

MINUTES OF THE REGULAR BI-MONTHLY MEETING OF DIRECTORS
OF THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM
SEPTEMBER 15, 2016

The regular bi-monthly meeting of the directors of The Water Works Board of the City of Birmingham was held on Thursday, September 15, 2016, at 9:00 a.m., at 3600 First Avenue North, Birmingham, Alabama.

The following Directors were present: Ronald A. Mims, Kevin B. McKie, George Munchus, Ph.D., Sherry W. Lewis, and William R. Muhammad.

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

The meeting was also attended by: Mac Underwood, General Manager; Michael Johnson, Sonny Jones and Darryl Jones, Assistant General Managers; Grace E. Amison, Executive Assistant to the Board of Directors; Patty Barron, George Anderson, Barry Williams, Ed Travis, and Reginald Nall, Board employees; G. Courtney French, Michael D. Petway, Sam Ford and C. Paige Goldman, Fuston, Petway & French, LLP; Matthew Arrington, Terminus Municipal Advisors, LLC; Jerry Jones and Brian Ruggs, ARCADIS U.S., Inc.; Theo Johnson, Volkert, Inc.; Dr. Jesse J. Lewis, Sr. and Dorian Kendrick, The Lewis Group; Dan Meadows, S. S. Nesbitt & Company; Theo Johnson, Volkert, Inc.; John Ray, KHAFRA; David Merrida, Birmingham Construction Industry Authority, Inc.; Bryan C. Gilliom, Message Point Media; The Honorable Tommy Joe Alexander and James Stewart, City of Irondale; Jeff Sherre, Blount County Commission; Chandra Abesingha, CEAssociates; Ben Harris, Brasfield & Gorrie; L'Tryce M. Slade, Slade; Lisa Morrison and Eric Polzin, BECC; Hal Humphrey, Gresham Smith & Partners; Tamika Hinton, Studio 2H Design; Teri Wright, Eastwood Neighborhood Association; Barbara White, Crestline Neighborhood Association; Alan Collins, FOX 6; and Lauren Walsh, ABC 33/40.

As there was a quorum, the meeting was called to order at 9:00 a.m., and IT Manager George Anderson, Jr. opened the meeting with prayer.

Next, the General Manager proceeded with the agenda and he indicated agenda item 1 was to discuss old business. Director Lewis stated she wanted to discuss the contract for Russell Management Group LLC (RMG) and she asked if additional documentation had been received from said company. After some dialogue was exchanged between Directors Muhammad and Lewis relative to a point of order at today's Board Meeting relative to the RMG contract, Director Mims commented that no discussion would be necessary since he had given the General Manager a copy of RMG's letter exercising its right to terminate said agreement with the Birmingham Water Works Board. Following, Director Muhammad commented that old business should not be something that the directors simply want to discuss. He stated said matter was raised at a previous Board Meeting wherein a motion was presented to rescind said contract and he indicated the vote failed. Subsequently, Chairman Mims called for order. He stated he would like for the Board's attorneys to review Robert's Rules of Order because some issues in Board meetings are not being conducted according to such rules. He pointed out that page 15 of Robert's Rules of Order states there is no "old business", and indicated it is "unfinished business". Chairman Mims asked staff to include the correct wording on the agendas and he asked the Board's attorneys to examine procedures that the Board should follow with the agendas to ensure it conducts business according to said rules. After some additional discussion on points of order relative to board proceedings, Director Lewis asked for a copy of page 15 of Robert's Rules of Order, pointing out she has a right as a Board member to ask questions. Subsequently, Chairman Mims called for the next agenda item.

Following, the General Manager asked the Board to approve minutes of Board of Directors' meetings, as set forth in agenda item 2, and indicated staff recommends approval of said item. On a motion duly made and seconded, the below 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 Mr. Kevin B. McKie, that the Board hereby approves minutes of the following meetings:

- Regular Board of Directors' Meeting held April 27, 2016
- Regular Board of Directors' Meeting held June 15, 2016
- Regular Board of Directors' Meeting held June 29, 2016
- Regular Board of Directors' Meeting held July 13, 2016

Resolution No. 7286 is hereby adopted by Directors Mims, McKie, Munchus and Muhammad; Director Lewis opposed.”

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Following adoption of the above resolution, Director Lewis indicated this was the first time she had received a number of revised agendas and stated she did not know what changes were made. Director Lewis stated as she understands, a change was made in the wording of the minutes for the July 13, 2016 Regular Board of Directors' Meeting and asked if she was correct. Board Attorney French stated a correction was made to said minutes in accordance with the recording of the minutes. Director Lewis began a discussion on the three different agendas that had been distributed, the removal of item 2, the minutes, from today's agenda and the correction that was made in the minutes of July 13, 2016 relative to the RMG's contract pertaining to the wording “to provide engineering and programming management work.” After discussion, Chairman Mims suggested that Director Lewis contact the General Manager and inquire about the changes that were made. The General Manager stated he did not have the referenced minutes at today's Board meeting, and Executive Assistant Grace Amison was recognized to note the change that was made in said minutes. Executive Assistant Grace Amison pointed out the word “engineering” in the RMG's contract was in parentheses on page 7 of said minutes wherein said word was removed because the removal of the word “engineering” was corrected at said meeting. Subsequently, Director Lewis requested a copy of the recording of said meeting and thanked Chairman Mims. Director McKie pointed out the directors want the minutes to correctly reflect what happened at the aforementioned meeting, the same as is noted in the resolution and what was discussed at said meeting, pointing out that Mr. Russell was only hired to do “programming management”. Director McKie said he realizes Mr. Russell's contract contains the word “engineering” and perhaps the Board should be talking to the Board's independent engineer, noting maybe this is where Mr. Russell got the contract because that is who he discussed the contract with. Director McKie pointed out that the minutes now correctly reflect what the records contain.

Subsequently, Chairman Mims pointed out that the minutes of April 27, 2016 Regular Board of Directors' Meeting had exceeded the required 30 to 60 day deadline for approval. Subsequently, Chairman Mims asked staff to ensure minutes are completed in a timely manner. The General Manager said duly noted.

Following, the Board was asked to approve payments of invoices for professional services, as set forth in agenda items 3.1 through 3.4, and he indicated staff recommends the referenced invoices for approval. After discussion of amending the agenda to add Attorney David Sullivan's invoice to the agenda as item 3.5, and that said invoice was received after the agenda had already been sent to the directors to review, Director Lewis asked that invoices be presented separately since she had not seen

Attorney Sullivan's invoice. It was confirmed that said invoice was in the amount of \$10,000.00. Subsequently, the referenced invoices were presented individually wherein motions were duly made and seconded, and 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. Kevin B. McKie, that the Board hereby authorizes staff to execute payment to the following:

- 3.1 Fleenor & Green, LLP
For professional services rendered for August 2016 \$5,325.00

Resolution No. 7287 is hereby adopted by Directors Mims, McKie, Munchus and Muhammad; Director Lewis opposed."

"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. Kevin B. McKie, that the Board hereby authorizes staff to execute payment to the following:

- 3.2 Terminus Municipal Advisors, LLC
For professional services rendered for August 2016 \$6,500.00

Resolution No. 7288 is hereby adopted by unanimous vote."

"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 R. Muhammad, that the Board hereby authorizes staff to execute payment to the following:

- 3.3 Fine Geddie & Associates
For professional services rendered for September 2016 \$10,000.00

Resolution No. 7289 is hereby adopted by unanimous vote."

"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. Kevin B. McKie, that the Board hereby authorizes staff to execute payment to the following:

- 3.4 ARCADIS US., Inc.
For professional services rendered per July 2016's Progress Report (July 2016 in the amount of \$519,609.88

Resolution No. 7290 is hereby adopted by unanimous vote."

“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:

3.5 David A. Sullivan
For professional services rendered for August 2016 \$ 10,000.00

Resolution No. 7291 is hereby adopted by Directors Mims, McKie, Munchus and Muhammad; Director Lewis opposed.”

Next, the General Manager asked the Board to rescind the bid awarded to Sprouse Construction, the lowest responsible and responsive bidder, as set forth in agenda item 4.1, approved on May 25, 2016, and to award the bid to C. P. Construction, the third lowest responsible and responsive bidder, as set forth in agenda item 4.2, for estimated quantities of standard concrete replacement in accordance with the Bid Specifications and Conditions. Assistant General Manager Sonny Jones was recognized and he said C. P. Construction previously had the bid for standard concrete replacement. He said the Bid Tabulation Sheet lists Sprouse Construction as the lowest bidder and because their bid price was extremely low, staff met with the company’s representatives and discussed at length what was expected of them. Following, Assistant General Manager Sonny Jones indicated that Sprouse Construction would not return staff’s telephone calls or respond to any Board’s requests relative to the bid. After probing questions were asked relative to Sprouse Construction’s bid, Assistant General Manager Sonny Jones pointed out that C. P. Construction, the third lowest responsible and responsive bidder, does excellent work and he indicated they are a privately-owned company and have performed work at the Board for many years. It was noted that Tate Contracting & Excavating, the apparent second lowest responsible and responsive bidder, has declined the bid award for said project due to a heavy workload on the standard patch paving projects throughout the Board’s distribution system. Subsequently, a motion was made and seconded and 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 Mr. Kevin B. McKie, that the Board hereby:

- 4.1 Rescinds bid awarded on May 25, 2016 to Sprouse Construction, the lowest responsible and responsive bidder, for estimated quantities of standard concrete replacement in accordance with the Bid Specifications and Conditions at an estimated out-of-pocket cost to the Board of \$92,500.00. This action is necessary because Sprouse Construction failed to comply with the Bid Specifications and Conditions of March 14, 2016.
- 4.2 Awards bid to C. P. Construction, the third lowest responsible and responsive bidder, for estimated quantities of standard concrete replacement in accordance with the Bid Specifications and Conditions at an estimated out-of-pocket cost to the Board of \$193,600.00; and to authorize the General Manager and/or the Assistant General Manager to execute a contract per Bid Specifications and Conditions.

Resolution No. 7292 is hereby adopted by unanimous vote.”

After adoption of the above resolution, Chairman Mims inquired whether the Board’s bids contain a penalty clause for persons who do not fulfill their obligations and whether the Board still has

certain bonding guidelines in place. Assistant General Manager Sonny Jones replied that staff is reviewing the bonds that were received from Sprouse Construction to determine what could be done, noting staff needs to meet with the Board’s attorneys to discuss such penalties. Subsequently, staff responded to a series of questions relative to Sprouse Construction’s bid bond, confirming that said company still had its bid bond and that the pavement bond was forfeited for non-compliance relative to the Bid Specifications and Conditions wherein said company never supplied. A discussion ensued whether the Board had a process in place to exclude a non-responsible contractor wherein it was indicated that the Board does not have a written process in place. Director Munchus asked if this could be done and Assistant General Manager Sonny Jones replied at some point he would be making a recommendation to the Board that if a company withdraws its bid three (3) consecutive times within a two-year period, he indicated that company would have to miss the next bid. Following, the General Manager cautioned that staff needs to be careful about putting hard and fast rejections in bid documents because anyone could accidentally omit a bid bond or performance bond that they thought had been submitted and pointed out those companies could be good contractors.

Following, the Board was asked to award bids to the lowest responsible and responsive bidders, as set forth in agenda items 5.1 and 5.2. The General Manager reviewed said items and their HUB participation percentage, and he indicated management recommends approval of the referenced items. After discussion of Jefferson County’s participation in agenda item 5.1, a motion was duly made and seconded and the below 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 Mr. Kevin B. McKie, that the Board hereby authorizes staff to award bids to the lowest responsible and responsive bidders, and to authorize the General Manager and/or the Assistant General Manager 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:

- 5.1 Global Construction & Engineering, Inc., the lowest responsible and responsive bidder, for installation of approximately 820 feet of 6-inch DICL pipe; 580 feet of 4-inch DICL pipe and related appurtenances; and seven (7) water services along Mann Drive and Mann Place located in the City of Tarrant, Alabama, at a bid amount of \$120,883.00, plus estimated cost of materials and Water Board labor in the amount of \$84,505.49, less Jefferson County Commission reimbursement in the amount of \$205,388.49, at an estimated no out-of-pocket cost to the Board. [NOTE: The Historically Underutilized Business’ (HUB) participation percentage is 21%.]

- 5.2 Rast Construction, Inc., the lowest responsible and responsive bidder, for the relocation of Water Board facilities in conflict with the ALDOT/City of Mountain Brook Project No. CMAQ-NR13(908). This project includes the installation of 300 feet of 16-inch DICL pipe; seven (7), 8-inch DICL pipe loops and related appurtenances; and 44 water services along portions of Brookwood Road, Crosshill Road, Woodvale Road and Oakdale Road located in the City of Mountain Brook, Alabama, at a bid amount of \$428,725.00, plus estimated cost of materials and Water Board labor in the amount of \$228,221.43, less ALDOT reimbursement totaling \$656,946.43, at no out-of-pocket cost to the Board. [NOTE: The Historically Underutilized Business’ (HUB) Subcontractor participation percentage is 28.4%]

Resolution No. 7293 is hereby adopted by unanimous vote.”

Following, a discussion ensued on whether HUB businesses are considered as minority participants and staff acknowledged that they are and reviewed the Board's definition of minority participation. Director Muhammad expressed his concern with staff using the term Historically Underutilized Businesses. Director Muhammad commented that he needs to understand whether the Board is looking for the most underutilized businesses or if the Board has a blanket description and is satisfied with anyone who happens to fall within that description. Assistant General Manager Sonny Jones said the only required test is achieving certification as a Historically Underutilized Business. A discussion ensued among staff and the directors relative to the structure and difference of the two companies' category of HUB participation. Director Lewis asked for clarification as to whether the two (2) referenced bids are essentially the same and whether the HUB participation is 28.4% of what is available. Assistant General Manager Sonny Jones replied that the HUB participation would be 28.4% of what was bid. Following, Director McKie pointed out these questions could be answered each time if staff would indicate the percentage of the pie, so the Board would know exactly what the percentage is as opposed to putting the percentage of the available amount. Director Lewis asked if Rast Construction and Brasfield & Gorrie were over the total and Assistant General Manager Sonny Jones stated no.

After discussion, Chairman Mims asked the Board's engineers, attorneys, and appropriate staff to set a firm policy on the definition of minority participation so that there would be some understanding. He said the policy needs to be comprehensive and pointed out there appears to be a lot of wavering on said definition. Following, the General Manager said staff would meet with the Board's attorneys relative to Chairman Mims' request.

Next, the General Manager asked the Board to award a bid to Brasfield and Gorrie, the lowest responsible and responsive bidder, as set forth in agenda item 6.1, for the Shades Mountain Filter Plant's Filter Improvements Projects, pointing out the HUB contractor participation is 9.2% based on the Total Contract Amount and 28.4% based on the Subcontractor's portion. He then asked the Board to authorize the General Manager and/or the Assistant General Manager to accept a proposal from Birmingham Engineering Construction Consultants, Inc. (BECC), as set forth in agenda item 6.2, to provide construction materials testing and special inspection services for the Shades Mountain Filter Plant's Filter Improvements Project, as recommended by the Finance Committee.

Following, Director Muhammad asked what had changed relative to item 6.1 since the August 25, 2016 Regular Board of Directors' Meeting and the General Manager said the Board asked staff to see if Brasfield and Gorrie would extend its bid. A discussion ensued on the Brasfield and Gorrie's extension of bid wherein it was pointed out that the motion failed to approve said item at the August 25, 2016 Board Meeting. In addition, it was pointed out that the Board did not ask staff to request an extension of said bid. Director McKie said he believes his request was to inquire if said company could extend the bid and he was told all subcontractors involved would have to be asked. Following, Director Lewis said she thought the directors asked for an extension and the General Manager and Director Lewis said they misunderstood. The General Manager apologized for staff's misunderstanding.

Following, Director Munchus questioned whether the Board needs to revisit said item if said company was rejected at said Board Meeting. Director Lewis asked what happens now because the Board needs to have the referenced work done. Assistant General Manager Sonny Jones explained the process that staff would have to take to begin the rebid process again for said project. Subsequently Assistant General Manager Sonny Jones recognized Mr. Jerry Jones of ARCADIS U.S., Inc. and asked him if he had any comments, Mr. Jones responded no. Following, staff and the directors exchanged dialogue on the cost difference between the two (2) bids that were received, and the rebid process which could take from nine to ten weeks. Assistant General Manager Sonny Jones said he is targeting December 2016 to rebid the project.

Subsequently, a discussion ensued among staff and the directors relative to the bid extension letter which was dated September 7, 2016 wherein the bid was extended to September 16, 2016, the date the bid expired.

Following, Director Muhammad commented, in his opinion, the Board should have some dialogue about whether it should have a HUB policy. He pointed out the Board's HUB participation is currently at 11.7% and he asked whether the HUB policy should be eliminated and the Board makes all of its decisions based on the same people who have been awarded contracts for the last 500 years and continue to get these opportunities. After discussion on the Board's HUB policy, Director Lewis said she would like an opinion from the Board's attorneys as to what the Board can do concerning the contract.

Next, Director Muhammad said he would like an opinion from the Board's attorneys on whether he is forced to vote on something that is against his principles. Subsequently, Director Munchus moved to reject the bid from Brasfield & Gorrie wherein the General Manager indicated the motion was not necessary because the motion to approve said item failed at the August 25, 2016 Regular Board of Directors' Meeting. Following, Director Munchus rescinded his motion. The Board did not vote on item 6.2, as set forth on the agenda.

Following, Director McKie indicated to staff when preparing bids to continue advancing the interests that were discussed at the August 25, 2016 Regular Board of Directors' Meeting, he asked senior staff to be ambitious about joint ventures and items that are tailored towards the Board's policies. Directors Munchus and McKie exchanged some dialogue on the clarity of advancement of joint ventures with the established policies relative to being tailored towards achieving the goals of such policies. Director Lewis added said people need to be qualified to do the work, noting she is focused on making sure the Board gets qualified businesses. She said the Board is steadily working on HUB, but it is also working to make sure its customers get the best.

Next, Director Muhammad pointed out when the Board discusses the Historically Underutilized Businesses he wants to know whether the most historically underutilized businesses are getting the opportunity. The directors and staff exchanged some dialogue relative to what the Board's current HUB policy outlines and what is considered a historically underutilized business. Subsequently, the General Manager reminded the Board that staff has to comply with the State of Alabama Bid Law, pointing out staff would meet with the Board's attorneys and come back with a different policy for review and consideration. In addition, the General Manager pointed out staff has always followed the state's bid law and indicated staff would meet with the Board's attorneys so that they can prepare an opinion on such parameters relative to HUB.

Next, the General Manager recognized Business Systems/Transformation Manager Barry Williams to update the Board on Phase II of SAP. He informed the directors that staff would later show a couple of videos that would go live within the next couple of days. Following, Mr. Williams mentioned that said phase is the implementation of the Customer Relationship & Billing (CRB), and that staff is trying to move the other platforms to SAP so that all of the Board's operational issues would be covered on one (1) platform. Director Munchus inquired about additional phases of SAP, Mr. Williams acknowledged that CRB is the next phase and he pointed out the remainder SAP Phases would be reviewed in the PowerPoint presentation. Subsequently, Mr. Williams reviewed the SAP's Interaction Center and its features, and pointed out that the system design and integration testing have been completed relative to said phase. Mr. Williams recognized ARCADIS, U.S., Inc., as the SAP Program Manager and Utegration as one of the industry's leaders in SAP, pointing out they have helped staff with the implementation. He said the system has been designed and tested and they are in the process of getting all of the users to review and accept the design and to make sure staff is ready to go live. Mr. Williams indicated that staff would start training and the kickoff of said phase would be held this

afternoon to ensure everyone is on Board. Mr. Williams mentioned that said training would be a six-week process and the Go Live date is October 25, 2016.

Customer Service Manager Shirley Simmons reviewed what customers would see differently in the CRB relative to SAP Phase II. Mr. Williams reported that the Cyber Serve application is another function of SAP that would be added wherein the customer would be able to report leaks online and through the Board's website. He said a map of the Board's system has been incorporated into the GIS system that would allow staff to isolate the location of the leak. A copy of the said presentation is on file in today's Board Meeting Book.

Following, the General Manager pointed out that staff is trying to recognize deficiencies by collecting certain data to determine how it can increase operations. Director Munchus asked how many more phases of SAP are remaining, commenting he believes the work staff is doing with SAP is extremely important and it should be continued. The General Manager replied that staff has one phase remaining to integrate into SAP which is the Human Resources Department module. Director Munchus asked why staff is not moving forward and the General Manager pointed out that staff needs to work through any issues after a phase is implemented. He said when this is done, staff would come back to the Board with another phase. Mr. Williams pointed out after the system has been implemented, the directors would be able to see pertinent data and key performance indicators on a dashboard. The General Manager thanked Ms. Simmons and Mr. Williams for their presentation and pointed out staff would not be taking any payments when SAP is cut over from the old system to the new system. Director McKie asked if customers could drop off checks in the drop box and the General Manager said yes.

Following, the General Manager called attention to the directors that staff has been working on some videos relative to reporting leaks, which explains the customer's responsibility and the Board's responsibility. He then recognized Mr. Bryan Gilliom of Message Point Media to show the Service Line and Level One videos. It was pointed out that the directors could look at videos for Level Two and Level Three at a later time. Mr. Bryan Gilliom pointed out that senior executive management and others had reviewed said videos for subject matter. Also, he pointed out that the Service Line video explains details of what makes up the water service line, the elements of the system and indicated it helps customers understand why a leak in one spot may be their responsibility versus a leak in another area may be the Water Works Board's responsibility. Following, Mr. Gilliom said the remaining three (3) videos address the different priorities of leaks, what makes them a priority and how the BWWB responds to them.

Subsequently, the General Manager indicated that the Service Line, the Priority One, Two and Three videos would be posted on the Board's website and shown on BWWB televisions in the Customer Payment Center. He also stated said videos would be incorporated into the City of Birmingham's similar television system. Mr. Gilliom reported that the Parks and Recreation and the new intermodal transit facility would roll out this fall. The General Manager indicated that staff would be doing a joint venture with them by airing the videos on their sites. It was indicated that a link would be sent to the directors to review said videos. The directors asked some questions relative to other municipalities airing said videos. Mr. Gilliom said Message Point Media provides digital signage service for private network television for a number of municipalities wherein their goal is to build a cooperative process between organizations that would air each other's content. A discussion ensued relative to venturing to Jefferson County and other municipalities about airing the Board's videos. Following, the General Manager reported that staff meets monthly with the City of Birmingham's utility committee and discusses media issues and concerns regarding ongoing projects. Subsequently, Director Munchus asked if other utilities are aware of the Board's program and the General Manager replied staff would take these videos to other utilities after Board's approval.

Next, the General Manager introduced Ms. Teri Wright, President of the Eastwood Neighborhood Association. She stated residents of said neighborhood are very concerned about the Board's hiring practices of Russell Management Group (RMG). She then introduced Ms. Barbara White, President of the Crestline Neighborhood Association. Ms. White indicated she had lived in Mississippi for 25 years and had a water well and a septic tank. Ms. White said she returned to Birmingham and received her first water and sewer bill after 25 years. Ms. White said the Water Works Board is overseer of the customers' money and since they live here it is their money also. Following, Ms. White said she taught school for 40 years wherein the process was the same, not hiring someone without the background or licenses to do the job they are being asked to do. She then asked if the Board would be going forward with RMG. Chairman Mims stated the contract with said company has been terminated wherein Ms. White asked why the public had not been made aware of this. Chairman Mims said Mr. Russell notified the Board today wherein he exercised his right to terminate his agreement with the Board and Ms. White apologized. Director McKie pointed out there was some confusion about what Mr. Russell was hired to do and he indicated it has been resolved. Following, Director Lewis asked for a copy of Mr. Russell's letter terminating the agreement between his company and the Birmingham Water Works Board. A copy was of said letter was distributed. Following, Ms. White said as a member of the Citizens Advisory Board, they meet monthly and she is frequently at the Birmingham City Hall. She said there appears to be some enmity between the city and the BWWB and perhaps some other boards. Ms. White said she cannot do staff's job and she does not want it. Ms. White said she expects everybody to work together, pointing out everybody needs help. Ms. White asked the Board to please watch the customers' money because she does not have anymore. Following, she thanked the Board for allowing her to speak.

Next, Director Lewis commented that she would like to see items reviewed relative to the Board's committee structure prior to being presented to the full Board. In addition, Director Lewis commented that, in her opinion, the agreement made by the Board and senior staff at the Board Retreat in December 2015 is not being followed. Director Lewis said if the Board is going to follow Robert's Rules of Order, then it should operate in the correct manner by reviewing such items through the committee structure, notifying all Board members of issues, and allowing all Board members to properly vet such items.

Next, the General Manager reminded the directors about the H₂O Foundation's Annual Golf Tournament that would be held on September 16, 2016 at Oxmoor Valley Golf Course. He reported nearly 50 teams had signed up and that senior executive management and some of the Board's employees would be participating.

Following, Chairman Mims stated he had been absent recently from Board meetings and he welcomed Mr. William Muhammad to the Board. Chairman Mims said he looks forward to working with Director Muhammad and appreciates his zealousness for doing the right thing.

As there was no further business before the Board, a motion was duly made and seconded, and the meeting adjourned at 10:20 a.m.

_____/s/_____
Ronald A. Mims
Chairman/President

Attest:

_____/s/_____
George Munchus
Secretary-Treasurer