

FAIRFAX WATER
Minutes of Board Meeting and Public Hearing
December 15, 2022

At 6:30 p.m. on Thursday, December 15, 2022, a Meeting of the Fairfax Water Board was held at the Bill G. Evans Boardroom at 8570 Executive Park Avenue, Fairfax, with the following in attendance:

Members: Allin, Begovich, Cammarata, Colleton, Day, Dotson, Ginyard-Jones, Griffin, Roberson, Rubin

Wholesale Customer Representatives: Danziger

Staff: Atapoor, Dooley, Franzen, Goldberg, Grimes, Hack, Hedges, Hoke, Huff, T. Jones, Kingsbury, Legg, S. Miller, Nguyen, Oates, Robey, Siminari, Sinopole

Counsel: John McGranahan, Hunton Andrews Kurth LLP

Others:

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

Public Hearing

Chairman Allin opened the public hearing at 6:30 p.m. and explained its purpose and the comment process. He invited anyone who wished to comment on the Proposed 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 members of the public were present.

Approval of Minutes

Mr. Rubin asked that the section in the minutes pertaining to the Government Relations Committee Meeting be corrected. He asked that the word “endorse” be changed to “authorized.” The Board approved the Minutes of the November 17, 2022, Meeting with the requested edit.

Matters by Members

Mr. Rubin stated that the current by-laws only name the standing committees and do not define the responsibilities of the committees. He recommended adding a sentence or two to Article 3, Section 1 of the by-laws describing the Committees’ roles. Mr. Rubin suggested each Committee chair develop a statement to submit to the By-laws Committee.

Mr. Day suggested that one of the options that should be explored in the alternative water supply study for the Potomac would be an option to build out the Griffith Water Treatment Plant and install necessary transmission mains. Staff will prepare a concept paper on the topic for the Board to consider at a future meeting.

Chairman Allin thanked Mr. Cammarata for 10 years of service as a Fairfax Water Board Member.

Matters by Staff

Ms. Hedges addressed the following:

- Welcomed Kim Oates, now in the position of Director of Finance. Ms. Oates has over 27 years of experience in accounting both in the public and private sector. She has been with Fairfax Water for over 11 years.
- The Low Income Household Water Assistance Program (LIHWAP) program is now up and running. 22 customers have received funds totaling roughly \$8,300.00. Funds are coming directly from the government through their contactor Promise. The funding split is approximately 40 % for water and 60 % for wastewater. Another 60 applications have been approved and are awaiting funding and there are 50 additional applications currently being processed by Promise.
- Staff had a conference call with Delegate Bulova and Preston Bryant on the proposed Fairfax Water legislation. Delegate Bulova plans to take the legislation forward and has sent it to Legislative Services for drafting. Once the draft is received, staff will share it with Board. The General Assembly will convene on January 11, 2023.
- Federal Infrastructure Funding:
 - Vannoy Acres and Tauxemont are not recognized as disadvantaged communities and are thus not eligible for certain funding available through the Bipartisan Infrastructure Law (BIL).
 - Staff has been in communication with Tauxemont community representatives and suggested that they reach out to the Virginia Department of Health to discuss other funding options that may be available for small communities and system consolidation to help meet their compliance deadline imposed by the Department of Environmental Quality.
- Occoquan Model Update:
 - Staff recently met with Bob Lazaro, the Executive Director of the Northern Virginia Regional Commission (NVRC), and staff who work on the Occoquan Model to discuss strategies for getting the Chief Administrative Officers of the watershed jurisdictions more involved in Occoquan matters.
 - Fairfax Water Staff has been invited to make a presentation on Occoquan issues to the Northern Virginia Regional Commission in March. The presentation will include sodium, PFAS, the Occoquan Model and other topics.
 - Staff is coordinating with Occoquan Watershed Monitoring Lab (OWML) staff and NVRC to brief the Water Quality and Supply Committee in the first quarter of 2023 on the Occoquan Model.
 - Staff provided the Board with an article from the Bay Journal highlighting the work being done by Dr. Stanley Grant at OMWL through his National Science Foundation funded project on freshwater salinization.
- The Prince William County Comprehensive Plan is moving forward.

- The Prince William Board of County Supervisors approved updates on their sewer chapter earlier this week.
- This makes it more likely that public sewer will be extended to the Bristow Manor Community instead of replacing the existing zero discharge wastewater facility that was the subject of legislation in the 2022 General Assembly session.
- Water Resources Development Act (WRDA) Updates:
 - WRDA 2022 Bill was approved by the House this week; the Senate is expected to vote on it next week.
 - Two provisions of interest to Fairfax Water are:
 - Authorization of Potomac supplemental supply study.
 - Authorization for Washington Aqueduct to borrow up to \$40 million each year to fund capital improvement projects, so long as the Aqueduct has entered into agreements with its customers to repay the loans.
- Cross Connection Control Program Updates:
 - Staff had previously been invited to give a joint presentation at the Board of Supervisors Environmental Committee December 13th meeting. However, the agenda item had been pulled from the meeting.
 - Supervisors Gross and Storck have been briefed on the Program and another briefing is being scheduled for Chairman McKay in January.
- Low Flow Allocation (LFAA) Workgroup Updates:
 - Staff sent a letter to Virginia Department of Environmental Quality Director Rolband regarding concerns about a new flow-by study. Staff shared the letter with counterparts at other utilities and similar letters have since been sent by Prince William Service Authority and Arlington County. WSSC Water sent a letter to the Secretary of Maryland's Department of Environmental Quality. Copies of these letters were provided to the Members.
 - At the most recent ICPRB Commissioner meeting, the LFAA Governing parties created a workgroup to scope a new flow-by study. The workgroup does not include the water utilities. Staff subsequently reached out to Mr. Rolband again to re-emphasize Fairfax Water's concerns. Staff will continue to coordinate with WSSC Water, Arlington, the Washington Aqueduct and others on this issue and will update Members at their next meeting.
- Other handouts provided to Members include:
 - Customer Kudos
 - 2023 Board Meeting Calendar and Quick Reference Sheet
 - Article sent by Sarah Frey of PFM pertaining to the Fitch outlook on the water and wastewater utility sector noting the current economy and inflationary pressures may lead to a weakening in credit quality across the sector.
 - Article regarding the sale of uranium rights in Pittsylvania County, Virginia to a Canadian company.
 - Revenue and Arrearage Report through November.

- The Infrastructure Committee will meet on January 5th. Agenda items include solar panels at the Central Maintenance Facility and the Transmission System Sustainability program.
- Work continues on the alternative fuel vehicle study and related infrastructure. Staff anticipates bringing these items to the Infrastructure Committee in March.
- Mr. Kingsbury gave a comprehensive presentation on the revised Lead and Copper Rule, the status of staff's efforts to develop the required service line inventory, operational impacts of the regulation, and next steps to develop the private, customer service line information required for the inventory. The LCRR compliance deadline is October 2024.

Appropriations

The Board approved an increase in appropriations for eleven projects totaling \$3,297,866 and closing 24 projects, which returns \$780,652 to the Improvement Fund. A detailed description of each project appropriation is included in the papers of this Meeting.

2023 Distribution System Sustainability Program

The Board appropriated \$22,000,000 to Project 2200 – Distribution System Sustainability Program as indicated in the table included in the papers of the meeting. The Board further authorized the General Manager to execute a design task order with Michael Baker International in the amount of \$126,600 for Division 616 – Ravensworth Road.

Poplar Heights Transmission Main

The Board appropriated funds in the amount of \$685,000 to Project 2738, Division 1 and authorized the General Manager to execute a task order with Michael Baker International in the amount of \$607,000 for design of the Poplar Heights Transmission Main.

Cathodic Protection System Testing

The Board appropriated funds in the amount of \$452,000 to Project 1719, Division 10 and authorized the General Manager to execute a task order with Michael Baker International in the amount of \$391,400 to perform cathodic protection system testing, document deficiencies, and prepare standard procedures for staff monitoring efforts.

Purchase of Cold Mix Asphalt

The Board awarded a one-year contract for the purchase of cold mix asphalt to the lowest responsive and responsible bidder, Superior Paving, in the estimated annual amount of \$201,500. Annual expenditures may be more or less, subject to actual requirements. The Board further authorized staff to renew the contract annually for up to four additional one-year periods so long as pricing remains fair, reasonable, and consistent with the contractual terms and conditions.

Fairfax Water Self-Insured Group Health Plan

The Board awarded a one-year contract for Third Party Administrator Services to United Medical Resources (UMR) in the estimated amount of \$276,243. Annual expenditures may be more or less, subject to actual requirements. The Board further authorized staff to renew the contract annually for up to two additional one-year periods so long as pricing remains fair, reasonable, and consistent with the contractual terms and conditions.

Public Hearing

Chairman Allin recalled the Public Hearing Meeting and noted that one written comment had been received, provided to the Members, and responded to by staff. Since there were no members of the public present to speak, the Public Hearing concluded at 7:51 p.m. Ms. Colleton moved with a second by Mr. Roberson that the Board approve agenda items 3b and 3c. The motion was approved.

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 a recently filed lawsuit styled Jasmine A. Green and Washielar S. Nash v. the Commonwealth of Virginia, the Virginia Department of Transportation, the Fairfax County Water Authority and other named individuals CL22-16560.

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: Ms. Ginyard-Jones, Mr. Cammarata, Mr. Day, Mr. Dotson, Mr. Begovich, Chairman Allin, Mr. Roberson, Mr. Rubin, Mr. Griffin, and Ms. Colleton.

Adjournment

There being no further business, the Meeting was adjourned at 8:14 p.m.



Richard Dotson, Secretary