

**MINUTES OF THE REGULAR MEETING OF DIRECTORS
OF THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM
June 5, 2019**

The regular meeting of the Directors of The Water Works Board of the City of Birmingham was held on Wednesday, June 5, 2019 at 11:30 a.m., at 3600 First Avenue North, Birmingham, Alabama.

The following Directors were present: William “Butch” Burbage, Jr., Tommy Joe Alexander, William R. Muhammad, George Munchus and Ronald A. Mims. Director Deborah Clark arrived late, after the start of the meeting at 11:35 a.m.

Inasmuch as five Directors were present, a quorum was in attendance.

The meeting was also attended by: Michael Johnson, General Manager; Sonny Jones, Assistant General Manager of Engineering and Maintenance; Tammy Wilson, Executive Assistant to Assistant General Manager, Sonny Jones; Grace Amison, Executive Assistant to the Board of Directors; George Anderson, Information Technology Manager; John Dansby, Distribution Manager; Barry Williams, Business Systems/Operations Manager; Rick Jackson, Public Relations Specialist; Ben Sorrell, Chief Engineer; Terrell Jones, Security Superintendent; Paul Lloyd, Human Resources Manager; Jeff Cochran, Principal Engineer; Michael Parker, Customer Support Services Manager; Jonathan Harris, Waste Water Treatment Manager; and Derrick Maye, Senior Project Coordinator; Mark Parnell, Parnell Thompson, LLC; Kelvin Howard, Kelvin Howard Attorney; Tommy Palladino and Andy Mitchell, Agency 54; Brian Ruggs, ARCADIS; Matthew Arrington, Terminus Municipal Advisors; Chandra Abesingha, CE & Associates, Inc.; Theo Johnson, Volkert & Associates; Olivia Martin, Attorney General Office; Amani Moore and Ken King, City of Birmingham; City of Birmingham Police Officer; Andre Pettis, EW Moon; John Cooper and Steve Haynes, ALDOT; Nelda Thompkins and Isaac Ballard, BWWB retirees.

Chairman of the Board, William “Butch” Burbage, Jr. called the meeting to order at 11:30 a.m. and declared a quorum with five members present. Information Technology Manager, George Anderson opened the meeting with prayer.

Next, General Manager, Michael Johnson asked the Board to approve the General Manager’s proposed hiring to fill the position of Assistant General Manager of Engineering & Maintenance, as set forth in agenda item 1. GM Johnson stated the person named is Derrick Murphy. Director Clark entered the meeting at 11:35 a.m. Some discussion occurred regarding the process POLIHIRE is using to fill senior management positions. Director Clark expressed concern over the timeline within which this position was filled. Director Burbage stated he believed the process agreed upon was followed, but he was not speaking for POLIHIRE. Director Mims stated he had conversations with other Board members and he believed the full Board was not satisfied with the amount of time they were given to look at this hiring. Director Clark stated with 39 applications and one week having a holiday in it since hiring POLIHIRE, she did not see how this decision could have been reached so quickly especially adding that POLIHIRE was given a 90-day window to fully vet all the candidates. Director Clark stated she was not interested in rushing it through as she wants to make sure that we get the best people. Director Muhammad

stated he was not in favor of POLIHIRE controlling the process, adding they should only be supplying the candidates. Director Muhammad expressed concern that the Board may be at risk, especially in light of the Shades Mountain Filter Plant (SMFP) chemical incident, with only two Senior Staff members in place, which means with the AWWA Conference next week only one Senior Staff will be present in the office. Attorney Parnell made it clear that the SMFP chemical incident had nothing to do with the vacant Senior Staff positions, but the follow-up measures may have been impacted. Director Clark stated she believed there are other layers of competency within the organization and Chairman Burbage agreed. 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. William R. Muhammad, that Pursuant to Article IV, Section 1 of the By-Laws of The Water Works Board of the City of Birmingham, and subject to the Water Works Board’s normal hiring processes, the Board of Directors hereby consents to the General Manager hiring Derrick M. Murphy as the Assistant General Manager – Engineering & Maintenance.

Resolution No. 8091 is hereby adopted by unanimous vote.”

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Following, GM Johnson asked the Board to adopt resolutions authorizing retirement benefits from the Board’s Retirement Trust Fund, as stated on the respective retirement calculations, effective July 1, 2019, and commending Michael Parker, Customer Support Services Manager, Customer Support Services Department, for 31 years of service and John Reymann, Electrical & Maintenance Manager, Electrical & Mechanical Department, for 30 years of service, as set forth in agenda items 2.1 and 2.2. John Reymann spoke in a previous Committee Meeting thanking the Board for the opportunity to work for the company. Michael Parker thanked the Board and stated he appreciated everything his employment at The Birmingham Water Works Board (BWVB) had afforded him. On a motion duly made and seconded, the following resolutions were adopted:

“WHEREAS, Michael Parker, an employee of The Water Works Board of the City of Birmingham (“the Board”), is retiring, effective July 1, 2019, at an age of 57, and

WHEREAS, Michael Parker has 31 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 \$6,018.51; 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 Dr. George Munchus and seconded by Mr. William R. Muhammad, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$6,018.51 to Mr. Parker 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, 2019.

Resolution No. 8092 is hereby adopted by unanimous vote.”

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“WHEREAS, Michael Parker, an employee of The Water Works Board of the City of Birmingham, is retiring, effective July 1, 2019, after 31 years of service with the Board; and

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

BE IT FURTHER RESOLVED, that in recognition of Michael Parker’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. Parker.

Resolution No. 8093 is hereby adopted by unanimous vote.”

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“WHEREAS, John Reymann, an employee of The Water Works Board of the City of Birmingham ("the Board"), is retiring, effective July 1, 2019, at an age of 56, and

WHEREAS, John Reymann 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 \$7,292.76; 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 Dr. George Munchus and seconded by Mr. William R. Muhammad, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$7,292.76 to Mr. Reymann 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, 2019.

Resolution No. 8094 is hereby adopted by unanimous vote.”

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“WHEREAS, John Reymann, an employee of The Water Works Board of the City of Birmingham, is retiring, effective July 1, 2019, after 30 years of service with the Board; and

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

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

Resolution No. 8095 is hereby adopted by unanimous vote.”

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Next, GM Johnson asked the Board to hear a presentation from Mr. John R. Cooper, Transportation Director, Alabama Department of Transportation (ALDOT) regarding ALDOT projects in the Birmingham area, as set forth in agenda item 7. Mr. Cooper summarized various Birmingham area projects highlighting the largest project ever undertaken by ALDOT, which is the Central Business District Bridge Replacement. Mr. Cooper explained that the project was on schedule to be completed on-time and there is an incentive of \$250,000.00 per day to finish early. There is also a penalty of \$250,000.00 per day for exceeding the project deadline date. ALDOT has been trying to catch up on paving projects. ALDOT made a road swap with the City of Birmingham a few years ago according to Mr. Cooper, where ALDOT exchanged a part of Green Springs Highway and a portion of University Boulevard for Finley Boulevard according to Mr. Cooper. Finley Boulevard has since been re-paved and re-striped according to Mr. Cooper. ALDOT is in the process of a road swap with the City of Homewood, with the City of Homewood swapping part of Green Springs Highway for ALDOT's part of Lakeshore Parkway. The Central Bridge Replacement project should finish in early January, with only punch-list items remaining. Some discussion occurred regarding another project on Interstate 65 where a bridge was damaged due to a truck accident causing a fire. ALDOT worked 24 hours daily to complete the project and segmental construction was utilized. Director Alexander asked Mr. Cooper if they were doing anything on the Grants Mill Road project. Mr. Cooper stated that was not an ALDOT project, but he believed there was an environmental corridor study being handled by the City of Birmingham and other parties. Chairman Burbage asked about the status of the Cahaba Beach Road project. Mr. Cooper responded that ALDOT is not actively pursuing that project, adding they were initially interested due to the connectivity potential. Mr. Cooper stated ALDOT discovered the potential parties were not interested in connectivity. The Interstate 65 widening project that ALDOT is working on at the fuel farm exit was discussed briefly. Also, the Tuscaloosa project was talked about, with Mr. Cooper stating that the promise to widen Interstate 59 will extend the lane widening to Interstate 359 and include the bridge at McFarland Boulevard. Mr. Steve Haynes of

ALDOT was introduced. Mr. Haynes is the East Central Pre-construction Engineer for the state. Director Munchus stated the Collegeville Bridge project made a big difference to that community. Governor Riley originally made that promise to Counselor Parker, Mr. Cooper stated. Mr. Cooper completed his presentation and was thanked for coming before the Board.

Following, GM Johnson asked the Board to approve Director King’s mileage expense reimbursement for May 2019 in the amount of \$107.88, as set forth in agenda item 3. On a motion duly made and seconded, the following resolution was adopted by a roll call vote:

“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 Dr. 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 May 2019 in the amount of \$107.88 (as listed on the attached Travel and Business Expense Reimbursement).

Resolution No. 8096 is hereby adopted by a roll call vote: Director Alexander, Yes; Director Clark, Abstain; Director Burbage, Yes; Director Mims, Yes; Director Munchus, Yes; Director Muhammad, Yes.”

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Next, GM Johnson asked the Board to approve minutes of the March 27 and April 24, 2019 Board meetings, 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 Dr. George Munchus and seconded by Mr. Ronald A. Mims, that the Board hereby approves minutes of the Regular Board of Directors’ Meetings held on March 27, 2019 and April 24, 2019.

Resolution No. 8097 is hereby adopted by unanimous vote.”

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Following, the Board was asked to approve payment of invoices, as set forth in agenda items 5.1 through 5.3. 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. William R. Muhammad, that the Board hereby authorizes staff to execute payments to the following:

- 5.1 NeSmith, Lowe & NeSmith, LLC
For retainer fee for May 2019 \$ 500.00

- 5.2 Terminus Municipal Advisors, LLC
For professional services rendered for May 2019 \$ 6,500.00

- 5.3 The Jones Group, LLC
For professional services rendered for May 2019 \$ 7,500.00

Resolution No. 8098 is hereby adopted by unanimous vote.”

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Next, GM Johnson asked the Board to award bids to the lowest responsible and responsive Bidders for 27 light-weight replacement vehicles at an out-of-pocket cost to the Board of \$708,752.00 as follows: Downtown Nashville Nissan (Bid #1 for 11 vehicles), (Bid #2 for 4 vehicles), (Bid #3 for 1 vehicle) at an out-of-pocket cost to the Board of \$408,455.50. Long Lewis Ford (Bid #4 for 6 vehicles), (Bid #5 for 4 vehicles), (Bid #6 for 1 vehicle) at an out-of-pocket cost to the Board of \$300,296.50, and to authorize the General Manager and/or the Assistant General Manager to execute contracts per Bid Specifications and Conditions, as recommended by the Engineering and Maintenance Committee, and set forth in agenda item 6. 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. William R. Muhammad, that the Board hereby authorizes staff to award bids for 27 replacement light-weight vehicles at an out-of-pocket cost to the Board of \$708,752.00 as follows: Downtown Nashville Nissan (Bid #1 for 11 vehicles), (Bid #2 for 4 vehicles), (Bid #3 for 1 vehicle) at an out-of-pocket cost to the Board of \$408,455.50. Long Lewis Ford (Bid #4 for 6 vehicles), (Bid #5 for 4 vehicles), (Bid #6 for 1 vehicle) at an out-of-pocket cost to the Board of \$300,296.50, and to authorize the General Manager and/or the Assistant General Manager to execute contracts per Bid Specifications and Conditions, as recommended by the Engineering and Maintenance Committee.

Resolution No. 8099 is hereby adopted by unanimous vote.”

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Following, under new business, Director Clark stated she was disappointed that AGM Sonny Jones had not been consulted at all regarding filling his own position. Director Clark stated she would like POLIHIRE to come before the Board and give an update before any other positions are filled. Director Alexander stated he agreed. Director Mims departed the meeting at 12:10 p.m. Director Muhammad re-stated if POLIHIRE is controlling the hires, he is against that. Director

Burbage stated POLIHIRE should just be a vehicle to obtain information that is brought back to the General Manager. GM Johnson stated POLIHIRE is going to ACE in Denver this year and they will be doing some recruiting there. Director Clark asked if there have been changes in job descriptions for these positions, adding she would like to know that in advance if so to ensure that not only a select few are involved in that decision. Director Alexander asked if Mr. Murphy could be introduced at the next Board Meeting. GM Johnson stated the start date for Derrick Murphy is June 24, 2019. AGM Sonny Jones stated he would like to add that Michael Parker was a breath of fresh air serving as the Customer Support Services Manager and thanked him for his service. Director Alexander announced that the Mayor of Helena had contacted him regarding buying water due to a recent main break they incurred. GM Johnson stated they are looking for redundancy.

As there was no further business before the Board, a motion was made and seconded, and the meeting was adjourned at 12:15 p.m.

/s/
William "Butch" Burbage, Jr.
Chairman/President

Attest:

/s/
Ronald A. Mims
Secretary-Treasurer