reviewed the project highlights noting the project is part of the short-term plan to meet the 2024 demands in Hillsborough County. Staff requested authorization to negotiate the contract, scope and fee with the top-ranked firm, Reiss Engineering, Inc. Staff will return to the Board in April for approval of the negotiated contract.

A copy of the full report can be found in the agency's Records Department.

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

Vote: The motion carried by a vote of 9-0.

- b. South-Central Hillsborough County Pipeline Corridor Study – *Status Report*

Jon Kennedy, Engineering Support Senior Manager, provided an update presentation on the South-Central Hillsborough County Pipeline Corridor Study. Mr. Kennedy provided some background on the project stated the pipeline is the plan to meet Hillsborough County's long-term water needs. Mr. Kennedy reviewed three corridor options and costs for each route. Mr. Kennedy noted that each segment will go to or pass by the existing Lithia point of delivery. Next, Mr. Kennedy reviewed the current and proposed project schedule as well as next steps.

Commissioner Eggers asked if the project could be accelerated and if the proposed construction routes get the pipeline to Lithia. Mr. Kennedy responded yes. Commissioner Eggers asked if the pipeline were to go beyond Lithia if the project would take longer. Mr. Kennedy replied no, more engineers and contractors would be involved so the longer project would finish on time. Commissioner Oakley asked if a route option has been chosen. Mr. Kennedy stated corridor "C" is the best choice. Hillsborough County has the option to request assistance from Tampa Bay Water if they choose to have the pipeline go from Lithia to their proposed water campus. Commissioner Starkey asked that trails be considered along the pipeline.

A copy of the full report can be found in the agency's Records Department.

No Board action was required on this item.

3. Tampa Bypass Canal Gates Automation Project, Contract No. 2020-704, with PCL Construction, Inc. – *Approve*

Jon Kennedy, Engineering Support Senior Manager, provided an update presentation on the Tampa Bypass Canal Gates Automation Project. Mr. Kennedy provided a brief summary of the project noting that the agency has received co-funding from Southwest Florida Water Management District in the amount of \$516,000. Staff recommended the award to PCL Construction, Inc. through a piggy-back contract with Pinellas County.

A copy of the full report can be found in the agency's Records Department.

Motion: Commissioner Eggers moved for approval of Agenda Item I.3. Commissioner Oakley seconded the motion.

Vote: The motion carried by a vote of 9-0.

4. Cypress Bridge Wellfield Improvements, Project No. 50031 – Award Contract No. 2020-026 to Stantec Consulting Services, Inc. – *Approve*

Maribel Medina, Senior Professional Engineer, provided a brief presentation on the Cypress Bridge Wellfield Improvements Project. Ms. Medina noted the project was identified in the agency's Capital Improvement Program and is funded with the Renewal and Replacement funds as well as State Grant assistance. Procured engineering services will include design, bidding assistance and construction inspection and management.

A copy of the full report can be found in the agency's Records Department.

Motion: Councilman Miranda moved for approval of Agenda Item I.4. Mayor Marlowe seconded the motion.

Vote: The motion carried by a vote of 9-0.

J. SCIENCE AND TECHNICAL

1. Consolidated Water Use Permit Update – *Status Report*

Warren Hogg, Water Use Permitting Manager, provided a status presentation on the upcoming renewal of the Consolidated Water Use Permit. Mr. Hogg provided a brief history on the water use permit and spoke about the environmental stress the region experienced due to droughts and groundwater pumping prior to reduction in groundwater pumping from these wellfields since late 2002. The agency now operates a fully interconnected, regional water supply system with three source water types. Improvements have been recognized in the condition of lakes and wetlands in recent years. Next, Mr. Hogg explained the agency is completing a Recovery Assessment Plan which is assessing the recovery of hundreds of lakes and wetlands in the region and will determine if there are any remaining adverse environmental impacts due to wellfield pumping. The final permit renewal application will be brought to the Board for consideration and approval in August or October of this year.

A copy of the full report can be found in the agency's Records Department.

No Board action was required on this item.

2. Water Quality Update – *Status Update*

Steve Fleischacker, Water Quality Services Senior Manager, provided a brief update on the Exhibit D Water Quality report. Mr. Fleischacker reviewed activity since December which includes the following the procurement process to select a consultant. Staff will seek Board approval to begin implementing enhanced water quality projects. On January 24, 2020, staff presented the preliminary scope and schedule to the member government utility directors. All member governments utility directors will be participating on the consultant selection committee. Currently, staff and member governments are working to finalize the scope of work. In June, staff will request approval of the consultant, scope and costs.

Commissioner Eggers asked what are some of the short-term efforts being made to address water quality issues. Mr. Fleischacker stated staff are evaluating moving the City of Tampa point of connection to surface water which would provide similar water quality to what they are currently receiving. Also, staff are working on a free chlorine maintenance study.

A copy of the full report can be found in the agency's Records Department.

No Board action was required on this item.

K. FINANCE

1. Reports of Certified Public Accountants Regarding Financial Statements for the year ended September 30, 2019 – *Receive Report*

Sandro Svrclin, Finance Manager, introduced Wade Sansbury and Daniel Anderson, Auditors with Mauldin & Jenkins, to provide a presentation on financial statements for year ending September 30, 2019. Mr. Anderson provided a brief history of Mauldin & Jenkins and an overview on the company's audit opinion.

Council Member Rice asked if the agency is in compliance. Mr. Sansbury responded yes. Commissioner Eggers thanked and commended Ms. Sackett and her staff for their work.

A copy of the full report can be found in the agency's Records Department.

Motion: Commissioner Starkey moved to receive Agenda Item K.1. Commissioner Oakley seconded the motion.

Vote: The motion carried by a vote of 9-0.

2. FY19 Year-end Reporting of Encumbered and Unencumbered Funds Transfers – *Receive Report*

Christina Sackett, Chief Financial Officer, provided a brief presentation on the FY19 Year-end Reporting of Encumbered and Unencumbered Funds Transfers. Ms. Sackett reviewed fund transfers for 2018/2019 stating that because actual unexpended/unencumbered funds were less than estimated, staff transferred \$5 million into the Capital Improvement Fund and transferred an additional \$4.5 million into the Rate Stabilization account deferring the funds for use in future years. The remaining \$212,000 went into the utility reserve fund. Ms. Sackett noted that the agency's strong cash position contributed to the AA+ rating with all three rating agencies.

Commissioner Starkey asked what the amount in the utility reserve fund. Ms. Sackett stated the amount at the end of FY19 was \$29 million. Commissioner Starkey asked what percentage of the budget all the unrestricted reserves amount is. Commissioner Murman asked if we had any policy on how much is kept in reserves. Ms. Sackett responded the Board has implemented a policy to maintain a balance of 10% of the budgeted gross revenues for the Rate Stabilization Account and the Utility Reserve is required to maintain 10% of the budgeted gross revenues plus the account helps meet bond covenant requirement of 1.25, and with current balance we are maintaining 1.5 coverage. Commissioner Starkey said we may have a big cushion and it is something to think about. Ms. Sackett advised the rate stabilization account has helped maintain the uniform rate for nine years and it is something staff will look at as the Agency issues new debt to help maintain the years until we get savings in our debt payments.

A copy of the full report can be found in the agency's Records Department.

Motion: Commissioner Starkey moved to receive Agenda Item K.2. Commissioner Smith seconded the motion.

Vote: The motion carried by a vote of 9-0.

3. Fiscal Year 2021 Budget Development Timeline and Process Overview – Receive Report

Christina Sackett, Chief Financial Officer, provided a brief presentation on the Fiscal Year 2021 Budget Development Timeline and Process. Ms. Sackett explained the annual considerations and key considerations the agency utilizes in the budget process. She stated individual meetings with member government representatives will take place to review and discuss the budget process. The budget workshop will be held in April and the FY21 proposed budget and FY21-FY29 capital improvement program will be presented to the Board. In June, a public hearing will be held to present the final FY21 proposed budget and request Board approval.

A copy of the full report can be found in the agency's Records Department.

Motion: Council Member Rice moved to receive Agenda Item K.3. Mayor Marlowe seconded the motion.

Vote: The motion carried by a vote of 9-0.

4. Supplemental Bond Resolution for Refunding Series 2010 and 2011A Refunding Revenue Bonds and Series 2013 Revenue Bonds – *Approve Resolution No. 2020-001*

Christina Sackett, Chief Financial Officer, introduced David Moore, PFM Financial Advisors LLC and Tom Giblin, Nabors, Giblin and Nickerson, to provide a presentation on the Supplemental Bond Resolution for Refunding Series 2010 and 2011A Refunding Revenue Bonds and Series 2013 Revenue Bonds. Mr. Moore provided a brief overview of the municipal market, outstanding debt service, refund analysis, and callable bonds. Mr. Moore stated PFM recommends a Resolution to refinance callable bonds. Mr. Moore turned the presentation over to Tom Giblin, Tampa Bay Water's bond counsel. Mr. Giblin explained what parameters are looked at when considering this bond refinance noting that not more than \$135 million be issued (true interest cost cannot exceed 3.50%). Once the transaction is complete in 2023, the net present value savings will be 17.2 percent. Staff requests the Board adopt the Resolution presented.

Council Member Rice asked at what point would refinancing the agency's other bonds be considered. Mr. Moore responded a couple of years from now.

A copy of the full report can be found in the agency's Records Department.

Motion: Commissioner Starkey moved to approve Agenda Item K.4. Commissioner Smith seconded the motion.

Vote: The motion carried by a vote of 9-0.

L. OLD BUSINESS AND OTHER ADMINISTRATIVE MATTERS

1. Member Government Reports – *Discussion*

Commissioner Eggers suggested having each member government provide a presentation during Board meetings on the status of water quality in their area. Chairman Murman directed agency staff to contact each member government to schedule their individual presentations.

2. Election of Officers

Chairman Murman passed the gavel to Matt Jordan, General Manager. Mr. Jordan opened the nominations for the position of Chair of the Tampa Bay Water Board of Directors. Commissioner Oakley nominated Commissioner Eggers as Chair. Commissioner Starkey seconded the nomination. With no other nominations, Mr. Jordan closed nominations and requested a vote of Commissioner Eggers as Chair.

Vote: Commissioner Eggers was elected Chair by vote of 9-0.

Chairman Eggers opened the nominations for Vice Chair of Tampa Bay Water Board of Directors. Council Member Rice nominated Commissioner Oakley as Vice Chair. Commissioner Starkey seconded the nomination. With no other nominations, Chairman Eggers closed nominations and moved for a vote of Commissioner Oakley as Vice Chair.

Vote: Commissioner Oakley was elected Vice Chair by a vote of 9-0.

3. Appointment to Board Executive Committee

Chairman Eggers asked for nominations to serve on the Executive Committee. Commissioner Smith nominated Commissioner Murman to serve. Councilman Miranda seconded the motion.

Vote: The motion carried by a vote of 9-0.

Chairman Eggers asked for nominations for an alternate to serve on the Executive Committee. Commissioner Oakley nominated Council Member Rice to serve. Commissioner Starkey seconded the motion.

Vote: The motion carried by a vote of 9-0.

M. RECEIVE & FILE

1. Human Resources Activity Report for December 2019 and January 2020
2. General Counsel Activity Report

- a. Legal Services Activity Report for December 2019 and January 2020
- b. Legal Services Budget Report for December 2019 and January 2020
3. Public Affairs Activity Report for December 2019 and January 2020
4. Finance Activity Report:
 - a. Finance and Administration Activity Report for December 2019 and January 2020
 - b. Comprehensive Check List with Delegated Approval for November and December 2019
 - c. Investment Schedule for October and November 2019
 - d. Financial Statements and Fund Analysis through November 2019
 - e. Disposition of Assets through November 2019
 - f. Vendor Status Report through November 2019
5. Water Production Activity Report for December 2019 and January 2020
6. Science and Technical Activity Report for December 2019 and January 2020

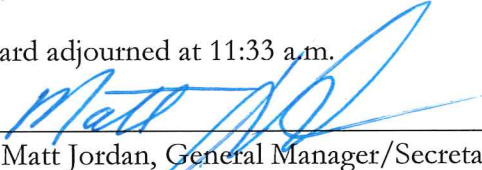
Chairman Eggers asked for a motion to approve the Receive & File.

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

Vote: The motion carried by a vote of 9-0

IV. ADJOURNMENT

The Board adjourned at 11:33 a.m.

Attest: 
Matt Jordan, General Manager/Secretary

Date: 4-20-2020