

**MINUTES OF THE REGULAR BI-MONTHLY MEETING OF DIRECTORS
OF THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM
March 11, 2020**

The regular bi-monthly meeting of the directors of The Water Works Board of the City of Birmingham was held on Wednesday, March 11, 2020 at 12:30 p.m., at the Anthony L. Barnes Conference Center, 4012 Sicard Hollow Road, Birmingham, Alabama.

The following Directors were present: Ronald A. Mims, William Burbage, Jr., Deborah Clark, Tommy Joe Alexander, William Muhammad, Brett King, George Munchus, Brenda Dickerson, and Lucien Blankenship.

The meeting was also attended by: Michael Johnson, General Manager; Iris Fisher, Jeff Thompson, and Derrick Murphy, Assistant General Managers; Grace Amison, Executive Assistant to the Board of Directors; Anitra Hendrix, Executive Assistant to the General Manager; George Anderson, Rick Jackson, Cynthia Williams, Matthew Pritchett, Ed Travis, Paul Lloyd, Meridith Hollins, Rhonda Lewis, Joyce Perry, Morgan Dill, LaDedra Ruffin, Derrick Gooden, Sam Day, Barry Williams, and Terrell Jones, Board Employees; K. Mark Parnell, Parnell Thompson, LLC; Kelvin Howard, Kelvin Howard, LLC; Martha Bozeman, and Tommy Pallandino, Agency 54; Patrick Flannelly, Brian Ruggs and Trisha Brown, ARCADIS, U.S.; Theo Johnson, Volkert & Associates; Kim Baylor Bivins and Michael Bell, Birmingham Construction Industry Authority; Matthew Arrington, Terminus Municipal Advisors; Christopher Swain, Monumental Contracting; Greg Cade and Kevin McKie, Environmental Litigation Group; Phillip Paulk; Nelda Thompkins; Isaac Ballard; and Officers Meadows and Rosato.

Inasmuch as nine of the directors were present; Chairman Mims declared a quorum in attendance.

Chairman Mims called the meeting to order at 12:53 p.m. Mr. George Anderson opened the meeting with prayer.

Following, Chairman Mims stated the agenda was before the Board. Director Blankenship requested agenda item 12, Request Board to hear a presentation from Jay Roberson, Vice President – Sales, regarding the World Games 2021, be moved to agenda item 1. He then requested an invoice from Birmingham Construction Industry Authority (BCIA), be added to the agenda as item 9.6. Chairman Mims stated agenda item 1, Request Board to elect the Officers of the Corporation for 2020 calendar year, be moved to agenda item 1.2. Director Blankenship requested that an Ad/Hoc Committee be added to the list of committees related to agenda item 2. Chairman Mims stated the Ad/Hoc Committee is not permanent; therefore, it would not be included in the official list of committees. Director Blankenship then made a motion to move the agenda with the recommended changes and Director Dickerson seconded the motion. 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. Lucien Blankenship, and seconded by Dr. Brenda Dickerson, that the Board hereby approves the agenda for the March 11, 2020 Regular Board of

Directors’ Meeting with the recommended changes. Resolution No. 8297 is hereby adopted by unanimous vote.”

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Following, the General Manager asked the Board to hear a presentation from Jay Roberson, Vice President – Sales, regarding the World Games 2021. Mr. Roberson stated the World Games is affiliated with the Olympics. He stated the games will take place July 15-25, 2021 over 11 days involving 3,600 athletes from around the world with an expected attendance of 500,000. He stated the games will be broadcast around the world and gave an overview of the partners associated with the games. Mr. Roberson stated there will be ten event sites and he would like for the Board to consider sponsoring hydration stations throughout the City of Birmingham. Director Munchus questioned is there a dollar amount the World Games would like for the Board to consider. The General Manager stated the World Games has provided a schedule of the different levels of contributions. Director Blankenship stated the Public Relations Department should be involved; however, this item is not before the Board to decide whether it will participate at this time. Director Munchus questioned the Board’s attorney, Mark Parnell, whether the Board has to contract for services or make a direct donation. Mr. Parnell stated the Board is bound to certain things and this item would need to be reviewed. Director Muhammad questioned the World Games’ position on equal opportunity. Mr. Roberson stated minority companies are being given an opportunity to participate in the World Games. He stated their goal for Historically Underutilized Businesses (HUB) participation is 35%. Director Muhammad questioned Mr. Roberson who was responsible for monitoring the World Games to make sure they reach their HUB goal. Mr. Roberson stated the World Games has representation for that. Director Muhammad requested the World Games work with BCIA on possible opportunities. He stated his participation with the World Games is contingent upon BCIA’s participation.

Following, the General Manager asked the board to elect Officers of the Corporation for 2020 calendar year, as set forth in agenda item 1.2. Chairman Mims stated the first position up for election was First Vice Chairman/First Vice President. Director Blankenship stated there were nominations made at the last board meeting and those nominations needed to be withdrawn and reopened. Mr. Parnell stated the nomination for the First Vice Chairman/First Vice President died at the last board meeting due to a tie vote. Director Blankenship then requested Chairman Mims to explain the process of how the vote would be taken. Chairman Mims stated the election would be taken by each office. Director Clark then nominated Director Blankenship for First Vice Chairman/First Vice President and Director Alexander seconded the motion. Director Blankenship declined the nomination. Director Munchus nominated Director Dickerson. Director Alexander nominated Director Clark. Director Muhammad made a motion that the nominations for First Vice Chairman/First Vice President be closed and Director Munchus seconded the motion. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED, that Dr. Brenda J. Dickerson is hereby appointed First Vice Chairwoman/First Vice President of The Water Works Board of the City of Birmingham (“the Board”) and to serve as an Officer of the Corporation at the pleasure of the Board or until the next election of Officers. Resolution No. 8298 is hereby adopted by a roll call vote: Director Blankenship, Aye; Director Alexander, No; Director Clark, No; Director Burbage, No; Director Mims, Aye; Director Munchus, Aye; Director Muhammad, Aye; Director Dickerson, Aye; and Director King, No.”

Following, Chairman Mims asked for nominations for the position of Second Vice Chairman/Second Vice President. Director Blankenship nominated Director Clark. Director Muhammad nominated Director Munchus. Director King made a motion that the nominations for Second Vice Chairman/Second Vice President be closed and Director Dickerson seconded the motion. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED, that Ms. Deborah Clark is hereby appointed Second Vice Chairwoman/Second Vice President of The Water Works Board of the City of Birmingham (“the Board”) and to serve as an Officer of the Corporation at the pleasure of the Board or until the next election of Officers. Resolution No. 8299 is hereby adopted by a roll call vote: Director Blankenship, Aye; Director Alexander, Aye; Director Clark, Aye; Director Burbage, Aye; Director Mims, No; Director Munchus, No; Director Muhammad, No; Director Dickerson, No; and Director King, Aye.”

Following, Chairman Mims asked for nominations for the position of Secretary/Treasurer. Director Munchus nominated Director Muhammad. Director King nominated Director Burbage. Director King made a motion that the nominations for Secretary/Treasurer be closed and Director Dickerson seconded the motion. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED, that Mr. William R. Muhammad is hereby appointed Secretary/Treasurer of The Water Works Board of the City of Birmingham (“the Board”) and to serve as an Officer of the Corporation at the pleasure of the Board or until the next election of Officers. Resolution No. 8300 is hereby adopted by a roll call vote: Director Blankenship, Aye; Director Alexander, No; Director Clark, No; Director Burbage, No; Director Mims, Aye; Director Munchus, Aye; Director Muhammad, Aye; Director Dickerson, Aye; and Director King, No.”

Following, Chairman Mims asked for nominations for the position of Assistant Secretary/Assistant Treasurer. Director King nominated Director Burbage. Director Munchus nominated Director Blankenship. Director Blankenship declined the nomination. Director Blankenship made a motion that the nominations for Second Vice Chairman/Second Vice President be closed and Director Alexander seconded the motion. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED, that Mr. William R. Burbage is hereby appointed Assistant Secretary/Assistant Treasurer of The Water Works Board of the City of Birmingham (“the Board”) and to serve as an Officer of the Corporation at the pleasure of the Board or until the next election of Officers. Resolution No. 8301 is hereby adopted by unanimous vote.”

Following, the General Manager asked the board to adopt a resolution establishing its committees, effective March 11, 2020, with appointed presiding Board committee members, senior executive management and consultants to serve on the respective committees, as set forth in agenda item 2. Director Muhammad made a motion to approve the item and Director Munchus seconded the motion. Director Blankenship questioned Chairman Mims whether he was going to announce the committees and their members. A discussion then ensued. Chairman Mims stated he requested recommendations from the board regarding the committees; however, he didn't get much response. Director Blankenship questioned Chairman Mims whether he considered individual interests. Chairman Mims stated he could not overload any committee. He stated every board member is welcomed to attend a committee meeting. Director Blankenship then requested a report be made at board meetings after a committee has had a meeting. A discussion then ensued. Mr. Parnell stated a committee/summary would include recommendations made by the committee to the Board. He stated the minutes would not be attached to this report. Director Muhammad stated he would like to look at a way for the directors to not have to attend all of the committee meetings. He also stated he would like to add an additional committee to ensure that all board members are on more than one committee. Chairman Mims stated he looked into adding an additional committee and indicated it would cost the board more money to do so. Grace Amison, Executive Assistant to the Board of Directors, stated there was a Water Resources Committee at one time; however, it became incorporated into the Executive Committee. Director Muhammad questioned whether the Board needed to remove the Water Resources Committee from the Executive Committee. A discussion then ensued. Director Muhammad then made a motion to create a new committee. Mr. Parnell stated a committee would need to be defined before it being added. He recommended Director Muhammad have a discussion with Chairman Mims regarding this issue. Director Muhammad agreed with Mr. Parnell. On a motion duly made and seconded, the following resolution was adopted:

“WHEREAS, on May 8, 1997, The Water Works Board of the City of Birmingham (“The Water Works Board”) adopted certain committees for the purpose of working with staff in certain areas in helping the Board to establish overall policies.

WHEREAS, on March 11, 2020, on a motion duly made by Mr. William R. Muhammad and seconded by Mr. George Munchus, that The Water Works Board hereby approves and establishes certain Board committees and membership on said committees.

NOW, THEREFORE, BE IT RESOLVED that The Water Works Board’s Committees and respective members shall be as reflected on the list of Board Committees attached hereto these minutes. Resolution No. 8302 is hereby adopted by unanimous vote.”

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Following, the General Manager asked the board to adopt a resolution expressing its condolences in the death of employee David Brown (Field Investigator – System Development Department) who passed away on February 22, 2020, as set forth in agenda item 3. On a motion duly made and seconded, the following resolution was adopted:

“WHEREAS, David Brown passed away on Saturday, February 22, 2020, wherein The Water Works Board of the City of Birmingham (hereinafter known as the “Board”) mourns the death of David Brown; and

WHEREAS, David Brown had been a dedicated and valued employee of the Board since October 8, 2007; and

WHEREAS, This Board wishes to pause from its Board of Directors' Meeting on Wednesday, March 11, 2020 to convey its respect and deepest sympathy to the family, friends and co-workers of David Brown; and

NOW, THEREFORE, BE IT RESOLVED, That The Water Works Board of the City of Birmingham does hereby perpetuate the memory of David Brown, who was a Field Investigator in the System Development Department of the Engineering and Maintenance Division, and hereby expresses its condolences to his family, friends, and co-workers.

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 that a copy be presented to the Brown family.

Resolution No. 8303 is hereby adopted by unanimous vote.”

Following, the General Manager asked the board to approve minutes, as set forth in agenda item 4. 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. George Munchus and seconded by Dr. Brenda Dickerson, that the Board hereby approves minutes of Regular Board of Directors' Meeting held November 14, 2019; December 11, 2019; and December 18, 2019. Resolution No. 8304 is hereby adopted by Directors Mims, Dickerson, Clark, Muhammad, Burbage, King, Munchus and Alexander; and Director Blankenship abstained from voting.”

Following, the General Manager asked the board to approve Director King's mileage expense reimbursement for February 2020 in the amount of \$71.30, as set forth in agenda item 5. On a motion duly made and seconded, the following resolution was adopted:

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

WHEREAS, in accordance with Act No. 2015-164, approval is requested for the following mileage expense reimbursement.

NOW, THEREFORE, BE IT RESOLVED, on a motion made by Mr. George Munchus and seconded by Mr. William R. Muhammad, that the following board member(s) be reimbursed for his and/or her mileage expense reimbursements as follows:

Brett A. King for mileage expense reimbursement for attending to business of Board for February 2020 in the amount of \$71.30 (as listed on the attached Travel and Business Expense Reimbursement).

Resolution No. 8305 is hereby adopted by a roll call vote: Director Burbage, Aye; Director Clark, Aye; Director Dickerson, Aye; Director Mims, Aye; Director Alexander, Aye; Director Munchus, Aye; Director Muhammad, Aye; Director Blankenship; and Director King, Aye.”

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Following, the General Manager asked the board to adopt resolutions authorizing monthly retirement benefits from the Board's Retirement Trust Fund, as stated on the respective retirement calculations, and commending the following employees for their years of service, as set forth in agenda items 6.1 through 6.2. On a motion duly made and seconded, the following resolutions were adopted:

“WHEREAS, John Dansby, an employee of The Water Works Board of the City of Birmingham ("the Board"), is retiring, effective April 1, 2020, at an age of 62; and

WHEREAS, John Dansby has 24 years of continuous service with the Board at his retirement date, and, in accordance with the terms of the Trusteed Pension Plan, Mr. Dansby is entitled to receive a monthly Retirement payment from the Board’s Retirement Trust Fund in the amount of \$5,216.35; 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 Mr. William R. Muhammad and seconded by Mr. George Munchus, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$5,216.35 to Mr. Dansby, beginning April 1, 2020, from the Board’s Retirement Trust Fund, in accordance with the terms of the Pension Plan.

Resolution No. 8306 is hereby adopted by unanimous vote.”

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“WHEREAS, John Dansby, an employee of The Water Works Board of the City of Birmingham, is retiring, effective April 1, 2020, after 24 years of service with the Board; and

WHEREAS, management has informed the Board of John Dansby’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, John Dansby, 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, John Dansby is hereby commended for his efficiency, reliability, and loyal service to the Board.

BE IT FURTHER RESOLVED, that in recognition of John Dansby'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. Dansby.

Resolution No. 8307 is hereby adopted by unanimous vote.”

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“WHEREAS, Russell Jennings, an employee of The Water Works Board of the City of Birmingham ("the Board"), is retiring, effective April 1, 2020, at an age of 56; and

WHEREAS, Russell Jennings has 32 years and 6 months of continuous service with the Board at his retirement date, and, in accordance with the terms of the Trusteed Pension Plan, Mr. Jennings is entitled to receive a monthly Retirement payment from the Board's Retirement Trust Fund in the amount of \$5,994.87; 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 Mr. William R. Muhammad and seconded by Mr. George Munchus, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$5,994.87 to Mr. Jennings, beginning April 1, 2020, from the Board's Retirement Trust Fund, in accordance with the terms of the Pension Plan.

Resolution No. 8308 is hereby adopted by unanimous vote.”

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“WHEREAS, Russell Jennings, an employee of The Water Works Board of the City of Birmingham, is retiring, effective April 1, 2020, after 32 years and 6 months of service with the Board; and

WHEREAS, management has informed the Board of Russell Jennings' 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, Russell Jennings, 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, Russell Jennings is hereby commended for his efficiency, reliability, and loyal service to the Board.

BE IT FURTHER RESOLVED, that in recognition of Russell Jennings' 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. Jennings.

Resolution No. 8309 is hereby adopted by unanimous vote.”

Following, the General Manager asked the board to commend the employees of the Training/Organizational Development/Safety & Risk Management Department for their outstanding efforts in helping the BWWB to be ranked #6 on Training Magazine's annual list of the Training Top 125 rankings, as set forth in agenda item 7. Director Blankenship stated BWWB needs to figure out a way to monetize this accomplishment by training other organizations. Director Munchus questioned Director Blankenship whether other companies would be charged a fee for receiving training from BWWB and Director Blankenship responded yes. Director Muhammad stated he feels the Young Water Ambassador program should be eliminated because there are other needs in the company. 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. Lucien Blankenship and seconded by Mr. George Munchus, that the Board hereby recognizes and commends members of the Training, Organizational Development, Safety & Risk Management team: Rhonda Lewis, Meridith Hollins, Sam Day, Derrick Gooden, Joyce Perry, LaDedra Ruffin and Morgan Dill; for their outstanding efforts towards the BWWB being ranked #6 on Training Magazine's annual Top 125 ranking of companies with employer sponsored workforce training and development.

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. Resolution No. 8310 is hereby adopted by unanimous vote.”

Following, the General Manager asked the board to approve reimbursement to the Operating Account, as set forth in agenda item 8. The General Manager stated ARCADIS, U.S., Inc. certifies the budget. Director Munchus questioned whether ARCADIS, U.S., Inc.’s certification covers Capital projects and the General Manager responded yes. On a motion duly made and seconded, the following resolution was adopted:

“WHEREAS, ARCADIS US, Incorporated, in Certificates dated February 19, 2020 and February 25, 2020 respectively, certified that during the periods ending December 31, 2019 (\$4,370,449.49) and January 31, 2020 (\$2,624,346.35), 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 \$6,994,795.84 and;

WHEREAS, transfers to the Operating Account can be made from any, or a combination, of the following: the 2019 Special Acquisition Fund, the 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 Mr. George Munchus and seconded by Dr. Brenda Dickerson, that the Trustee be, and is hereby instructed to immediately transfer \$6,994,795.84 to

the Operating Account from any, or a combination, of the following: The 2019 Special Acquisition Fund, the Construction Fund, the Improvement Fund, and/or the Revenue Account.

Resolution No. 8311 is hereby adopted by unanimous vote.”

Following, the General Manager asked the board to approve payment of the following invoices, as set forth in agenda items 9.1 through 9.6. 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. George Munchus, and seconded by Mr. William Muhammad, that the Board hereby authorizes staff to execute payment to the following:

- 9.1 Terminus Municipal Advisors, LLC
For professional services rendered during February 2020 \$ 6,500.00
- 9.2 Raftelis Financial Consultants, Inc.
For professional services related to Public Outreach Support, Bill Frequency, and Miscellaneous Consulting during January 2020 \$ 6,778.75
- 9.3 The Jones Group, LLC
For professional services rendered during February 2020 \$ 10,000.00
- 9.4 Agency 54
 - 9.4.2 For professional services rendered during January 2020 \$ 25,000.00
 - 9.4.3 For professional services rendered during February 2020 \$ 25,000.00
- 9.5 ARCADIS, U.S., Inc.
 - 9.5.1 For professional services rendered per September 2019’s Progress Report (September 2019) \$ 265,175.94
 - 9.5.2 For professional services rendered per October 2019’s Progress Report (October 2019) \$ 325,313.14
- 9.6 Birmingham Construction Industry Authority
For professional services rendered during February 2020 \$ 2,000.00

Resolution No. 8312 is hereby adopted by Directors Mims, Dickerson, Clark, Muhammad, Burbage, Munchus, King, Burbage, and Alexander; Director Blankenship abstained from voting.”

Following, the General Manager asked the board to take bids, as set forth in agenda items 10.1 through 10.3. Director Muhammad made motion to table agenda item 10.1 until a report is presented to the Board from the General Manager and Assistant General Manager of Finance and Administration on their plan to enhance this program and make it worth the amount of money BWWB spends on it. Director King seconded the motion. Director Dickerson stated she does not

believe the board has ever been presented with a report regarding the Young Water Ambassador program. The General Manager stated a report could be provided to the board. Director Munchus stated he does not want to see the program be brought to an end. Director Blankenship then made a substitute motion to approve agenda item 10.1 and ask staff to provide a summary at the end of the program going forward and a summary of last year's program. Director Munchus seconded the motion. Mr. Parnell pointed out Director Muhammad made a motion and it was seconded; therefore, that motion was currently before the board. Director Muhammad stated he is not trying to end the program. A discussion then ensued. Director Clark questioned whether applications have been accepted for 2020 and the General Manager responded yes. Chairman Mims then asked for a roll call vote. The motion failed 6 to 2. Director Blankenship then made a motion to approve agenda item 10.1 and ask staff to provide a summary at the end of the program going forward and a summary of last year's program. 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. Lucien Blankenship, and seconded by Dr. Brenda Dickerson, that the Board hereby authorizes staff to take bids for the rental of ten (10) passenger vans for the Young Water Ambassador Summer Program at an estimated out-of-pocket cost to the Board of \$54,183.00; and staff will provide a summary at the end of the program going forward and a summary of last year's program. Resolution No. 8313 is hereby adopted by Directors Mims, Dickerson, Clark, Burbage, Munchus, King, Blankenship, and Alexander; Director Muhammad abstained from voting.”

Next, Director Muhammad made a motion to approve agenda items 10.2 and 10.3. A discussion then ensued regarding the approval of agenda items 10.1 through 10.3. Director Munchus questioned which company has the 3-year agreement in the past for agenda items 10.2 and 10.3. Ed Travis, BWWB Employee, stated he was not sure, but he would get that information. Director Alexander questioned what the difference in the monetary value regarding these items is. Mr. Travis responded there is no real difference. Director Clark questioned was there a 3-year agreement in the past and are they the lowest bidders. Mr. Travis responded yes. Director Blankenship stated the dollar amount may need to be omitted from this item. 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. William Muhammad, and seconded by Mr. George Munchus, that the Board hereby authorizes staff to take bids on the following:

- 10.2 For a three-year agreement to provide on-road low-sulfur diesel to the Transportation Department at an estimated out-of-pocket cost to the Board of \$814,384.88.
- 10.3 For a three-year agreement to provide unleaded mid-grade gasoline to the Transportation Department at an estimated out-of-pocket cost to the Board of \$1,898,722.14.

Resolution No. 8314 is hereby adopted by Directors Mims, Dickerson, Clark, Burbage,

Muhammad, Munchus, King, and Alexander; Director Blankenship abstained from voting.”

Following, the General Manager asked the board to exercise its bid option, as set forth in agenda items 11.1 through 11.4. Director Blankenship stated he is concerned about zero HUB participation. Director Munchus stated he would like to vote on each item separately. Director Muhammad stated he agreed with voting separately. Director Muhammad then made a motion that agenda item 11.1 be voted on separately and Director Munchus seconded the motion. Assistant General Manager Derrick Murphy gave an explanation of the items regarding HUB participation. Director Munchus questioned whether the contractors complied with BWWB’s requirements for HUB participation. Mr. Murphy responded yes. A discussion then ensued. Director King left the meeting at 2:09 p.m. and returned at 2:11 p.m. Chairman Mims called for a vote on agenda item 11.1. Director Dickerson questioned Mr. Murphy on the correct cost for the curb stops. Mr. Murphy responded the estimated cost would be \$55,109.50. 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. William Muhammad, and seconded by Mr. George Munchus that the Board hereby exercises its bid option on the following:

- 11.1 To extend a 12-month contract and to authorize the General Manager and/or the Assistant General Manager to execute a contract with Consolidated Pipe, the lowest responsible and responsive bidder, for estimated quantities, to replenish stock in the warehouse of Curb Stops (Annual), per bid awarded on March 27, 2019, at an estimated out-of-pocket cost to the Board of \$55,109.50.

Resolution No. 8315 is hereby adopted by unanimous vote.”

Next, Director Blankenship made a motion to approve agenda items 11.2 through 11.4 and Director Muhammad seconded the motion. On a motion duly made and seconded, the following the 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. Lucien Blankenship, and seconded by Mr. William Muhammad, that the Board hereby exercises its bid option on the following:

- 11.2 To extend a 12-month contract and to authorize the General Manager and/or the Assistant General Manager to execute a contract with Consolidated Pipe, the lowest responsible and responsive bidder, for estimated quantities, to replenish stock in the warehouse of Unions (Annual), per bid awarded on March 27, 2019, at an estimated out-of-pocket cost to the Board of \$68,067.68.
- 11.3 To extend a 12-month contract and to authorize the General Manager and/or the Assistant General Manager to execute a contract with Ferguson WW, the lowest responsible and responsive bidder, for estimated quantities, to replenish stock in the

warehouse of Fire Hydrants (Annual), per bid awarded on February 28, 2019, at an estimated out-of-pocket cost to the Board of \$223,298.58.

- 11.4 To extend a 12-month contract and to authorize the General Manager and/or the Assistant General Manager to execute a contract with Mueller Co., the lowest responsible and responsive bidder, for estimated quantities, to replenish stock in the warehouse of Gate Valves (Annual), per bid awarded on February 28, 2019, at an estimated out-of-pocket cost to the Board of \$298,806.53.

Resolution No. 8316 is hereby adopted by unanimous vote.”

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Following, the General Manager asked the Board to discuss New Business, as set forth in agenda item 14. Director Munchus stated he would like Greg Cade, Environmental Litigation Group, to address the board. Director Muhammad then made a motion for the board to engage Environmental Litigation Group and Director Munchus seconded the motion. Director King questioned Director Blankenship if he knew what the discussion was about. Director Blankenship responded no and stated he thinks the board should be presented with information before taking a vote on an item. Mr. Cade stated he came before the board three months ago. He stated his firm is currently representing the City of Birmingham in the event of a cleanup regarding PFOS chemicals below the Birmingham Airport. He stated the question is whether this issue will impact BWWB. He stated his firm would like the opportunity to test BWWB water. Director Munchus indicated there would be no cost to BWWB. Director Blankenship requested an agreement from Environmental Litigation Group be presented to the board to review before taking a vote. Director Clark stated she is not clear on an outside entity testing BWWB water; however, she would like to hear from BWWB staff regarding the testing of its water. She stated she appreciated Mr. Cade for bringing this information to the board. She stated she does not want to scare the public and would like a report from the General Manager and Assistant General Manager of Operations and Technical Services regarding this matter. The General Manager recommended this issue be presented before a committee. Director Blankenship made a motion that this item goes before a committee. Director Muhammad stated BWWB does not have the capability to perform the tests needed for this issue. Assistant General Manager Jeff Thompson stated the last time BWWB tested for PFOS the results were BWWB’s water was 28 times below the standard set by the Environmental Protection Agency (EPA). He indicated BWWB has one of the state-of-the-art laboratories in the country. He indicated with this particular test, BWWB does not have the capability to go down to 1 part per million; however, BWWB is well, well, well below the level that is currently being discussed by the EPA. Chairman Mims then called for a roll call vote. The motion failed on a vote of 5 to 4. Director Blankenship then made a motion to refer the item regarding Environmental Litigation Group to the appropriate committee and be presented to the board in a proper format. Director King seconded the motion. Chairman Mims then called for a roll call vote. 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. Lucien Blankenship and seconded by Mr. Brett King, that the Board hereby approves referring the item regarding Environmental Litigation Group to the appropriate committee and be presented to the board in a proper format. Resolution No. 8317 is hereby adopted by unanimous vote on March 11, 2020.”

Following, Director King made a motion to adjourn the meeting and Director Clark seconded the motion. The motion failed on a vote of 6 to 3.

Following, Chairman Mims recognized speakers. Directors Tommy Joe Alexander, Lucien Blankenship, and Brett King left the meeting at 2:28 p.m. The General Manager stated a press release was issued regarding COVID-19 informing customers that their water service would not be disconnected during this pandemic so they may wash their hands. He indicated customers currently without water can call to get their water restored so that they may have access to clean water. He indicated customers will still be responsible for paying their bills. Director Muhammad stated this is a fine gesture; however, the board should have been notified beforehand. Director Clark stated she feels this was premature considering there a no documented cases in the State of Alabama. Director Blankenship returned to the meeting at 2:30 p.m. The General Manager stated water utilities around the country are making the same decision as BWWB. Director Clark questioned the names of other utilities who have made this decision with no documented cases in their state. Director Blankenship stated the Department of Energy has asked all water utilities to not disconnect water so people can have access to clean water. Director Clark questioned whether travel has been suspended. The General Manager stated it is currently being discussed. A discussion then ensued. Director Munchus then questioned would agenda item 13 be discussed. Chairman Mims stated it was requested that the item be tabled. Director Muhammad then made a motion to table agenda item 13, Request board to hear division reports, until the next board meeting. Director Dickerson seconded the motion. 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. William Muhammad and seconded by Dr. Brenda Dickerson, that the Board hereby tables hearing division reports until the next board meeting. Resolution No. 8318 is hereby adopted by unanimous vote.”

Subsequently, Director Alexander stated the Jefferson County Mayors’ Association would hold at meeting at the Anthony L. Barnes Conference Center on March 18, 2020.

As there was no further business before the Board, Chairman Mims entertained a motion to adjourn the meeting. A motion was duly made and seconded, and the meeting adjourned at 2:36 p.m.

/s/
Ronald A. Mims
Chairman/President

Attest:

/s/
William R. Muhammad
Secretary-Treasurer