

**FAIRFAX WATER**  
**Minutes of Board Meeting**  
**December 14, 2023**

At 6:42 p.m. on Thursday, December 14, 2023, a Meeting of the Fairfax Water Board was held in the Bill G. Evans Boardroom at 8570 Executive Park Avenue, Fairfax, Virginia, with the following in attendance:

**Members:** Allin, Begovich, Cammarata, Colleton, Day (absent), Dotson, Ginyard-Jones, Griffin, Roberson, Rubin

**Wholesale Customer Representatives:** Danziger

**Staff:** Aranda, Dooley, Goldberg, Grimes, Hack, Hedges, Kingsbury, B. Miller, S. Miller, B. Nguyen, Prelewicz, Sinopole, Spiesman

**Counsel:** John McGranahan, Hunton Andrews Kurth LLP, Kyle McGee, Grant & Eisenhofer P.A. (attended Closed Session only)

**Others:** Bill Johnson, Joyce Migdall, Lazaro Gonzalez, Kim Karlnoski

Upon separate motions duly made, seconded, and unanimously carried, unless otherwise noted, the following actions were taken:

**Approval of Minutes**

The Board unanimously approved the minutes of the November 16, 2023, Meeting.

**Report of the Government Relations Committee Meeting**

Mr. Rubin reported to the Board on the Government Relations Committee Meeting held earlier this evening. Preston Bryant provided an update on the 2024 General Assembly. The Committee also discussed legislative priorities and regulatory updates.

**Matters by Members**

- Mr. Roberson noted, in his role at the Association of State Drinking Water Administrators, his recent participation in a White House cybersecurity meeting. The meeting focused on the reaction to cyberattacks on U.S. water systems and the potential for future regulations to mitigate these threats.
- Mr. Griffin updated the Board on a meeting he and staff attended with the Chairman of the Fairfax County Board of Supervisors. The meeting revisited Chairman McKay's original concern about the backflow prevention device program. Mr. Griffin noted County and Fairfax Water staff had been coordinating on a draft work plan.
- Chairman Allin and Mr. Cammarata updated the Board regarding the proposed Board Member compensation. The Chairman of the Fairfax County Board of Supervisors (BOS) has committed by letter to bring the proposal to a future BOS meeting.
- Chairman Allin notified the Board that he will be following up with Members on Board Committee assignments, and the Board will discuss the matter further at the January 11, 2024, Board Meeting.

## **Matters by Staff**

Ms. Hedges addressed the following:

- The final 2024 Board Meeting calendar was provided to Members in the handouts for this Meeting.
- Staff is preparing to submit a grant application to the Virginia Department of Health to develop the service line inventory as required by the Lead and Copper Rule Revisions.
- Virginia's Low Income Household Water Assistance Program (LIHWAP) has provided assistance to another 164 customers since October. The program is expected to be depleted of funds by the end of 2023.
- The new Customer Service Modernization updates were successfully implemented over the weekend of Thanksgiving 2023. The Board will receive a demonstration of the updates at a future Meeting.
- Prince William County has created a task force to identify and address land disturbances on the Occoquan Reservoir and its tributaries in the County. Fairfax Water has been asked to assist with that effort.
- Supervisors Alcorn and Palchik presented a motion at the December 5, 2023, Fairfax County Board of Supervisors meeting to discuss the future of the Vienna water system. A copy of the motion was provided to the Board in the handouts of this meeting. Staff is meeting with Fairfax County staff to discuss the matter on January 2.
- The PFAS Bench Scale Pilot Study work is continuing, and the Water Quality and Supply Committee will be updated on this effort at their January 11 Meeting.
- The Poplar Heights Tank Replacement Project land-use permit is expected to be submitted to the County before the end of the year. Staff recently met with the new Planning Commissioner from the Providence District to discuss the project.

## **Public Hearing**

Chairman Allin opened the public hearing at 7:08 p.m. and explained its purpose and the comment process. He invited anyone who wished to comment on the Advertised Annual Budget and the Proposed Schedule of Fairfax Water Rates, Fees, and Charges to do so. At the time of the opening of the hearing, no written comments were received. Three speakers signed up to speak at the hearing:

- Mr. Bill Johnson of Alexandria wished to speak about the change to the swimming pool fill adjustment, but when informed this was not the subject of the public hearing declined to speak. The Chairman then requested staff contact Mr. Johnson after the Meeting to answer his questions.
- Ms. Kim Karlnoski from Centreville spoke regarding the increase in her water bill. Board Members discussed the increase in both water and sewer rates and that the majority of customers' bills are comprised of fees for Fairfax County's wastewater which Fairfax Water collects on their behalf. Board Members recommended Ms. Karlnoski also contact the County Wastewater Division and directed Staff to provide an average system-wide amount of water use per household, as requested by the customer.
- Ms. Joyce Migdall from Falls Church spoke about a recent service line leak at her home and the courtesy leak adjustment policy. The cost of the leak was adjusted for one of the two billing quarters for which the leak spanned. Ms. Migdall requested that the Board allow for the adjustment of the leak include the entire cost of the leak rather than one billing cycle. The Board agreed this should be discussed further at a future Meeting.

Upon completion of the public comments, Chairman Allin stated that the Board would leave the public hearing open in case additional members of the public wish to speak.

### **Closed Session**

Mr. Begovich moved, with a second by Mr. Dotson, that the Board go into closed session pursuant to Virginia Code Section 2.2-3711(A)7 for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body specifically relating to PFAS related litigation including the pending multi-district federal litigation and Virginia Code Section 2.2-3711(A)8 for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically relating to PFAS-related Litigation and Potential Recovery of PFAS-related Costs.

Upon conclusion of the closed session, the open session resumed, whereby Mr. Begovich made a motion, seconded by Mr. Rubin, certifying, in accordance with Section 2.2-3712 of the Virginia Freedom of Information Act that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted from open Meeting requirements under Chapter 37 of Title 2.2 of the Virginia Code, and (ii) only such public business matters as were publicly identified in the motion by which the just concluded closed Meeting was convened were heard, discussed, or considered by Fairfax Water in closed session. This motion was approved, with the following Members voting in the affirmative by roll-call vote: Mr. Cammarata, Mr. Dotson, Mr. Begovich, Chairman Allin, Mr. Roberson, Mr. Rubin, Mr. Griffin, Ms. Colleton. Ms. Ginyard-Jones did not participate in this closed session.

### **Administrative Items Discussion**

Chairman Allin motioned, seconded by Mr. Rubin, for discussion of the Administrative Items.

Staff responded to questions from Mr. Roberson on the schedule for the Commonwealth Drive water main replacements proposed under the 2024 Distribution System Sustainability Project (Item 2c).

Mr. Cammarata motioned, seconded by Mr. Rubin, to delete the purchase of the Ford Lightning Trucks from Item 2g. The Board discussed the motion. The motion failed on a 3-6 vote with Messrs. Cammarata, Begovich, and Rubin voting aye, and Members Ginyard-Jones, Dotson, Allin, Roberson, Griffin, Colleton voting no. Mr. Cammarata requested that the question on the Administrative Items be separated with respect to the electric vehicles in Item 2g, and the Chairman agreed to do so.

Staff responded to questions from Mr. Cammarata on the stop-loss insurance contract for the self-insured group health plan.

Chairman Allin called the question on the Administrative Items in two separate votes:

- The Board unanimously approved Administrative Items 2a-2h, excluding the two Ford Lightning Trucks from Item 2g (Purchase of Vehicles).
- The Board approved the purchase of two Ford Lightning Trucks in Item 2g (Purchase of Vehicles) on a 6-3 vote, with Messrs. Cammarata, Begovich, and Rubin voting nay.

### **Appropriations**

The Board approved an increase in appropriations for six projects totaling \$1,405,142 and the closing of 31 projects, which reduces previously appropriated Improvement Fund items by \$2,272,364. A detailed description for each project appropriation is included with the Board packet for this Meeting.

### **Dental Plan for Medicare-Eligible Retirees and Spouses**

The Board awarded a contract with Delta Dental, riding the Fairfax County Contract 4400012109, effective January 1, 2024, through December 31, 2028, to provide dental coverage to Fairfax Water retirees and their covered family members. The first three years of the contract include fixed rates at an annual estimated cost of \$150,120. Further, the Board authorized renewal of the contract for two additional one-year periods so long as prices remain fair and reasonable.

### **Distribution System Sustainability Program**

The Board appropriated \$23,500,000 to Project 2200 – Distribution System Sustainability Program and authorized the General Manager to execute two design task orders with Michael Baker International in the amounts of \$222,700 and \$209,600 for Division 651 – Brook Road and Division 652 – Churchill Road, respectively, and three design task orders with Kimley-Horn and Associates, Inc. in the amounts of \$119,448, \$197,860, and \$205,220 for Division 643 – Amherst Avenue, Division 657 – Commonwealth Boulevard Phase I and Division 658 – Commonwealth Boulevard Phase II, respectively.

### **Hazardous Waste Disposal Contract Award**

The Board awarded a one-year contract for as-needed removal and disposal of hazardous and other special waste to the lowest responsive and responsible bidder, ACV Environmental Services, Inc., in the estimated annual amount of \$150,000. Expenditures may be more or less subject to actual requirements. The Board authorized staff to renew this contract annually for up to four additional one-year periods through December 31, 2028, so long as prices remain fair and reasonable and consistent with contractual terms and conditions.

### **Microsoft Office 365 User Licensing**

The Board approved amending Fairfax Water's contract with Dell Technologies to provide software license purchases, including Microsoft licensing and support services, in the estimated amount of \$400,000 annually. Annual expenditures may be more or less depending on Fairfax Water's actual requirements.

### **Occoquan Watershed PFAS Study**

The Board appropriated \$110,000 to Project 390, Division 13 and authorized the General Manager to execute a contract with Virginia Tech in the amount of \$108,404 for an Occoquan Watershed PFAS Study. Further, the Board authorized staff to renew this contract for one additional year as long as prices remain fair and reasonable and consistent with contract terms.

### **Purchase of Vehicles**

The Board appropriated \$288,500 to Project 3653, Division 2 and awarded contracts in the amount of \$58,200 to Hall Automotive, \$74,900 to Wilbar Truck Equipment, and \$155,400 to Johnson Truck Center LLC and appropriated \$205,800 to Project 3653, Division 1 and awarded contracts in the

amount of \$88,600 to Sheehy Automotive and \$117,200 to Hall Automotive. As noted above, Messrs. Cammarata, Begovich, and Rubin voted nay on the two electric trucks included in this item.

### **Stop-Loss Contract Award**

The Board awarded a one-year contract to United HealthCare Insurance Company for stop-loss insurance services with a deductible of \$250,00 for an estimated premium cost of \$356,900.

### **Public Hearing**

As there were no additional members of the public requesting to speak, Chairman Allin closed the Public Hearing at 8:31 p.m.

### **Schedule of Rates Fees and Charges**

The Board adopted the Proposed Schedule of Rates, Fees, and Charges, to become effective on April 1, 2024.

### **2024 Annual Budget**

The Board:

- 1) Adopted the Advertised 2024 Annual Budget as Fairfax Water's Annual Budget for fiscal year 2024.
- 2) Authorized the personnel complement for fiscal year 2024 to be a total of 483 positions.
- 3) Approved the inclusion of an estimated \$6,207,000 in additional revenues in the 2024 Annual Budget based on the revision of certain rates, fees, and charges to be effective April 1, 2024.
- 4) Appropriated \$123,207,000 for total Current Expenses per Exhibit 2 of the Advertised 2024 Annual Budget.
- 5) Directed reviews of the 2024 Annual Budget be prepared and submitted to the Finance and Audit Committee for consideration and review as needed throughout the year.
- 6) Will continue to monitor economic factors and review revenues and expenditures at mid-year to determine if additional action is needed.

### **Closed Session**

Mr. Begovich moved, with a second by Mr. Rubin, that the Board go into closed session pursuant to Virginia Code Section 2.2-3711(A)8 for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically relating to Grandfathered water withdrawals in the Commonwealth.

Upon conclusion of the closed session, the open session resumed, whereby Mr. Begovich made a motion, seconded by Mr. Cammarata, certifying, in accordance with Section 2.2-3712 of the Virginia Freedom of Information Act that, to the best of each Member's knowledge, (i) only public business matters lawfully exempted from open Meeting requirements under Chapter 37 of Title 2.2 of the Virginia Code, and (ii) only such public business matters as were publicly identified in the motion by which the just concluded closed Meeting was convened were heard, discussed, or considered by Fairfax Water in closed session. This motion was approved, with the following Members voting in the affirmative by roll-call vote: Ms. Ginyard-Jones, Mr. Cammarata, Mr. Dotson, Mr. Begovich, Chairman Allin, Mr. Roberson, Mr. Rubin, Mr. Griffin, Ms. Colleton.

**Adjournment**

There being no further business, the Meeting was adjourned at 8:58 p.m.



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Richard Dotson, Secretary

