

**FAIRFAX WATER**  
**Minutes of Board Meeting**  
**June 15, 2023**

At 7:30 p.m. on Thursday, June 15, 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, Dotson, Ginyard-Jones (remote), Griffin, Roberson, Rubin

**Wholesale Customer Representatives:** Danziger (absent), Jaatinen (absent)

**Staff:** Arcese, Atapoor, Coneway, Creel, Dooley, Goldberg, Grimes, Hack, Hedges, Hoke, T. Jones, Kingsbury, S. Miller, B. Nguyen, Oates, Prelewicz

**Counsel:** John McGranahan, Hunton Andrews Kurth LLP

**Others:** Megan Ellis, Dan Lynch, Lynn Wile, Jacobs Solutions, Inc.

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

**Approval of Member Participation by Means of Electronic Communications**

Upon Motion by Chairman Allin, seconded by Mr. Griffin, the Board moved that Ms. Ginyard-Jones's request to participate in the Board Meeting by means of electronic communication was consistent with the Board's policy, and the Board approved her request pursuant to Virginia Code section 2.2-3708.3(B)(4). Ms. Ginyard-Jones is participating by means of electronic communications from Monterrey, Mexico, for business reasons. This motion was approved unanimously.

**Approval of Minutes**

The Board approved the Minutes of the May 18, 2023, Meeting.

**Committee Reports**

**Government Relations Committee Meeting**

Mr. Rubin reported that the Committee received an overview of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) presented by George Hoke. The Committee also discussed a letter of support for United States Senate Bill 1430 Water Systems PFAS Liability Protection Act, drafted by staff. The Committee recommended to the Board that letters be sent to Senators Kaine and Warner and the Senate Environment and Public Works Committee.

Upon Motion by Mr. Rubin, seconded by Mr. Griffin, the Board moved that the letter of support for S. 1430 be sent to Senators Kaine and Warner and the Senate Environment and Public Works Committee. This motion was approved.

**Finance and Audit Committee Meeting**

Mr. Roberson reported that the Committee received a presentation from staff and discussed the proposed schedule of rates, fees, and charges to go into effect on April 1, 2024, if approved by the Board. The Committee recommended to the Board that the proposed rates, fees, and charges be approved for advertisement. The Board will consider that action at its July 20 Meeting.

The Committee also received a staff presentation and discussed overbilling of peak use charges due to swimming pool adjustment errors. Mr. Roberson made a motion, seconded by Mr. Rubin, to approve staff's recommendation regarding refunding customers for the overbilling of peak use charges due to the swimming pool adjustment error. Members further discussed staff's recommendation. Mr. Roberson made a motion to call the question, which was approved by an 8 to 2 vote. The original motion passed with a 7 to 3 vote, with Mr. Cammarata, Mr. Day, and Mr. Dotson voting against the motion.

### **Election of Officers**

Mr. Begovich provided an update from the Nominating Committee. Having solicited nominations and receiving none beyond those now in an officer position, the Board re-elected the current slate of Officers, namely: Mr. Allin, Chairman; Mr. Begovich, Vice Chairman; Mr. Roberson, Treasurer; and Mr. Dotson, Secretary.

### **Matters by Members**

Upon Motion by Mr. Begovich, seconded by Mr. Griffin, the Board moved that in recognition of his leadership and exceptional service as Fairfax Water's General Manager for over thirteen years, including his sense of purpose and cooperation with the Cities of Fairfax and Falls Church that led to consolidation of their water systems with Fairfax Water, thus ensuring a robust, high-quality water system at regionally low rates, that Fairfax Water name the maintenance facility currently under construction at Lee Highway in Merrifield, the Charles M. Murray Maintenance Facility. This motion was approved unanimously.

Mr. Roberson noted he had recently returned from attending the annual American Water Works Association (AWWA) conference held in Toronto, Canada, where there was a great deal of discussion related to PFAS.

### **Matters by Staff**

Ms. Hedges addressed the following:

- The installation of the new boardroom audio system has been delayed due to damaged equipment received by Fairfax Water's contractor. Staff is investigating alternatives to get these improvements accomplished.
- Members received the final draft comment letter on the EPA's proposed PFAS regulations. Over twelve hundred comments were submitted to EPA, and the comments raised by Fairfax Water were in line with many other agencies.
- The Potomac River Basin has been experiencing dry conditions over the last twelve months, with precipitation levels at 6 inches below normal. The flow trigger at Point of Rocks for enhanced reporting of Potomac withdrawals has been reached. The low flow conditions have caused some taste and odor issues in the region, primarily with utilities that do not use ozone.
- Beginning at 2:00 p.m. Friday, June 16 and ending at 8:00 a.m. on Tuesday, June 27, Mr. Kingsbury will be acting General Manager while Ms. Hedges is on annual leave.
- Staff will have an update on the information systems audit in the first meeting in July.
- There have been no costs incurred this month associated with the electric vehicle pilot.
- Members received the following handouts at their seats:
  - Consumer Confidence Report Postcard

- Summer 2023 *Straight from the Tap* Customer Newsletter
- Water Quality Field Day Event Overview

Ms. Colleton asked why there is interest in the electric vehicle initiative costs being reported differently than other initiatives. After discussion, Members agreed that the electric vehicle initiatives should be presented by staff on a quarterly basis. Staff will begin reporting initiatives in July for the quarter ending in June.

### **Appropriations**

The Board approved an increase in appropriations for eight projects totaling \$1,391,000. A detailed description for each project appropriation is included in the papers of this meeting.

#### **I-495 Express Lanes Northern Extension Water Main Relocations**

The Board appropriated funds in the amount of \$425,000 to Project 2719, Division 1 and authorized the General Manager to execute an agreement with Lane Construction Corporation for the relocation of Fairfax Water's facilities impacted by the I-495 NEXT Project and proposed betterment. The Board further authorized the General Manager to execute a task order with Michael Baker International in the amount of \$37,500 for construction phase services associated with this work.

#### **Corbalis Water Treatment Plant Filter Surface Wash Arm Materials**

The Board awarded a Sole Source contract to Sherwood Logan in the estimated amount of \$110,000. The Board further authorized staff to renew the contract annually for as long as Sherwood Logan and Associates Sole Source is valid, and equipment remains in service at Corbalis Treatment Plant.

#### **(HVAC) Equipment Maintenance Services, Parts, and Repairs**

The Board authorized an amendment to Sole Source Contract No. 2021-020 for one-year effective July 1, 2023, through June 30, 2024, in the estimated annual amount of \$126,012 (\$66,012 for monthly maintenance and an estimated amount of \$60,000 for as-needed parts and repairs). Expenditures may be more or less, subject to actual requirements. The Board further authorized staff to renew this contract for two additional one-year periods, as long as prices remain fair and reasonable and consistent with contractual terms.

#### **Purchase of Vehicles**

The Board awarded a contract to Sheehy Ford of Richmond utilizing the City of Chesapeake, Virginia, contract #19-19079-WHC through June 30, 2024, for the purchase of three vehicles and appropriated funds in the amount of \$115,000 to Project 3653, Division 001 – Vehicles.

#### **Wireless Digital Voice and Data Services and Associated Equipment**

The Board renewed the contract for wireless digital voice and data services and associated equipment with AT&T, Inc., through June 30, 2024, for an estimated annual cost of \$375,000. The Board further authorized staff to renew this contract for two additional one-year periods to cover annual needs, as long as prices remain fair and reasonable and consistent with contractual terms.

**PFAS Bench Scale Study:**

The Board appropriated funds in the amount of \$179,000 to Project 2753, Division 001 and authorized the General Manager to execute a task order with CDM Smith in the amount of \$162,393 for a PFAS Bench Scale Study for the Griffith Water Treatment Plant.

**Poplar Heights Tank Replacement**

The Board appropriated funds in the amount of \$165,000 to Project 2729, Division 1 for additional engineering services and land use application support and authorized the General Manager to execute a task order amendment with Jacobs Engineering Group, Inc. in the amount of \$95,843.

**Business Continuity Plan**

Jacobs Solutions, Inc. staff, including Megan Ellis, Technical Lead; Lynn Wile, Project Manager; Dan Lynch, Principal-in-Charge, gave a presentation on the Business Continuity Plan effort.

**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)3 for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body specifically relating to real property interests required for the replacement of the Seven Corners and Willston storage tanks; 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 real property interests required for the replacement of the Seven Corners and Willston storage tanks and overbilling of the peak use charge.

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 9:24 p.m.



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Richard Dotson, Secretary