

**SUMMARY OF A BOARD MEETING**  
HELD Wednesday, May 26, 2021  
at 11:30 a.m. – (via in-person/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, May 26, 2021 at 11:30 a.m.

The following directors were present: Ronald A. Mims, William "Butch" Burbage, Jr., Lucien Blankenship, Tom Henderson, Dalton NeSmith, Tereshia Huffman, Chris Rice, Larry Ward, and George Munchus.

Others present were: Michael Johnson, General Manager; Derrick Murphy, Jeffrey Thompson and Iris Fisher, Assistant General Managers; Cynthia Williams, Board Administrator; Anitra Clark, Executive Assistant to the General Manager; Rick Jackson, Terrell Jones, Jeff Wade, Hattye McCarroll, Charles McGee and Colandus Mason, BWWB Employees; Emory Anthony, Esq.; and Olivia Martin, State of Alabama Attorney General's Office.

Chairman Mims declared a quorum in attendance.

Chairman Mims called the meeting to order at 11:30 a.m. and BWWB Employee Colandus Mason opened with prayer.

Following, Chairman Mims stated he would like the Board to consider agenda item nine before agenda item 8. Director Huffman then made a motion to approve the agenda, including the swapping of the two items, and Director Munchus 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 minutes from the March 10, 2021 Regular Board of Directors' Meeting; necessary to perform essential minimum functions of the governmental body. Director Munchus made a motion to approve the item and Director Huffman 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 second item on the agenda, Request Board to approve payment of invoices, necessary to perform essential minimum functions of the governmental body. Director NeSmith made a motion to approve agenda item 2 and Director Ward seconded the motion. Director Blankenship then made a substitute motion to vote on agenda items 2.1 through 2.6 together and vote on agenda item 2.7 separately. Director Munchus seconded the motion. After some discussion regarding which motion to vote on, the Board's Attorney recommended voting on Director Blankenship's motion. The Board voted on that motion and the motion failed on a vote of 3-6. Next, the Board voted on Director NeSmith's motion to approve agenda item 2. On a motion duly made and seconded, the item was approved by a vote of 5-2-2.

Following, the Board moved to the third item on the agenda, Request Board to award bids to the lowest responsible and responsive bidders; and to authorize the General Manager and/or the Assistant General Manager 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. Director Munchus made a motion to vote on agenda items 3.1 through 3.5 separately and Director Henderson seconded the motion. On a motion duly made and seconded, the motion was approved by unanimous vote. Director Munchus made a motion to approve agenda item 3.1 and Director NeSmith seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote. Next, Director Ward made a motion to approve agenda item 3.2 and Director Huffman seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote. Next, Director NeSmith made a motion to approve agenda item 3.3 and Director Ward seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote. Next, Director Ward made a motion to approve agenda item 3.4 and Director NeSmith seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote. Next, Director Ward made a motion to approve agenda item 3.5 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 fourth item on the agenda, Request Board to exercise its bid option to extend a 12-month contract with Metro Mechanical, the lowest responsible and responsive bidder, for the HVAC Maintenance Agreement for services needed at the Main Campus, quarterly service for SCADA Cabinets, and Informational Technology Cabinets at all plant sites at an estimated out-of-pocket cost to the Board of \$54,254.00, per bid awarded January 15, 2020; 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. Director Huffman then 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 fifth item on the agenda, Request Board to approve expenditures with Thompson CAT, a sole source provider, to purchase one (1) New Portable Generator (CAT XQ230), for use throughout the BWB system, at an out-of-pocket cost to the Board of \$107,833.00, as recommended by the Engineering and Maintenance Committee; necessary to perform essential minimum functions of the governmental body. Director Munchus made a motion to approve the item and Director Huffman seconded the motion. On a motion duly made and seconded, the item was approved by a vote of 8-1.

Following, the Board moved to the sixth item on the agenda, to approve two (2) scope of services agreements with CE Associates for the design and inspection of a water main replacement project located at Cumberland Drive and Somerset Drive in the Roebuck Community in the City of Birmingham for the replacement of 2" galvanized steel pipe at an out-of-pocket cost to the Board of \$146,451.00; and a water main replacement project located at Avenue I Ensley and Avenue J Ensley in the Central Park Community in the City of Birmingham for the replacement of 2" galvanized steel pipe / 2" unlined cast iron pipe, and 2" cast iron cement lined (CICL) pipe at an out-of-pocket cost to the Board of \$127,982.00; for a total out-of-pocket cost to the Board of \$274,433.00, as recommended by the Engineering & Maintenance Committee; necessary to perform essential minimum functions of the governmental body. Director Ward 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 seventh item on the agenda, Request Board to review and determine to purchase or forego purchase of the structures and improvements on Lot 8 located at Inland Lake, per the recreational site agreement. The Board must exercise its right of first refusal within 90 days of receipt of the sales contract, which was March 3, 2021, at a price of \$250,000.00; as recommended by the Engineering & Maintenance Committee, necessary to perform essential minimum functions of the governmental body. The General Manager recommended the Board purchase said item. Director Ward made a motion to approve the item and Director NeSmith seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote.

Following, the Board moved to the ninth item on the agenda, Request Board to hear Division Reports; necessary to perform essential minimum functions of the governmental body. Assistant General Managers made presentations regarding the Finance & Administration Division, the Engineering & Maintenance Division, and the Operations and Technical Services Division. Presentations included information regarding the number of customers served, revenue and investment funding, capital expenses, leak repairs, finished/raw water pumpage, and water supply.

Following, the Board moved to the eighth item on the agenda, Request Board to hear a presentation regarding the workflow and approval process for contracts and agreements; necessary to perform essential minimum functions of the governmental body. The General Manager stated more time would be needed to present this item and for the sake of time he recommended moving this item to an upcoming board meeting. Director NeSmith then made a motion to move this item to the first board meeting in June 2021 and Director Munchus seconded the motion. The motion was approved by unanimous vote.

Next, Director NeSmith then made a motion to adjourn the meeting and Director Ward seconded the motion. On a motion duly made and seconded, the motion was approved by a vote of 4-3 and the meeting was adjourned at 1:39 p.m.