

SUMMARY OF REGULAR BOARD OF DIRECTORS' MEETING

HELD Wednesday, September 9, 2020

at 11:30 a.m. – (Electronically [via video and 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 video and 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.

The Regular bi-monthly meeting of the directors of The Water Works Board of the City of Birmingham was held on Wednesday, September 9, 2020 at 11:30 a.m., via electronically [via video and telephone].

The following Directors were present via a roll call vote: Tommy Joe Alexander, Lucien Blankenship, William "Butch" Burbage, Jr., Deborah Clark, Brenda J. Dickerson, Ronald A. Mims, William Muhammad and George Munchus. Director King was absent.

Others present were: Michael Johnson, General Manager; Derrick Murphy, Jeffrey Thompson and Iris Fisher, Assistant General Managers; K. Mark Parnell, Parnell Thompson Law, LLC; Emory Anthony, Attorney; Kelvin Howard, KWH, LLC; Cynthia Williams, Board Administrator; Grace E. Amison, Executive Assistant to the Board of Directors; Vanessa Washington, Executive Assistant to Assistant General Manager, Iris Fisher; Tammy F. Wilson, Executive Assistant to Assistant General Managers Derrick Murphy and Jeff Thompson; Marsha Hammonds, Systems Support Supervisor; Terrell Jones, Interim Security Manager; Colandus Mason, Information Technology Manager.

Chairman Mims called the meeting to order at 11:32 a.m. and Information Technology Manager, Colandus Mason opened the meeting with prayer.

Eight directors were present, so a quorum was in attendance.

Following, Director Munchus pointed out that item 7 was not recommended by the Engineering and Maintenance Committee but, moved out of the Engineering and Maintenance Committee. A motion was made and seconded to approve the agenda, swapping agenda items 12 and 13 and the agenda was approved unanimously.

Next, a motion was made and seconded to authorize monthly retirement benefits from the Board's Retirement Trust Fund for Linda Sanders, as set forth in agenda item 1. The referenced item was approved unanimously.

Following, a motion was made and seconded to authorize disability monthly retirement benefits from the Board's Retirement Trust Fund for Clinton Bush, as set forth in agenda item 2. The referenced item was approved unanimously.

Next, a motion was made and seconded to amend the policy for the responsibility of Corporate minutes, to provide that the Executive Assistant to the General Manager, the Executive

Assistants to the Assistant General Manager, the Corporate Governance Specialist and the Board Administrator shall prepare the initial draft of the minutes for any Regular and Special meetings of the Board and Committee meetings of the Board, as set forth in agenda item 3. In a roll call vote, the referenced item was approved, with one no vote and one abstention.

Following, a motion was made and seconded to approve personnel actions for a job description and change in pay grade from a grade level 15 to a grade level 19 with a starting salary of \$80,369.00 for the Corporate Governance Specialist, as set forth in agenda item 4.1 through 4.3. The items were voted on separately. Item 4.1, the job description for the Corporate Governance Specialist, was approved in a roll call vote, with two no votes and six yes votes. Item 4.2, a change in the pay grade for the Corporate Governance Specialist from a grade 15 to a grade 19, was approved in a roll call vote, with one no vote, three yes votes and four abstentions. Item 4.3, the starting salary for the Corporate Governance Specialist (grade level 19) of \$80,369.00, failed in a roll call vote, with three no votes, three yes votes and two abstentions.

. Next, a motion was made and seconded to approve payments of invoices, as set forth in agenda items 5.1 through 5.4. Items 5.1 through 5.3 were voted on together; Hilliard, Smith & Hunt, LLC, Raftelis Financial Consultants, Inc. and Agency 54. The referenced items were approved, with one abstention. Item 5.4 was voted on separately; ARCADIS U.S., Inc. The referenced item was approved, with two abstentions.

Following, a motion was made and seconded to take bids on an OPEX Falcon+ Scanner, a pipeline replacement project along Rumson Road and forty-five (45) replacement vehicles, as recommended by the Engineering and Maintenance Committee and set forth in agenda items 6.1 through 6.3. The items were voted on separately. Item 6.1; the OPEX Falcon Scanner was approved unanimously. Item 6.2; a pipeline replacement project along Rumson Road was approved, with one abstention. Item 6.3; forty-five (45) replacement vehicles was approved unanimously.

Next, a motion was made and seconded to award a bid and to authorize the General Manager and/or the Assistant General Manager to execute a signed contract with REV Construction, the lowest responsible and responsive bidder for a pipeline replacement project along 4th Terrace West, as set forth in agenda item 7. The referenced item was approved, with two abstentions and one no vote.

Following, a motion was made and seconded to approve an agreement and to authorize the General Manager and/or the Assistant General Manager to execute a 3-year vehicle tracking system agreement with Fleet Analytics, a Direct Manufacturer, as recommended by the Engineering and Maintenance Committee and set forth in agenda item 8. The referenced item was approved, with two abstentions.

Next, a motion was made and seconded to approve a one-time purchase of a John Deere 6120E Cab Tractor from Tri-Green Equipment, from the Alabama State Bid Listing, as recommended by the Engineering and Maintenance Committee and set forth in agenda item 9. The referenced item was approved unanimously.

Following, a motion was made and seconded to authorize the submission of an application to Jefferson County Commission for an allocation of its portion of Coronavirus Relief Fund Act funding received under the CARES Act to reimburse the Water Works Board for necessary expenditures incurred due to the public health emergency caused by COVID-19, as set forth in agenda item 10. The referenced item was approved unanimously.

Next, a motion was made and seconded to discuss security services provided by Blount County Sheriff deputies and the Board's Inland Lake dam and boat launch facilities, as set forth in agenda item 11. Attorney Parnell reminded the Board if the discussion led to the good name and character of individuals, the discussion would need to be taken up in Executive Session. Attorney Parnell stated the agreement the Birmingham Water Works (BWW) has is with the individual deputies. General Manager, Michael Johnson explained that following September 11, 2001 the Board hired security at various locations across the Board's distribution system. Director Munchus asked how many sheriffs were employed and how many were African American. GM Johnson stated there are a total of six sheriffs employed working shifts 24/7, but he did not know the race of the individuals. Director Muhammad stated that it was the County Commissioner that made the racial statement, which has nothing to do with the sheriffs that BWW has contracts with. Interim Security Manager, Terrell Jones stated the Security company BWW uses could be used for half the cost of what the sheriffs are being paid. GM Johnson stated that the sheriffs provide a different service than the security company can provide since they are off-duty sheriffs. Terrell Jones added that to his knowledge, the sheriffs that work in Blount County for BWW are all Caucasians.

Under new business, Director Muhammad asked to re-address the legal resolution that was passed at the last Board meeting. Director Muhammad stated he would like to make an amendment to that resolution authorizing the Chairman or his designee to approve General Council, Emory Anthony to assign the legal work and distribution therein. A motion was made and seconded amending the legal resolution. The referenced item was approved, with one abstention and two no votes. Some additional discussion took place regarding item 4. Director Clark stated too much time was being taken on this item that was already voted on.

Following, a motion was made and seconded and the meeting body went into Executive Session at 1:34 p.m. to include the Board, Senior Staff, attorneys and Terrell Jones for any discussion on the Inland Lake item. The meeting re-convened at 2:57 p.m.

As there was no further business before the Board, a motion was made and seconded and the Board approved to adjourn the meeting at 2:58 p.m.