

**FAIRFAX WATER**  
**Minutes of Board Meeting**  
**February 20, 2025**

At 6:47 p.m. on Thursday, February 20, 2025, 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 (absent), Griffin, Roberson, Rubin

**Wholesale Customer Representatives:** Bahceci (absent)

**Staff:** Brown, Dewhirst, Dooley, Goldberg, Grimes, Hedges, Kingsbury, Love, S. Miller, Oates, Prelewicz, Redder, van der Vyver

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

**Others:** N/A

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 January 23, 2025, Meeting.

**Report of the Infrastructure Committee**

Mr. Begovich reported on the Infrastructure Committee Meeting held earlier in the evening. The Committee received three presentations from staff: an update on the Willard Road Maintenance Facility, an update on Fairfax Water's Lead and Copper Rule compliance efforts, and an update on the next steps in the Technology Master Plan: Data Governance, Warehousing, Analytics, Strategy and Implementation. The Committee recommended that the Board approve item 2d, Data Governance, Warehousing, Analytics, Strategy, and Implementation Phase 1 Discovery, and item 2g, Relocation of Warehouse and Archives to Willard Road Maintenance Facility, which are both included as Administrative Items on the agenda for the evening.

**Matters by Members**

- Mr. Cammarata congratulated Ms. Hedges and staff for the work completed to move HB 2050 through the Virginia General Assembly.
- Mr. Cammarata suggested that Fairfax Water engage counsel to explore litigation options to curb PFAS pollution in the Occoquan Reservoir.

**Motion regarding Engaging Special Counsel**

Mr. Cammarata moved, with a second by Mr. Roberson, to authorize the General Manager to secure special legal counsel for the limited purpose of providing legal advice regarding the Metropolitan Washington Airports Authority (MWAA) and PFAS as it relates to the Occoquan Reservoir. The motion passed unanimously.

### **Matters by Members Continued**

- Mr. Dotson noted that the Board Retreat Planning Committee is scheduled to meet at 5:00 p.m. on Monday, March 3.

### **Matters by Staff**

Ms. Hedges addressed the following:

- Announced that House Bill 2050 (HB 2050) passed out of the Virginia Senate earlier in the day with a 38-0 vote and that the Virginia House of Delegates approved the Senate substitute with a 95-0 vote. The bill will proceed to Governor Youngkin's office for review and signature. Ms. Hedges commended Delegate David Bulova and Senator Jeremy McPike for their support of the bill.
- Highlighted the quarterly customer newsletter, which includes an article on PFAS and HB 2050 that highlights Delegate Bulova's introduction of the bill. A copy of the newsletter was provided to each Member at their seats.
- Highlighted a Board Matter from the Fairfax County Board of Supervisors meeting held earlier in the week to re-affirm the County's commitment to the downzoning of the Occoquan Watershed. The matter was presented by Supervisors Herrity, Smith, and Storck, as well as Chairman McKay and approved by the Board of Supervisors.
- Updated the Board on the potential impacts of changes to the Tax Cuts and Jobs Act of 2017, as outlined by Ms. Sarah Frey at PFM on a call to Ms. Hedges and Ms. Oates earlier in the day. Potential changes include the removal of the tax-exempt status of bonds like those issued by Fairfax Water. PFM estimates this change could increase the cost of debt issuance by 210 basis points – costs which would fall to ratepayers on future debt issuance. Another potential change is the end of tax preferences for certain bonds, like the Build America bonds for which Fairfax Water currently receives an annual subsidy of approximately \$1 million.
- Informed the Board of two letters included in the Handouts that relate to the Discussion Items on the agenda for later in the evening.
- Requested Board Member feedback on the Ribbon Cutting ceremony and Open House events for the Willard Maintenance Facility.

### **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)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 American Water Works Association (AWWA), et al. v. EPA, Case No. 24-1188, 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 Fairfax Water IFB 24-013, Fairfax Water RFP 24-262, and procurement procedures and DC Water Resolution 25-05, PFAS National Primary Drinking Water Rule, and Virginia Code Section 2.2-3711(A)19 for discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or

a related threat to public safety; or discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2 where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building, or structure specifically relating to the Washington Aqueduct.

Upon conclusion of the closed session, the open session resumed, whereby Mr. Begovich moved, 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. Day, Mr. Dotson, Mr. Begovich, Chairman Allin, Mr. Roberson, Mr. Rubin, Mr. Griffin, and Ms. Colleton. Ms. Ginyard-Jones was absent and therefore could not vote on the motion.

### **Motions following Closed Session**

Mr. Rubin moved, with a second by Mr. Griffin, that the Board authorize and direct the General Manager to send a letter to the EPA expressing the concerns and in accordance with comments made in Closed Session. The motion passed 8-1, with Mr. Roberson voting nay.

Mr. Griffin moved, with a second by Ms. Colleton, that the Chairman sign the letter to DC Water regarding their Resolution on the Washington Aqueduct. The motion passed unanimously.

### **Appropriations**

The Board unanimously approved an increase in appropriations for five projects totaling \$966,000. A detailed description for each project appropriation is included with the Board Packet for this Meeting.

### **Water Treatment Chemicals – Extension of Contracts**

The Board unanimously approved an extension of the chemical contracts outlined in the Board Packet for this Meeting by two weeks, until March 9, 2025.

### **Purchase of Water Treatment Chemicals**

The Board authorized the General Manager to award all chemical contracts in the total annual estimated amount of \$11,770,837.70 to the lowest responsive and responsible bidders listed on the bid tabulation included in the Board Packet for this Meeting. Annual expenditures may be more or less, subject to actual requirements. The Board also authorized staff to renew the contracts annually for up to three one-year periods and for a final fifteen-month period, so long as prices remain consistent with contractual terms and conditions.

### **Data Governance, Warehousing, Analytics, Strategy, and Implementation Phase 1 Discovery**

The Board authorized the General Manager to award a contract to Deloitte Consulting to complete the Data Governance, Warehousing, and Analytics, Strategy, Phase 1 Discovery, in the amount

of \$199,999. Further, the Board appropriated funds in the amount of \$229,999 to Project 2426, Division 5, for the contract and staff time.

**Enterprise Geographical Information System (GIS) – Software Platform Migration Project**

The Board authorized the General Manager to execute a contract amendment with Burns & McDonnell Engineering Company Inc., DBA 1898 & Co. for RFP 22-043 Utility Network Migration for two additional one-year periods to cover hosting and managed services of approximately \$184,800 per year, for a revised total contract amount of \$1,075,817.

**Project 3653 – Vehicles and Heavy Equipment**

The Board appropriated funds in the amount of \$1,798,200 to Project 3653, Division 1 Vehicles, in the amount of \$1,421,200, Division 2 – Heavy Equipment in the amount of \$273,500, and Division 4 – Hybrid Vehicles in the amount of \$103,500. The Board also authorized the General Manager to execute contracts with the following contractors, for the purchase of vehicles and heavy equipment, in the following amounts:

| Vendor                | Utilizing Contract                                 | Amount      |
|-----------------------|--|-------------|
| Sheehy Automotive     | Virginia Sheriffs' Association Contract 25-08-0917 | \$1,059,700 |
| Ourisman Ford         | JMU Contract #UMPJMU6892                           | \$230,000   |
| James River Equipment | Sourcewell Contract 11723-JDC                      | \$221,600   |

**Relocation of Warehouse and Archives to Willard Road Maintenance Facility**

The Board awarded a contract to Able Moving and Storage, Inc., in the amount of \$323,780.40, and appropriated funds in the amount of \$425,000 to Project 2609, Division 3, for the contract and staff time.

**Project 2753 – Watershed Management Activities, Division 007 – Occoquan Watershed PFAS Study**

The Board authorized the General Manager to execute a contract amendment with Virginia Tech in the amount of \$138,000 for the second year of the Occoquan Watershed PFAS Study.

**Project 2609, Division 2 – Willard Road Maintenance Facility**

The Board appropriated funds in the amount of \$330,000 to Project 2609, Division 2 and increased the General Manager's change order authority in an amount not to exceed \$330,000 for the construction contract with J.A. Scheibel, Inc. for the Willard Road Maintenance Facility.

### **Hauling and Removal of Excavated Debris Services**

The Board awarded a one-year contract to haul and dispose of excavated debris, as needed to Excavating Unlimited LLC, in the estimated annual amount of \$889,527. Actual expenditures may be more or less, depending on the number of loads disposed. The Board also authorized staff to renew the contract for four one-year periods, so long as prices remain consistent with contractual terms and conditions.

The Board authorized the General Manager and counsel to pursue available legal remedies and relief against RJP Contracting LLC in accordance with the Board's discussion in closed session.

### **Adjournment**

There being no further business, the Meeting was adjourned at 7:55 p.m.



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Richard Dotson, Secretary