

Tampa Bay Water
September 19, 2011 Revised Minutes

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

BOARD MEMBERS PRESENT:

Present: Chairman – Commissioner Ann Hildebrand, Pasco County
Commissioner Neil Brickfield, Pinellas County
Mayor Robert Consalvo, City of New Port Richey
Commissioner Sandra Murman, Hillsborough County
Council Member Karl Nurse, City of St. Petersburg

Present via

Phone: Vice Chairman – Commissioner Susan Latvala, Pinellas County
Commissioner Ted Schrader, Pasco County

Absent: Councilman Charlie Miranda, City of Tampa
Commissioner Mark Sharpe, Hillsborough County

Staff: Gerald J. Seeber, General Manager
Rick Lotspeich, General Counsel

A list of others present who signed the attendance roster was filed in the permanent files of Tampa Bay Water.

Chairman Hildebrand called the meeting to order at 9:00 a.m.

Prior to Public Comment, Mr. Seeber conducted a roll call and confirmed the quorum with Commissioner Latvala and Commissioner Schrader attending via telephone.

PUBLIC COMMENT

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

GENERAL COUNSEL

1. **Attorney/Client briefing session between the Tampa Bay Water Board of Directors and legal counsel pursuant to Section 286.011(8), Florida Statutes, to discuss possible litigation expenditures and/or settlement negotiations in Tampa Bay Water v. HDR Engineering, Inc., et al.**

Mr. Lotspeich stated the Board would adjourn to the Board Conference Room and explained the Board Members on the phone would be reconnected to the phone in the Board Conference Room and then again reconnected to the Board Room when the regular meeting reconvenes.

Chairman Hildebrand asked that the record reflect that Commissioner Murman was in attendance. The Board then adjourned to the Conference Room.


The Board reconvened at 9:50 a.m.

Mr. Richard Harrison, Allen Dell, stated that at this time we recommend that Tampa Bay Water approve the mediator's proposal for settlement in the amount of \$30 million with HDR.

***Motion:** Commissioner Schrader moved approval of the mediator's proposal for settlement in the amount of \$30 million with HDR. Council Member Nurse seconded the motion. The motion carried by a vote of 4-3 with Commissioner Brickfield, Commissioner Latvala and Commissioner Murman voting nay.

Adjournment:

The meeting adjourned at 9:55 a.m.

Attest: 
Gerald J. Seeber, Secretary

Date: October 17 2011

*Per Section 2.05 (B) of the Agency's Amended and Restated Interlocal Agreement, Board action requires an affirmative vote of not less than five directors. The September 19, 2011 vote did not result in a 5-vote majority and was later determined to be invalid.