

**SUMMARY OF A BOARD MEETING**  
HELD Wednesday, October 28, 2020  
at 11:30 a.m. – (via video conference/telephone)  
[THESE ARE NOT THE OFFICIAL MINUTES]

The Governor’s Open Meeting Act (“OMA”) Proclamation allows members of governmental bodies to hold said meeting electronically (via telephone etc.) for purposes of establishing a quorum, deliberating and taking action; and via electronic equipment allows members of the public to listen to the meeting.

A regular meeting of the directors of The Water Works Board of the City of Birmingham was held on Wednesday, October 28, 2020 at 11:30 a.m.

The following directors were present: Ronald A. Mims, Tommy J. Alexander, Brenda J. Dickerson, Deborah Clark, William “Butch” Burbage, Jr., Lucien Blankenship, William Muhammad, Brett A. King, and George Munchus.

Others present were: Michael Johnson, General Manager; Derrick Murphy, Jeffrey Thompson and Iris Fisher, Assistant General Managers; Grace Amison, Executive Assistant to the Board of Directors; Cynthia Williams, Board Administrator; Anitra Hendrix, Executive Assistant to the General Manager; Rick Jackson, Paul Lloyd, and Colandus Mason, BWWB Employees; K. Mark Parnell, Parnell Thompson Law, LLC; Emory Anthony, Esq.; Phillip Moultrie, and Hawkins Tatum, Valent Group; Jeff Drew, Alexander Insurance Agency; and Mindy Falkner, Creative Benefits.

Chairman Mims declared a quorum in attendance.

Chairman Mims called the meeting to order at 11:33 a.m. and Assistant General Manager Derrick Murphy opened with prayer.

Following, Chairman Mims asked the Board to approve the agenda. Director Dickerson made a motion to approve the agenda and Director Muhammad seconded the motion. On a motion duly made and seconded, the agenda was approved by unanimous vote.

Following, the Board moved to the first item on the agenda, Request Board to approve the following minutes; necessary to perform essential minimum functions of the governmental body. Director Muhammad made a motion to approve the item and Director Dickerson seconded the motion. On a motion duly made and seconded, the item was approved by a vote of 7-0-2.

Following, the Board moved to the second item on the agenda, Request Board to approve reimbursement to the Operating Account for the period ended July 31, 2020 in the amount of \$5,893,936.95; and for the period ended August 31, 2020 in the amount of \$ 2,814,476.60; necessary to perform essential minimum functions of the governmental body. Director Dickerson made a motion to approve the item and Director Burbage seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote.

Following, the Board moved to the third item on the agenda, Request Board to approve payments of invoices, necessary to perform essential minimum functions of the governmental body. A director requested these items be voted on separately. The Board then voted separately

on agenda items 3.1 through 3.7. Item 3.1 was approved by a vote of 8-0-1; Item 3.2 was approved by unanimous vote; Item 3.3 was approved by unanimous vote; Item 3.4 was approved by a vote of 8-0-1. Director Dickerson left the meeting at 11:55 a.m. Item 3.5 was approved by a vote of 7-0-1; Director Dickerson was not present during the vote; Item 3.6 was approved by a vote of 7-0-1; Director Dickerson was not present during the vote; and After the vote, Director Dickerson returned to the meeting at 11:58 p.m. Item 3.7 was approved by a vote of 8-0-1. Director Clark asked for information relative to 3.7 be sent to her. There were questions related to items 3.1 and 3.2 that were determined they should be discussed in Executive Session.

Following, Chairman Mims asked the Board to approve items four through eight on the agenda. Item 4, Request Board to award bids to the lowest responsible and responsive bidders; and to authorize the General Manager and/or the Assistant General Manager and to execute contracts per Bid Specifications and Conditions on the following, as recommended by the Engineering & Maintenance Committee; necessary to perform essential minimum functions of the governmental body; Item 5, Request Board to award bid to American Cast Iron Pipe Company, the lowest responsible and responsive bidder, for estimated annual quantities of Pipe (Slip Joints, Pressure Class Pipes and M. J. Fittings), at an estimated out-of-pocket cost to the Board of \$4,775,370.80; and to authorize the General Manager and/or the Assistant General Manager to execute a signed contract per Bid Specifications and Conditions, as recommended by the Engineering & Maintenance Committee; necessary to perform essential minimum functions of the governmental body; Item 6, Request Board to exercise its bid option for a 1-year extension, per bids awarded July 24, 2019, with two (2) contractors to purchase Asphalt COLD Mix for temporary patching requirements for use throughout the BWWB service area for a one-year period; and to authorize the General Manager and/or the Assistant General Manager to execute a signed bid extension contract, as recommended by the Engineering & Maintenance Committee; necessary to perform essential minimum functions of the governmental body; Item 7, Request Board to approve expenditures with OPEX Corporation, a sole source provider, for (1) OPEX Falcon+scanner, at an out-of-pocket cost to the Board of \$70,917.00, as recommended by the Engineering and Maintenance Committee, necessary to perform essential minimum functions of the governmental body; and Item 8, Request Board to authorize the General Manager and/or the Assistant General Manager to engage Municipal Government Investors Corp. (mGIC) to bid the investment of bond proceeds and cash reserves up to \$150,000,000.00, and to take all actions and execute such documents as may be necessary to consummate the transactions contemplated therein, as recommended by the Executive Committee; necessary to perform essential minimum functions of the governmental body. A discussion ensued regarding supplier diversity. Director Dickerson then made a motion to approve the items and Director Burbage seconded the motion. On a motion duly made and seconded, the items were approved by unanimous vote.

Following, the Board moved to the ninth item on the agenda, Request Board to approve the following revisions to the Vacation Policy for the current year (2020) due to the impact of COVID-19 on company operations, as recommended by the Human Resources Committee; necessary to perform essential minimum functions of the governmental body. Director Dickerson made a motion to approve the item and Director Alexander seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote.

Following, Chairman Mims asked the Board to approve items ten through twelve on the agenda. Item 10, Request the Board to approve updated language to the Vacation Policy in Section 8.8, #13 in the Employee Handbook and in Section 8080, #13 in the HR Management Guide, as recommended by the Human Resources Committee; necessary to perform essential minimum

functions of the governmental body; Item 11, Request Board to approve revisions to the Vacation Policy in Section 8.8, #13 in the Employee Handbook and in Section 8080, #13 in the HR Management Guide, as recommended by the Human Resources Committee; necessary to perform essential minimum functions of the governmental body; and Item 12, Request Board to approve revisions to the Vacation Policy in Section 8.8, #3 (b) in the Employee Handbook and in Section 8080, #3 (b) in the HR Management Guide, as recommended by the Human Resources Committee; necessary to perform essential minimum functions of the governmental body. On a motion duly made and seconded, the items were approved by unanimous vote.

Following, the Board moved to the thirteenth item on the agenda, Request Board to adopt a resolution to allow employees to sell up to 120 hours of accrued/unused vacation of each employee's vacation time in excess of 80 hours in December 2020, as recommended by the Executive Committee; necessary to perform essential minimum functions of the governmental body. Director Dickerson made a motion to approve the item and Director Alexander seconded the motion. On a motion duly made and seconded, the item was approved by a vote of 8-0-1.

Following, the Board moved to the fourteenth item on the agenda, Request Board to approve the 2021 Health Insurance premium rates and credit employees (and covered spouses) and under 65 retirees (and covered spouses) as having a biometric screening, if completed by the due date which is anticipated to be in the Spring of 2021, as recommended by the Human Resources Committee; necessary to perform the essential minimum functions of the governmental body. Director Dickerson made a motion to approve the item and Director Munchus seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote.

Following, the Board moved to the fifteenth item on the agenda, Request Board to approve an agreement with Amwins/TransAmerica to provide 2021 Post 65 Health Insurance coverage at a projected annual cost of \$853,440.00; and to authorize the General Manager and/or Assistant General Manager to execute the agreement, as recommended by the Human Resources Committee; necessary to perform essential minimum functions of the governmental body. Director Dickerson made a motion to approve the item and Director Alexander seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote.

Following, the Board moved to the sixteenth item on the agenda, Request Board to approve the Board's Property and Liability Insurance Plan (the Plan) for November 1, 2020 to October 31, 2021 in the amount of \$2,168,417.00 and payment of an Agency fee to Valent Group, LLC. in the amount of \$150,000.00 for broker of record services related to the Plan, for a total cost of \$2,318,417.00; and to authorize the General Manager and/or Assistant General Manager to execute any necessary documents, as recommended by the Executive Committee; necessary to perform essential minimum functions of the governmental body. The General Manager gave an overview of the item and a representative from Valent Group was recognized to make comments. Director Dickerson then made a motion to approve the item and Director Alexander seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote.

Following, the Board moved to the seventeenth item on the agenda, Request Board to approve an agreement with Optum for the 2021 Stop Loss Insurance renewal at a projected annual cost of \$411,254.00; and to authorize the General Manager and/or the Assistant General Manager to execute the agreement, as recommended by the Human Resources Committee; necessary to perform essential minimum functions of the governmental body. Director Dickerson made a

motion to approve the item and Director Munchus seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote.

Following, the Board moved to the eighteenth item on the agenda, Request Board to approve to forego the purchase of the structures and improvements on Lot 55 at Inland Lake per the Recreational Site Agreement, as recommended by the Executive Committee; necessary to perform essential minimum functions of the governmental body. Director Munchus made a motion to approve the item and Director Dickerson seconded the motion. On a motion duly made and seconded, the item was approved by a vote of 8-1-0.

Following, the Board moved to the nineteenth item on the agenda, Request Board to adopt a resolution eliminating the need for Board approval to take bids for capital projects and planned expenditures for associated goods and materials that have been identified as part of the Capital Improvement Program during the budget process; necessary to perform essential minimum functions of the governmental body. Director Dickerson made a motion to approve the item and Director Muhammad seconded the motion. On a motion duly made and seconded, the item was approved by a vote of 8-1-0.

Following, the Board moved to the twentieth item on the agenda, New Business; necessary to perform essential minimum functions of the governmental body. Director Muhammad made comments regarding who is responsible for the payment of water bills between landlords and tenants. The General Manager stated lease agreements can vary and each situation would have to be researched. Next, Director Muhammad stated he would like for the Directors to receive a voucher for lunch on meeting days.

Next, Director Clark then made a motion to adjourn the meeting and Director Blankenship seconded the motion. On a motion duly made and seconded, the motion was approved by a vote of 8-1-0 and the meeting was adjourned at 12:36 p.m.