

**MINUTES OF THE REGULAR BI-MONTHLY MEETING OF DIRECTORS
OF THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM
June 7, 2023**

A regular meeting of the directors of The Water Works Board of the City of Birmingham was held on Wednesday, June 7, 2023 at 11:30 a.m.

The following directors were present: Tom Henderson, Lucien Blankenship, Larry Ward, Tereshia Huffman, George Munchus, William “Butch” Burbage, Jr., Ronald A. Mims, Mashonda Taylor, and Dalton NeSmith.

Others present were: Michael Johnson, General Manager; Iris Fisher, and Derrick Murphy, Assistant General Managers; Cynthia Williams, Board Administrator; Anitra Clark, Corporate Governance Specialist; , Drusilla Hudson, Rick Jackson, Jeff Wade, Charles McGee, Anthony Hazel, Rosalind Jones, Joyce Dupree, Matthew Pritchett, Colandus Mason, Jackie Hill, Matt Shiver, Paul Lloyd, and David Walker, BWWB Employees; K. Mark Parnell, Parnell Thompson, LLC; Byron Perkins, Perkins Law, LLC; Kelvin Howard, Kelvin W. Howard, LLC; Michael Bell, Birmingham Construction Industry Authority; Olivia Martin, State of Alabama Attorney General’s Office; Patrick Flannelly, ARCADIS, U.S., Inc.; Matthew Arrington, Terminus Municipal Advisors; Lindsey McAdory, CBG Strategies; Theo Johnson, Jacobs; Kent Hartzog, Gresham Smith Partners; Rusty Aqi, Itron; and Alyssa Thomas, City of Birmingham.

Chairwoman Huffman declared a quorum in attendance.

Chairwoman Huffman called the meeting to order at 11:30 a.m. and Assistant General Manager Iris Fisher opened with prayer.

Following, Chairwoman Huffman asked the Board to approve the agenda. 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. Dalton NeSmith, and seconded by Mr. Ronald Mims, that the Board hereby approves the agenda for the June 7, 2023 Regular Board of Directors Meeting. Resolution No. 9340 is hereby adopted by unanimous vote.”

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Following, Chairwoman Huffman asked to hear Reports of Committee. As there were no reports, the General Manager stated the upcoming Engineering & Maintenance Committee would be held immediately following the Board meeting.

Following, Chairwoman Huffman asked to hear Reports of Officers. Chairwoman Huffman stated she requested Board Administrator Cynthia Williams to distribute the governance policy to the directors who haven’t had an opportunity to sign it. She then requested an update from Board Administrator Cynthia Williams regarding the status of the policy being signed. Ms. Williams stated there was no update. Chairwoman Huffman questioned whether the directors who hadn’t signed plan on signing the policy at the meeting. Director Munchus stated he did not plan on signing the pledge at the meeting. Chairwoman Huffman then requested the new Board Committee assignments be distributed. A copy is on file in Diligent. She stated the Board had completed training earlier in the week and she thanked those directors who were not able to attend for rescheduling their training after the Board meeting. Subsequently, Director Ward stated the State had passed the Dam Inspection Law.

Director Munchus requested the General Manager provide a status on the non-revenue water policy and non-revenue water practice. Next, Drusilla Hudson, Manager of the EnviroLab, presented the Operations and Technical Services Division Report. Ms. Hudson stated the report reflects the time period of January 2023 through March 2023. She stated cumulative finished water pumpage for 2023 was 9.5 billion gallons. She then gave an overview of raw water production for the pumping stations; an overview of rainfall; and indicated Inland Lake and Lake Purdy are full. She stated raw water pumpage year-to-date was 15.2 billion gallons. Ms. Hudson gave an overview of power and chemical costs indicating both are over budget year-to-date. She then gave an overview of the operations of the departments within the division. The General Manager stated the numbers for one of the year-to-date slides is off and that information will have to be reviewed. He indicated he did not catch the error when reviewing the presentation. Director Munchus questioned since Alabama is an open carry state, whether BWB customers would be allowed to bring firearms on campus. Board Attorney Mark Parnell responded customers have the right to carry; however, BWB has the right to bar customers from bringing the firearms on campus. Next, the General Manager gave an update on the *Bill Better* Campaign. He stated the response has been good, and he stated the biggest challenge is meeting the guarantee made with the *Bill Better* campaign. He stated further information will be provided at an upcoming Communications Committee meeting.

Following, the Board moved to Speakers. As there were no speakers, the Board moved to New Business.

Following, the Board moved to the first item on the agenda, Request Board to adopt resolutions authorizing monthly retirement benefits from the Board’s Retirement Trust Fund for the following. On a motion duly made and seconded, the following resolution was adopted:

“WHEREAS, Christopher Kiley, an employee of The Water Works Board of the City of Birmingham ("the Board"), is retiring, effective July 1, 2023, at an age of 48, and

WHEREAS, Christopher Kiley has 30 years of continuous service with the Board at his retirement date, and in accordance with the terms of the Trusteed Pension Plan, is entitled to receive a monthly Retirement payment from the Board’s Retirement Trust Fund in the amount of \$6,200.86; and

NOW, THEREFORE, BE IT RESOLVED By the Board of Directors of The Water Works Board of the City of Birmingham, on motion duly made by Ms. Mashonda Taylor and seconded by Mr. George Munchus, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$ 6,200.86 to Mr. Kiley from the Board’s Retirement Trust Fund, in accordance with the terms of the Pension Plan, with the first payment to be made July 1, 2023.

Resolution No. 9341 is hereby adopted by unanimous vote.”

WHEREAS, Christopher Kiley, an employee of The Water Works Board of the City of Birmingham, is retiring, effective July 1, 2023, after 30 years of service with the Board; and

WHEREAS, management has informed the Board of Christopher Kiley’s efficiency, reliability, and loyal service which contributed to the effective operation and growth of The Water Works Board of the City of Birmingham; and

WHEREAS, Christopher Kiley, leaves behind a record which deserves a sincere word of gratitude for a job well done; and the Board does hereby express its best wishes for many happy years ahead.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Directors of the Water Works Board of the City of Birmingham, Christopher Kiley is hereby commended for his efficiency, reliability, and loyal service to the Board.

BE IT FURTHER RESOLVED, that in recognition of Christopher Kiley’s services to the Board, a copy of this resolution be spread upon the minutes of The Water Works Board of the City of Birmingham and an official resolution presented to Mr. Kiley.

Resolution No. 9342 is hereby adopted by unanimous vote.”

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“WHEREAS, Nora Souders, an employee of The Water Works Board of the City of Birmingham ("the Board"), is retiring, effective July 1, 2023, at an age of 67, and

WHEREAS, Nora Souders has 15 years of continuous service with the Board at her retirement date, and in accordance with the terms of the Trusteed Pension Plan, is entitled to receive a monthly Retirement payment from the Board’s Retirement Trust Fund in the amount of \$1,455.74; and

NOW, THEREFORE, BE IT RESOLVED By the Board of Directors of The Water Works Board of the City of Birmingham, on motion duly made by Ms. Mashonda Taylor and seconded by Mr. George Munchus, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$1,455.74 to Ms. Souders from the Board’s Retirement Trust Fund, in accordance with the terms of the Pension Plan, with the first payment to be made July 1, 2023.

Resolution No. 9343 is hereby adopted by unanimous vote.”

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“WHEREAS, Nora Souders, an employee of The Water Works Board of the City of Birmingham, is retiring, effective July 1, 2023, after 15 years of service with the Board; and

WHEREAS, management has informed the Board of Nora Souders’s efficiency, reliability, and loyal service which contributed to the effective operation and growth of The Water Works Board of the City of Birmingham; and

WHEREAS, Nora Souders, leaves behind a record which deserves a sincere word of gratitude for a job well done; and the Board does hereby express its best wishes for many happy years ahead.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Directors of the Water Works Board of the City of Birmingham, Nora Souders is hereby commended for her efficiency, reliability, and loyal service to the Board.

BE IT FURTHER RESOLVED, that in recognition of Nora Souders’s services to the Board, a copy of this resolution be spread upon the minutes of The Water Works Board of the City of Birmingham and an official resolution presented to Ms. Souders.

Resolution No. 9344 is hereby adopted by unanimous vote on June 7, 2023.

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“WHEREAS, Harvey King, an employee of The Water Works Board of the City of Birmingham ("the Board"), is retiring, effective July 1, 2023, at an age of 66, and

WHEREAS, Harvey King has 10 years and 8 months of continuous service with the Board at his retirement date, and in accordance with the terms of the Trusteed Pension Plan, is entitled to receive a monthly Retirement payment from the Board’s Retirement Trust Fund in the amount of \$1,073.27; and

NOW, THEREFORE, BE IT RESOLVED By the Board of Directors of The Water Works Board of the City of Birmingham, on motion duly made by Ms. Mashonda Taylor and seconded by Mr. George Munchus, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$ 1,073.27 to Mr. King from the Board’s Retirement Trust Fund, in accordance with the terms of the Pension Plan, with the first payment to be made July 1, 2023.

Resolution No. 9345 is hereby adopted by unanimous vote on June 7, 2023.

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WHEREAS, Harvey King, an employee of The Water Works Board of the City of Birmingham, is retiring, effective July 1, 2023, after 10 years and 8 months of service with the Board; and

WHEREAS, management has informed the Board of Harvey King’s efficiency, reliability, and loyal service which contributed to the effective operation and growth of The Water Works Board of the City of Birmingham; and

WHEREAS, Harvey King, leaves behind a record which deserves a sincere word of gratitude for a job well done; and the Board does hereby express its best wishes for many happy years ahead.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Directors of the Water Works Board of the City of Birmingham, Harvey King is hereby commended for his efficiency, reliability, and loyal service to the Board.

BE IT FURTHER RESOLVED, that in recognition of Harvey King’s services to the Board, a copy of this resolution be spread upon the minutes of The Water Works Board of the City of Birmingham and an official resolution presented to Mr. King.

Resolution No. 9346 is hereby adopted by unanimous vote.

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Following, the Board moved to the second item on the agenda, Request Board to approve payment of the following invoices. 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. Larry Ward, and seconded by Mr. William Burbage, that the Board hereby authorizes staff to execute payments to the following:

- 2.1 Raftelis Financial Consultants, Inc. for the following:
 - 2.1.1 For professional services rendered April 2023 related to the WIFIA Loan in the amount of \$840.00.

- 2.1.2 For professional services rendered April 2023 related to Consolidated Invoices in the amount of \$7,168.75.
- 2.2 Agee Law, LLC for professional services rendered April 2023 in the amount of \$14,845.00.
- 2.3 CBG Strategies for professional services rendered May 2023 in the amount of \$22,350.00.

Resolution No. 9347 is hereby adopted by unanimous vote.”

Following, the Board moved to the third item on the agenda, Request Board to award bids to the following. Director Ward questioned why vaults were being purchased. Assistant General Manager Murphy responded they are meter vaults. He stated there will be several purchases the Board will see in the upcoming months. He stated there were samples on display of the equipment being used that needs to be replaced. Director Munchus questioned whether Birmingham Construction Industry Authority (BCIA) was involved in the bid process. Michael Bell, Birmingham Construction Industry Authority, stated the bids were reviewed by BCIA. He stated the distributors’ community involvement were reviewed. 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 Mims, and seconded by Mr. Dalton NeSmith, that the Board hereby authorizes staff to execute the necessary documents to award bids to the following:

- 3.1 Southern Pipe and Supply, the lowest responsible and responsive bidder, for estimated annual quantities of Curb Boxes, Valve Boxes, and Pavadjusters at an estimated out-of-pocket cost to the Board of \$30,666.50; and authorizes the General Manager and/or the Assistant General Manager to execute the agreement.
- 3.2 Consolidated Pipe & Supply Company, Inc. the lowest responsible and responsive bidder, for estimated quantities of Polymer Concrete Armorcast Vaults, at an out-of-pocket cost to the Board of \$37,220.00; and authorizes the General Manager and/or the Assistant General Manager to execute the agreement.
- 3.3 Consolidated Pipe & Supply Company, Inc., the lowest responsible and responsive bidder, for estimated quantities of Tapping Sleeves at an out-of-pocket cost to the Board of \$49,618.00; and authorizes the General Manager and/or the Assistant General Manager to execute the agreement.

Resolution No. 9348 is hereby adopted by unanimous vote.”

Following, the Board moved to the fourth item on the agenda, Request Board to approve a Retirement Gift and Party Policy, as recommended by the Human Resources Committee. A copy of the Retirement Gift and Party Policy is on file in Diligent. Director Munchus questioned whether policy treats on-campus and off-campus events the same. The General Manager responded yes. 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 Mashonda Taylor, and seconded by Mr. George Munchus, that the Board hereby approves a Retirement Gift and Party Policy, as recommended by the Human Resources Committee. Resolution No. 9349 is hereby adopted by unanimous vote.”

Following, the Board moved to the fifth item on the agenda, Request Board to approve a Statement of Work (SOW) with Onsite Health Diagnostics to complete the 2023 Biometric Screenings prior to open enrollment at an estimated out-of-pocket cost to the Board of \$36,000.00; and to authorize the General Manager and/or Assistant General Manager to execute the document, as recommended by the Human Resources Committee. Director Mims questioned whether this biometric screening is the same as ones conducted in the past, and the General Manager responded yes. 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 Mims, and seconded by Ms. Mashonda Taylor, that the Board hereby approves a Statement of Work (SOW) with Onsite Health Diagnostics to complete the 2023 Biometric Screenings prior to open enrollment at an estimated out-of-pocket cost to the Board of \$36,000.00; and authorizes the General Manager and/or Assistant General Manager to execute the document, as recommended by the Human Resources Committee. Resolution No. 9350 is hereby adopted by unanimous vote.”

Subsequently, a discussion ensued regarding scheduling an upcoming Finance Committee meeting. Chairwoman Huffman indicated the new Board Committee assignments that were distributed earlier in the meeting were effective immediately.

Next, Director Blankenship then made a motion to adjourn the meeting and Director Henderson seconded the motion. On a motion duly made and seconded, the motion was approved, and the meeting was adjourned at 11:57 a.m.

/s/
Tereshia Q. Huffman
Chairwoman

Attest:

/s/
Raymond L. Ward
Secretary-Treasurer