

**MINUTES OF THE REGULAR BI-MONTHLY MEETING OF DIRECTORS
OF THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM
March 27, 2019**

The regular bi-monthly meeting of the directors of The Water Works Board of the City of Birmingham was held on Wednesday, March 27, 2019, at 11:30 a.m., at 3600 First Avenue North, Birmingham, Alabama.

The following Directors were present: William “Butch” Burbage, Jr., Deborah Clark, Brenda J. Dickerson, Ronald A. Mims, Tommy J. Alexander, Sherry W. Lewis, Brett A. King, George Munchus, and William R. Muhammad.

The meeting was also attended by: Michael Johnson, Interim General Manager; TM “Sonny” Jones, Assistant General Manager; Grace E. Amison, Executive Assistant to the Board of Directors; Vanessa Washington, Executive Assistant to IGM Michael Johnson; Mark Parnell, Parnell Thompson, LLC; Kelvin Howard, KWH, LLC.; Ernest Cory and Adam Pittman, Cory Watson; Tommy Palladino, Agency 54; Patrick Flannelly, ARCADIS; Theo Johnson, Volkert; Olivia Martin AGO; Kim Bivins, BCIA; Chandra Abesingha, CE Associates; Allen Hines, Landscape Unlimited; George Anderson, Rick Jackson, Cherita King, Ben Sorrell, Steve Franks, Jeff Cochran, Barry Williams, Jonathan Harris, Drusilla Hudson, John Dansby, Casey Rogers, John Reymann, and BWWB Security, Board Employees; Isaac Ballard and Nelda Thompkins, Retirees.

Inasmuch as all of the Board members were present, a quorum was in attendance. Chairman Burbage called the meeting to order at 11:33 a.m. Following, George Anderson, I.T. Manager opened the meeting with prayer.

Next, IGM Johnson asked the Board to adopt a resolution commending Purification Maintenance Worker Johnathan Bittles and Maintenance Crew Leader James Smith as Employees of the Month for March 2019 from the Operations and Technical Services Division, as set forth in agenda item 1. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By the Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Mr. Ronald A. Mims and seconded by Dr. George Munchus, that the Board hereby recognizes and commends Johnathan Bittles and James Smith, as the Operations and Technical Services Division Employees of the Month for March 2019, on having achieved outstanding job performance, attendance, and work above expected levels;

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Water Works Board of the City of Birmingham and a copy presented to Johnathan Bittles and James Smith. Resolution No. 8048 is hereby adopted by unanimous vote.”

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Next, IGM Johnson asked the Board to approve payments of invoices for professional services, as set forth in agenda items 2.1 through 2.7, respectively. Regarding the Birmingham

Business Alliance (BBA) invoice, agenda item 2.5, Director Lewis asked whether BWWB had been updated on the change with BBA leadership. IGM Michael Johnson indicated that BWWB did not receive a notification on said change from BBA; the information was seen in publications. Director Lewis expressed concerns that as a member paying \$25,000.00, the importance of being informed. Also, BBA was to provide emails and she has not received any information. IGM Johnson stated he has received a letter with an invoice but nothing official. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Brett A. King, that the Board hereby authorizes staff to execute payments to the following:

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|-----|---|--|
| 2.1 | <u>Cory Watson, P.C.</u> For professional services rendered for January 19, 2019 through March 6, 2019 | <u>\$1,822.50</u> |
| 2.2 | <u>Dominick Feld Hyde, P.C.</u> For professional services rendered for February 4-28, 2019 | <u>\$3,738.00</u> |
| 2.3 | <u>Raftelis Financial Consultants, Inc.</u> For professional services rendered for February 2019 | <u>\$16,881.62</u> |
| 2.4 | <u>Agency 54</u> 2.4.1 For professional services rendered for January 2019 2.4.2 For professional services rendered for February 2019 | <u>\$22,500.00</u> <u>\$22,500.00</u> |
| 2.5 | <u>Birmingham Business Alliance</u> For BBA Investment for 2019 | <u>\$25,000.00</u> |
| 2.6 | <u>Parnell Thompson, LLC.</u> For professional services rendered for February 2019 | <u>\$88,291.55</u> |
| 2.7 | <u>ARCADIS U.S., Inc.</u> For professional services rendered per January 2019 Progress Report (January 2019) | <u>\$230,996.46</u> |

Resolution No. 8049 is hereby adopted by unanimous vote.”

Next, IGM Johnson asked the Board to approve said directors' actual travel expenses for the 2019 AWWA/WEF Utility Management Conference held March 5 - 8, 2019, in Nashville, TN, as set forth in agenda item 3.1 through 3.5, respectively. [NOTE: A roll call vote is required.] On a motion duly made and seconded, a “roll call” vote of the directors was taken, and the following resolution was adopted:

“WHEREAS, the Board of Directors has adopted a Travel Expense Reimbursement Policy, as amended; and

WHEREAS, pursuant to Resolution No. 7683 adopted by the Board of Directors on January 16, 2019, approval was given to attend the 2019 Utility Management Conference scheduled March 5 - 8, 2019, in Nashville, Tennessee; and

WHEREAS, in accordance with Act No. 2015-164, approval is requested for the following actual expenses relative to the above-referenced conference.

NOW, THEREFORE, BE IT RESOLVED, on a motion duly made by Mr. Brett A. King and seconded by Dr. George Munchus, that the following board member(s) be reimbursed for his or her actual expenses pertaining to said conference as follows:

- Deborah Clark for total actual expenses including conference registration, lodging (room and tax only), business meals and other in the amount of \$1,872.42 (as listed on the attached Itemized Travel and Business Expense Reimbursement).
- Tommy Joe Alexander for total actual expenses including conference registration, lodging (room and tax only), business meals and other in the amount of \$2,185.89 (as listed on the attached Itemized Travel and Business Expense Reimbursement).
- Ronald A. Mims for total actual expenses including conference registration, lodging (room and tax only), business meals and other in the amount of \$2,194.97 (as listed on the attached Itemized Travel and Business Expense Reimbursement).
- William R. Muhammad for total actual expenses including conference registration, lodging (room and tax only), business meals and other in the amount of \$2,283.74 (as listed on the attached Itemized Travel and Business Expense Reimbursement).
- Brenda J. Dickerson for total actual expenses including conference registration, lodging (room and tax only), business meals and other in the amount of \$2,791.88 (as listed on the attached Itemized Travel and Business Expense Reimbursement).

Resolution No. 8050 is hereby adopted by a roll call vote: Chairman Burbage, Yes; Director Clark, Yes; Director Dickerson, Yes; Director Mims, Yes to all others with abstaining for himself; Director Alexander, Yes; Director Lewis, Yes; Director King, Yes; Director Munchus, Yes; and Muhammad, Yes.”

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Next, IGM Johnson asked the Board, to reimburse the Operating Account for capital expenditures made for the periods ended December 31, 2018 (\$4,818,924.49) and January 31, 2019 (\$7,001,114.37), from Schedule No. IV (Cash Basis), in the total amount of \$11,820,038.87 for said two months, as set forth in agenda item 4. IGM Johnson explained that capital expenses were being paid from PAYGO. However, capital funds are being used now, which reimburses our operating

budget for capital expenditures. On a motion duly made and seconded, the following resolution was adopted:

“WHEREAS, ARCADIS US, Incorporated, in Certificates dated March 6, 2019, certified that during the periods ending December 31, 2018 (\$4,818,924.49) and January 31, 2019 (\$7,001,114.38), that there were expenditures for the cost of system improvements, which were paid out of the Operating Account, and reimbursement of that account is now due. The total certified capital expenditures for said two months total \$11,820,038.87 and;

WHEREAS, transfers to the Operating Account can be made from any, or a combination, of the following: the 2002 Construction Fund, the Improvement Fund, and/or the Revenue Account.

NOW, THEREFORE, BE IT RESOLVED By The Water Works Board of the City of Birmingham, on a motion duly made by Dr. George Munchus and seconded by Mr. Ronald A. Mims, that the Trustee be, and is hereby instructed to immediately transfer \$11,820,038.87 to the Operating Account from any, or a combination, of the following: The 2002 Construction Fund, the Improvement Fund, and/or the Revenue Account. Resolution No. 8051 is hereby adopted by unanimous vote.”

Next, IGM Johnson asked the Board to approve expenditures with Layne/Vertiline c/o Dowdy & Associates, a sole source provider, to repair a Cahaba Pump Station river pump at a total out-of-pocket cost to the Board of \$182,350.00, as recommended by the Engineering and Maintenance Committee, as set forth in agenda item 5. [Note: This expenditure is exempt from the bidding under Alabama Competitive Bid Law because it is a sole source provider.] Director Burbage asked that it be clarified for the audience that the river pump is a sole source, because the pump is already installed and Layne/Vertiline c/o Dowdy & Associates is the only manufacturer that can perform the repairs needed for the river pump. AGM Sonny Jones indicated that the pump is being rebuilt, because it is 30% of new. The original drawings and specifications are protected under intellectual property. The manufacturer is the only one that has access for rehabbing the said pump. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made Dr. George Munchus and seconded by Mr. Ronald A. Mims, that the Board hereby approves expenditures with Layne/Vertiline c/o Dowdy & Associates, a sole source provider, to repair a Cahaba Pump Station river pump at a total out-of-pocket cost to the Board of \$182,350.00, as recommended by the Engineering and Maintenance Committee. [NOTE: This expenditure is exempt from bidding under the Alabama Competitive Bid Law because it is a sole source provider.] Resolution No. 8052 is hereby adopted by unanimous vote.”

Next, IGM Johnson asked the Board, to exercise its bid option to extend a 12-month contract with CJ Pressure Cleaning, Inc., the lowest responsible and responsive bidder, for pressure

washing, per bid awarded June 28, 2018, at an estimated out-of-pocket cost to the Board of \$500,000.00, as recommended by the Engineering & Maintenance Committee; and to authorize the Interim General Manager and/or the Assistant General Manager to execute a contract per Bid Specifications and Conditions. CJ Pressure Cleaning, Inc. is a HUB company, as set forth in agenda item 6. Director Muhammad asked whether CJ Pressure Cleaning was a service and a HUB, which the answer was yes to both questions. IGM Johnson answered yes. Then, Director Muhammad asked for clarification on when services should or should not be bid. Per Atty Mark Parnell, for the type of services provided by CJ Pressure Cleaning, expenditures over 15,000.00 unless it is professional services and under \$50,000.00 for public works. Director Mims requested that the board be provided the previous price paid for services/bids for comparison. AGM Sonny Jones agreed to include information on the Agenda submission forms. After no further discussion, on a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Ronald A. Mims, that the Board hereby exercises its bid option to extend a 12-month contracts with CJ Pressure Cleaning, Inc., the lowest responsible and responsive bidder, for pressure washing services, per bid awarded June 28, 2018, at an estimated out-of-pocket cost to the Board of \$500,000.00, as recommended by the Engineering & Maintenance Committee; and to authorize the Interim General Manager and/or the Assistant General Manager to execute a contract per Bid Specifications and Conditions. CJ Pressure Cleaning, Inc. is a HUB company. Resolution No. 8053 is hereby adopted by unanimous vote.”

Next, IGM Johnson asked the Board to take bids, as set forth in agenda items 7.1 through 7.4, respectively. Director Mims requested that the HUB participation is listed on the “take bids” requests and to improve on the amount of HUB participation. Per IGM Johnson, staff is working with BCIA to help improve participation. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Dr. Brenda J. Dickerson, that the Board hereby authorizes staff to take bids on the following, as recommended by the Engineering and Maintenance Committee:

7.1 The replacement of approximately 7,580’ of 2” galvanized steel pipe / 2” unlined cast iron pipe and 800’ of 6” unlined cast iron pipe with approximately 8,600’ of 6” DICL pipe and related appurtenances; and 136 water services along Avenue “R”; Avenue “J”; Avenue “K”; Avenue “L”; Avenue “M”; 12th Place; 13th Street; 14th Street; 15th Street and 17th Street located in the Ensley Community of the City of Birmingham, Alabama at an estimated out-of-pocket cost to the Board of \$2,064,000.00, as recommended by the Engineering and Maintenance Committee.

7.2 The replacement of approximately 3,810’ of 2” galvanized steel pipe with approximately 600’ of 4” DICL pipe; 2,650’ of 6” DICL pipe and related appurtenances; and 99 water

services along (Site A) Parkridge Avenue located in the City of Fairfield, Alabama and along (Site D) Grasselli Boulevard SW and Hillman Avenue SW both located in the City of Birmingham, Alabama at an estimated out-of-pocket cost to the Board of \$747,500.00, as recommended by the Engineering and Maintenance Committee.

7.3 The replacement of approximately 2,720' of 2" galvanized steel pipe / 2" unlined cast iron pipe with approximately 140' of 4" DICL pipe; 830' of 6" DICL pipe; 1,890' of 8" DICL pipe and related appurtenances; and 42 water services along Dawson Avenue SW; Dowell Avenue SW; and 28th Street SW located in the City of Birmingham, Alabama at an estimated out-of-pocket cost to the Board of \$657,800.00, as recommended by the Engineering and Maintenance Committee.

7.4 Request Committee to recommend to the Board approval to take bids for the replacement of approximately 2,280' of 2" cast iron cement lined (CICL) pipe with approximately 210' of 4" DICL pipe; 3,000' of 6" DICL pipe and related appurtenances; and 42 water services along Mims Avenue SW; 17th Way SW; Cleburn Avenue SW; and Boise Avenue SW located in the City of Birmingham, Alabama at an estimated out-of-pocket cost to the Board of \$738,300.00, as recommended by the Engineering and Maintenance Committee.

Resolution No. 8054 is hereby adopted by unanimous vote."

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Next, IGM Johnson asked the Board to award bids, as set forth in agenda items 8.1 through 8.3, respectively. Director Muhammad asked if the 30% HUB participation came from the subcontractor percentage or the contract project total, which IGM Johnson stated it is 30% of the contract. Director Clark expressed concerns about the excessive landscaping amount on agenda item 8.3. Director Clark inquired whether a schedule and a list of the properties to be landscaped available. Per AGM Jones, the majority was landscaping associated with main repairs at an average of five per day in various places. Director Clark expressed concern of a previous landscaping project that actual cost was extremely higher than the estimate. She also inquired about last year's cost. Per AGM Jones the underestimate was for \$200,000.00 but the cost was a million dollars. Then, Director Clark indicated there was no notification of an issue occurring to inform the board of said cost. John Dansby stated he reviewed the estimates when he became the Distribution Manager and saw that the previous estimates were too low. Per Mr. Dansby, things are transitioning now that he's identified some of the issues and made the appropriate adjustments. The project had not been bid at the amount of the expenditures. Director Muhammad asked Attorney Mark Parnell whether an item voted for as an instrument should come back to the board for approval if over the amount budgeted or the bid. Per Attorney Parnell, the board should be informed but they do not have to go back to approve the item regarding a bid. Next, Director Burbage stated that an item may be over or under the bid amount but not necessarily over the budgeted amount. Director Lewis indicated that the board needs to be informed if a bid is over the amount approved and the board has previously requested to be notified throughout the years. Dr. Dickerson asked IGM Johnson to provide the information going forward, which he agreed. Director Muhammad asked if there was a policy, which Attorney Parnell indicated there is no formal resolution to his knowledge. Director Burbage requested to research whether BWWB has

a formal policy on said issue. Patrick Flannelly, ARCADIS, explained that historically regarding the capital program, which are the large projects, the bidding has been on lump sum or unit price basis. The practice for lump sum basis is there is a Change Order Review Group that controls changes within 10% and any change over the 10% goes back before the board. Historically, the unit price projects are faster and easier for the Engineering Department to estimate; therefore, they are controlled at the total budget level which usually balances out. Per Director Muhammad his concerns, for example, the on-call bidders bid a low amount to get the contract, but the company paid more money than the amount bid to get the contract. Therefore, he is in favor of a policy to come back to the board on said projects. On a motion duly made and seconded, the following resolutions were adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Mr. Brett A. King and seconded by Dr. Brenda J. Dickerson, that the Board hereby authorizes staff to execute purchase orders and/or contracts for procurement of materials, services and supplies needed for the operation, construction, and maintenance of the water system to the following:

- 8.1 Consolidated Pipe, **the lowest responsible and responsive bidder**, for estimated quantities of Curb Stops (Annual), at an estimated out-of-pocket cost to the Board of \$51,409.60, as recommended by the Engineering & Maintenance Committee; and **to authorize** the Interim General Manager and/or the Assistant General Manager to execute a contract per Bid Specifications and Conditions. [NOTE: The Historically Underutilized Business (HUB)’s subcontractor participation is 0% (Supplier).]

- 8.2 Consolidated Pipe, **the lowest responsible and responsive bidder**, for estimated quantities of Unions (Annual), at an estimated out-of-pocket cost to the Board of \$68,067.68, as recommended by the Engineering & Maintenance Committee; and **to authorize** the Interim General Manager and/or the Assistant General Manager to execute a contract per Bid Specifications and Conditions. [NOTE: The Historically Underutilized Business (HUB)’s subcontractor participation is 0% (Supplier).]

- 8.3 Landscape Unlimited, LLC., **the lowest responsible and responsive bidder**, for landscaping restoration throughout the distribution area at an annual estimated out-of-pocket cost to the Board of \$1,497,800.00, as recommended by the Engineering & Maintenance Committee; and **to authorize** the Interim General Manager and/or the Assistant General Manager to execute a contract per Bid Specifications and Conditions. [NOTE: The Historically Underutilized Business (HUB)’s subcontractor participation is 30%. The only bidder to respond.]

Resolution No. 8055 is hereby adopted by unanimous vote.”

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Next, IGM Johnson asked the Board to approve and to authorize the Interim General Manager to schedule open forums and/or town hall meetings with BWWB employees, as set forth in agenda item 9. Director Lewis inquired about the specifics and purpose for said item. IGM Johnson stated Director Mims directed staff to place item on the agenda. Then, IGM Johnson

explained some of the specifics with the board. Director Clark stated that if the item was previously tabled, it should go back to Committee to answer questions and address concerns such as jobs left undone, overtime paid, etc. Dr. Dickerson stated that employee engagement is crucial in developing a culture without fear and intimidation of BWWB from the employees and engaging the employees is a positive thing to do. Per Director Mims, employees should be given an opportunity to express their concerns. Director Muhammad stated that employees have expressed the preference to hear information directly from the board. Director Burbage called for a vote on said item. On a motion duly made and seconded, the following resolution was adopted:

“WHEREAS, The Water Works Board of the City of Birmingham (the “Water Works Board”) has over 635 employees; and

WHEREAS, said employees are located throughout the Works Board’s service area which stretches over portions of five (5) counties; and

WHEREAS, said employees provide a variety of services to the Water Works Board and to the Water Works Board’s customers; and

WHEREAS, said employees experience a variety of working conditions; and

WHEREAS, in the past, the Water Works Board has conducted townhall meetings or open forums with the board of directors to give the employees an opportunity to express any issues they may wish to discuss concerning their employment with the Water Works Board; and

WHEREAS, the board of directors believe that it would be helpful for the development of policies to hold one or more townhall meetings or open forums for the purpose of allowing employees an opportunity to express issues they may wish to discuss concerning their employment with the Water Works Board.

NOW THEREFORE, on a motion made by Dr. George Munchus and seconded by Mr. Ronald A. Mims as follows:

1. The Interim General Manager is hereby authorized and instructed to schedule one or more townhall meetings or open forums with the board of directors at location(s) suitable to allow employees the opportunity to discuss issues concerning their employment with the Water Works Board. The number and location of the town hall meetings to be determined by the Interim General Manager but designed to allow the maximum number of employees an opportunity to participate.

2. The townhall meetings or open forums will be for the purpose of allowing employees to discuss issues of a general nature and not issues of an individualized or personal issue for the particular employee.

3. The Interim General Manager is to inform the board of directors of the time and place of the townhall meetings or open forums.

Resolution No. 8056 is hereby adopted by Directors Burbage, Dickerson, Mims, Alexander, King, Munchus and Muhammad. Director Lewis abstained. Director Clark voted no.”

Subsequently, agenda item 10 addressed new business. Director Lewis made a motion to hire the search firm POLIHIRE to perform an executive search to hire a General Manager. Per Director Burbage, he will contact Attorney Parnell to ensure the board receives a formal agreement. Then, he requested Grace Amison, Executive Assistant to the Board of Directors to prepare a letter for his signature to the other search firms notifying them that another firm was chosen and thanking them for their services. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Ms. Sherry W. Lewis and seconded by Ms. Deborah Clark, that the Board hereby approves to hire POLIHIRE to perform an executive search for the General Manager’s position. Resolution No. 8057 is hereby by adopted by Directors Clark, Dickerson, Lewis and Alexander. Directors Mims and Muhammad abstained. Directors Burbage, King, and Munchus voted no.”

Next, under new business, Dr. Munchus made a motion to remove the “Interim” from the General Manager’s title and to adjust his salary to \$300,000.00. There was discussion that a motion to hire a search firm was adopted and now there is a motion to remove “Interim” from the Acting General Manager’s title. Attorney Parnell stated it is an inconsistent action to hire a search firm to look for a General Manager and have a motion to hire Interim General Manager Michael Johnson as the General Manager. Director Lewis asked to see a contract since past General Managers worked under a contract or if IGM Johnson was being placed under a contract. Per Dr. Munchus, he is not putting IGM Johnson under contract; he is removing the interim title. Attorney Parnell stated the General Manager can work under a contract or be an employee at-will. Director Lewis asked to see the details of the contract, for instance, there were perks from the previous General Manager’s contract that they may not want in this contract. Director Muhammad stated, there will be no contract. Mr. Johnson would be an at-will employee. Attorney Parnell stated Mr. Johnson would have the same benefits as other employees. Director Lewis asked IGM Johnson would he accept the position and salary if the board made the offer. IGM Johnson answered yes. Director Burbage called for a roll call. On a motion duly made and seconded, the following resolution was adopted with a vote of 5 to 4:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. William R. Muhammad, that the Board hereby approves to remove the “Interim” form the General Manager’s title and to adjust his salary to \$300,000.00. Resolution No. 8058 is hereby by adopted by Directors Burbage, Alexander, King, Munchus and Muhammad. Directors Clark, Dickerson, Mims and Lewis voted no.”

Following, under new business, Director King made a motion to raise AGM Sonny Jones salary by 5% retroactive back to February 1, 2019, until the Assistant General Manger – Operations and Technical Services position is filled. This will be an out-of-class pay increase.

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Mr. Brett A. King and seconded by Dr. George Munchus, that the Board hereby approves to raise Assistant General Manager T.M. “Sonny” Jones’s salary by 5 percent retroactive back to February 1, 2019 until the Assistant General Manager – Operations and Technical Services’ position is filled. This will be an out-of-class pay increase. Resolution No. 8059 is hereby by adopted by Directors Burbage, Dickerson, Mims, Alexander, King, Munchus and Muhammad. Directors Clark and Lewis abstained.”

Director Muhammad asked Attorney Parnell could he make a motion to bring back the vote on hiring the POLIHIRE search firm since he abstained from voting. Attorney Parnell answered the item could be brought back by a member who voted in the affirmative.

Finally, Attorney Parnell certified two pending cases as the proper purpose for Executive Session. He anticipated that the Executive Session may last 30 minutes and does not anticipate any action taken after said session. Per Attorney Parnell, the first part of Executive Session needs to consist of the board, Mr. Johnson and AGM Jones would needed to be included for the second part of the Executive Session. Executive Session was entered at 12:45 p.m. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Ms. Sherry W. Lewis and seconded by Dr. Brenda J. Dickerson, that the Board hereby approves an Executive Session to discuss two pending cases. Resolution No. 8060 is hereby adopted by unanimous vote.”

Subsequently, at 1:15 p.m., the motion to end Executive Session was made by Dr. Dickerson and seconded by Director Mims. Thus, the Board reopened the meeting.

As there was no further business to be brought before the Board, a motion to adjourn the meeting was duly made and seconded, and the meeting adjourned at 1:15 p.m.

_____/s/_____
William “Butch” Burbage, Jr., C.P.A.
Chairman/President

Attest:

_____/s/_____
Ronald A. Mims
Secretary-Treasurer