

JANUARY 18, 2024

A REGULARLY SCHEDULED MEETING OF THE BOARD OF DIRECTORS OF THE UPPER OCCOQUAN SERVICE AUTHORITY WAS HELD JANUARY 18, 2024, IN THE CHARLES P. BOEPPLE BUILDING LOCATED AT 14631 COMPTON ROAD, CENTREVILLE, VIRGINIA 20121.

A. Calling of the Meeting to Order

1. The Board of Directors of the Upper Occoquan Service Authority convened its Regularly Scheduled Meeting at 4:00 P.M.

**Directors Present:**

Calvin D. Farr, Jr.	Allan Rowley
Richard Meyer	Patrick Small
Shahram Mohsenin	Nancy Vehrs
Jeanette M. Rishell	Michael McGrath (via electronic video conferencing)

**Directors Absent:**

Gary L. Fields

**Others Present:**

UOSA Staff:	Robert W. Angelotti
	Brian L. Owsenek
	Kevin D. Wolfe
	Mishelle R. Noble-Blair
	John W. Airhart
	June A. Mahoney

Legal Counsel:	Sally Ann Hostetler, Odin, Feldman, & Pittleman, P.C.
----------------	--

Engineer:	Don Forgacs, Jacobs
-----------	---------------------

B. Approval of Board Member Electronic Participation

1. Chairman Mohsenin acknowledged Director McGrath's online attendance. Director McGrath attended remotely from his work office in Lorton due to COVID exposure. Chairman Mohsenin indicated a formal vote was required to allow his participation. He asked if there was a motion to approve Director McGrath's remote attendance.

MOTION: Director Vehrs moved to approve Director McGrath's remote attendance.

SECOND: Director Meyer

VOTE: Unanimous

C. Approval of Minutes

1. Chairman Mohsenin referenced the Board Minutes dated November 16, 2023, and asked the Board for their approval.
2. Mr. Angelotti took a moment to identify three minor corrections to the drafted minutes distributed in the mailing. He advised that the first correction was noting

Director Farr's absence from the meeting as Director Pannell attended on his behalf. The second correction was a motion made by Director McGrath, not Director Simpson on item G. The last correction was the spelling of Mr. Charlie Grymes name. He advised that the corrections were reflected in the version available to be signed by the Secretary, Director Rishell.

MOTION: Director Farr moved to approve the amended minutes of the November 16, 2023, Board meeting.

SECOND: Meyer

VOTE: Unanimous

D. Public Comment Time

1. Chairman Mohsenin asked if there was any known interest or request received by the Public to speak at the meeting.
2. Ms. Mahoney stated that none were received ahead of the meeting. None were brought forward during the meeting.

E. Financial Reports

1. Chairman Mohsenin referenced staff memorandums, *November 2023 Financial Summary* (filed as Exhibit A) and *December 2023 Financial Summary* (filed as Exhibit B) and asked Mr. Wolfe for a review of the latter.

- a. Mr. Wolfe stated that the December Financial Summary reflects lower O&M expenses than planned, primarily due to lower Facilities Operations, Electric Power, Process Chemicals, and Miscellaneous expenses, and budget timing differences for Facilities Maintenance. Flows were 3.7 percent lower than planned for the month. Year-to-date FY-24 expenses through December were lower than budget by approximately \$1.4 million, primarily due to a combination of lower Personnel, Process Chemicals, Electric Power, and Facilities Operations expenses, and budget timing differences for Contract Services. Year-to-date flows were 11.6 percent lower than planned.

MOTION: Director Vehrs moved to receive and file the November and December 2023 Financial Summaries.

SECOND: Director Meyer

VOTE: Unanimous

F. FY-24 Second Quarter Plant Performance Report

1. Chairman Mohsenin referenced staff memorandum, *FY-24 Second Quarter Plant Performance Report* (filed as Exhibit C).
  - a. Mr. Owsenek reported the plant performance for the second quarter was excellent. He called specific attention to the higher flows experienced in December of 2023 with one day recorded at 75mgd and higher flows experienced since then due to weather conditions. He indicated the staff managed it very well.
  - b. In response to a question about pump station performance and ERP use during high flows, Mr. Angelotti indicated no off-site storage was used but onsite storage ponds were used quite extensively. He stated the peak instantaneous influent flow rate recorded during the high flow events of

January 2024 had set a record for instantaneous influent flow rate of around 140 mgd. He added that the peaking factor for instantaneous flow was a bit over four times the annual average flow into the plant. In response to a question about ERP usage and odor complaints, Mr. Angelotti indicated none were received.

MOTION: Director Meyer moved to receive and file FY-24 Second Quarter Plant Performance Report.

SECOND: Director Vehrs

VOTE: Unanimous

#### G. Major Project Reports

1. Chairman Mohsenin referenced staff memorandum, *January 2024 Project Summary* (filed as Exhibit D).

- a. Mr. Airhart reported on Plant Projects. He stated that Clark Construction Group LLC (Clark), the contractor for the MFF (Methanol Feeding Facility) project, continued excavation for the foundation of the new facility. Electrical duct bank installation is ongoing. Clark completed the tie-in to the existing 2W water line and added an isolation valve. Clark also continued locating existing subsurface utilities, providing submittals, and procuring subcontracts. The required Contract Substantial Completion date is January 3, 2025.
- b. Mr. Airhart stated that an agreement has been reached for the Contract AWT (Advanced Wastewater Treatment) project and the project achieved Substantial Completion on September 28, 2023. This will be memorialized in a bilateral change order that moves some administrative prerequisite requirements from Substantial Completion to Final Completion. This project will be removed from future reports.
- c. The Building U centrifuge upgrade (Contract U2) project contractor, Clark, executed a subcontract with Westphalia to supply the new dewatering centrifuge. Mr. Airhart stated that Westphalia installed the centrifuge UOSA received ten years ago. Clark continues field verification of the existing facilities to prepare the appropriate equipment submittals. The required Contract Substantial Completion date is August 10, 2025.
- d. The Ozone Biofiltration (Contract OBF) project was advertised October 8, 2023, in the Washington Post. The prebid meeting was held on November 2, 2023. Due to the quantity of bidder questions, the bid opening is re-scheduled for February 6, 2024.
- e. Chairman Mohsenin inquired about the Contract OBF bid opening re-schedule date. Mr. Airhart stated some questions and clarifications regarding specifications took time to reconcile that resulted in the date adjustment.
- f. The P2NR Plus (Phase 2 Nutrient Reduction Plus) project, the 30 percent design was successfully completed, and the engineer continued developing the 60 percent design. Final selections of major equipment continued. In response to staff concern about cost increases between the Preliminary Engineering Report (PER) and the 30 percent design estimate, the engineer is revisiting its cost estimating methods. Staff anticipates a revised cost estimate at the 60 percent design level based on recent efforts to contain the magnitude of project cost escalation being

observed.

- g. Chairman Mohsenin asked about the P2NR escalation costs. Mr. Angelotti stated several variables contribute. There has been significant escalation in construction costs over the last couple of years. He also added, as an example, that there is a lot of electrical work required for the renovation portion of P2NR Plus and the engineer received quotes from only one vendor and based their pricing on limited information. UOSA is looking at getting more cost clarity on that part of the work and assessing whether there are other options for delivering that work.
- h. Contract LB (C54 Laboratory Renovations), the 90 percent design workshop was held on November 29, 2023. The project team has arrived at a consensus for sustaining laboratory services at an off-site location while the laboratory building is being renovated. UOSA continues collaborating with the engineer to identify potential value engineering options to control project costs. The overall project remains on schedule with respect to the construction phase which is anticipated to begin later this calendar year.
- i. Chairman Mohsenin asked where the UOSA lab would be moved during the renovations. Mr. Angelotti responded that the current plan is for lab personnel and equipment to relocate to a facility in Innovation Park for the duration required.
- j. Mr. Airhart reported on the CTIE project in Building H/1 (the Acid Wash and Cardox Tanks) and stated the temporary system was successfully pressure and leak tested with plant service water and is ready for service. An attempt to seal the existing tank containment area resulted in minor leakage. The previously identified work associated with the east side CO2 storage tanks will be addressed in the near term with demo and disposal expected to occur in the next two months. A follow-on task order to further define the project scope and identify other at-risk infrastructure in the filter press area of Building H/1 is currently under development.
- k. Mr. Airhart reported on the single active Delivery System Project, the YPIU (Yorkshire Park Interceptor Upgrade). He stated PWCSA and UOSA are coordinating on a newly proposed Yorkshire Pump Station upgrade that is upstream of the YPIU project. Communications and meetings with NOVA Parks are ongoing to establish license agreement conditions and settle the fees.
- l. Director Vehrs asked if the YPIU project was dependent on the route 28 bypass project. Mr. Airhart stated the project was previously split into two phases. The part that may be impacted by the potential route 28 bypass will be designed after further development of the road project.

MOTION: Director Vehrs moved to receive and file the January 2024 Project Summary reports.

SECOND: Director Meyer

VOTE: Unanimous

#### H. Project Ozone Biofiltration (OBF) Financing Opportunity

- 1. Chairman Mohsenin referenced staff memorandum, *Project Ozone Biofiltration (OBF) Financing Opportunity* (filed as Exhibit E).
  - a. Mr. Wolfe stated the Board may recall at the September 2023 Board

meeting, it was mentioned that UOSA had applied for, and was provisionally approved for federal funding under the Bipartisan Infrastructure Law - Emerging Contaminants (BIL-EC), as our Ozone Biofiltration project addresses these. He said that the State Water Control Board met in November 2023 and authorized a \$10.27 million, zero percent interest loan, essentially a grant, to help fund our Ozone project. The \$10.27 million is from available FY-24 appropriated bill funds and UOSA will be applying for additional funding as FY-25 and FY-26 application windows open. He said this will also further delay the next needed UOSA bond issuance. Next steps are going to be to receive the construction bids next month, develop a final loan budget and get DEQ to approve it, and sign a financing agreement, then close the loan.

- b. Chairman Mohsenin acknowledged and thanked Mr. Wolfe for the hard work on the grant application.

MOTION: Director Vehrs moved to receive and file the Project Ozone Biofiltration (OBF) Financing Opportunity report.

SECOND: Director Meyer

VOTE: Unanimous

## I. Staff Reports

### 1. Safety Briefing

- a. Ms. Noble-Blair provided the briefing. She reported that UOSA days without a lost time injury or accident had reached 97 days.
- b. Ms. Noble-Blair said the Regulatory Affairs Division is in the process of completing and submitting the OSHA 300 log and report to OSHA and it will be published for employees after that.
- c. Ms. Noble-Blair reported that UOSA is seeing a few cases of COVID-19, particularly in the Laboratory where employees are working closely together.
- d. Ms. Noble-Blair said winter weather safety training is in progress for all employees and she provided a handout for the Board at their places for their reference.
- e. She referenced the Nutrient Exchange Agreement and reported UOSA has credits to share with the member jurisdictions and will be notifying them shortly. In response to a question from Director Small regarding the reliability of available credits from year to year, she indicated there has been a long history of credits available each year and she anticipates that will continue, but the specific quantity of future credits is unpredictable. Director Rowley asked if UOSA could share the current delivery factor the State provides UOSA. Ms. Noble-Blair said UOSA will include that information in the credit notification emails to the member jurisdictions.
- f. Director Small asked if UOSA ever expects to reach or exceed the permit ceiling. Mr. Angelotti replied that UOSA's goal and objective is 100 percent compliance which UOSA has achieved for nineteen years straight and does not plan on deviating from that.

2. Executive Director's Report

- a. Mr. Angelotti announced that after forty-four years in the water industry, and the past eleven of those years with UOSA, Mr. Robert Canham, UOSA's Director of Treatment Process, recently retired. He praised Mr. Canham for his significant contributions to the water reclamation industry internationally, nationally and at the regional level. Mr. Angelotti, Chairman Mohsenin and the entire Board congratulated Mr. Canham and wished him well in his retirement. Mr. Angelotti then introduced the new Director of Treatment Process, Mr. Doug Hague, who has been with UOSA for eleven years and expressed confidence in Doug's continued success at UOSA. Mr. Angelotti and the Board congratulated Mr. Hague on his new role as TP Division Director.

3. Legal Counsel's Report

- a. Ms. Hostetler said she had nothing to report.
- b. Chairman Mohsenin took this opportunity to address the ongoing Executive Director search prior to going into the planned closed session for this meeting. He said the Board Search Committee had completed their preliminary interviews and he requested a special meeting be held within the next week or two, off-site, for the Committee to provide the entire Board with an update on how the interviews went and provide next steps that would require the consensus of the Board in moving forward. A question was raised by Director Vehrs if all Board members, including alternates, should attend the special meeting. Following discussion, it was decided normal representation of two per member jurisdiction would apply. The Board agreed to determine the date of the special meeting via email correspondence and planned to meet at the Legal Counsel's offices in Reston, Virginia. Ms. Hostetler also clarified UOSA staff would not be required at the special meeting as it will be a closed session. Director Meyer asked if a vote was required regarding the meeting. Ms. Hostetler indicated the Chairman has the authority to call the special meeting and a vote is not required. Ms. Hostetler will work with Ms. Mahoney to ensure the special meeting is properly noticed once the date is decided.

J. Closed Meeting

1. Chairman Mohsenin announced that a closed meeting was needed to discuss the Executive Director's Annual Performance.

MOTION: Director Rowley moved that the Board convene a closed meeting at 4:37 P.M. pursuant to Virginia Code § 2.2-3711(A)(1), for the purpose of discussing the Executive Director's Annual Performance.

SECOND: Director Meyer

VOTE: Unanimous

MOTION: Director Vehrs moved to return to regular session at 5:15 P.M.

SECOND: Director Meyer

VOTE: Unanimous

2. Chairman Mohsenin asked for a motion to accept certification of the closed meeting per the following:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Upper Occoquan Service Authority Board of Directors ("UOSA") has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of The Virginia Freedom of Information Act; and

WHEREAS § 2.1-344.1 of the Code of Virginia requires a certification by UOSA that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that UOSA hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered in the closed meeting.

MOTION: Director Vehrs moved to accept Certification of Closed Meeting.  
SECOND: Director Rowley  
VOTE: Unanimous

3. Chairman Mohsenin said based on the Board's deliberation, the Board decided to grant the Executive Director a raise of 3 percent which will go into effect on his annual anniversary. He asked for a motion to approve the decision.

MOTION: Director Meyer moved to approve the decision.  
SECOND: Director Vehrs  
VOTE: Unanimous

4. Mr. Angelotti asked the Board if they would be able to provide any feedback regarding the timing of his succession so he can determine when to give adequate notice to Virginia Retirement System (VRS). Chairman Mohsenin and Director Meyer outlined the remaining steps in the process and indicated April may be possible, but more will be known in a month or so.

K. Adjournment

MOTION: Director Meyer moved to adjourn at 5:22 P.M.  
SECOND: Director Rishell  
VOTE: Unanimous



Jeanette M. Rishell, Secretary  
UOSA Board of Directors

Date: February 15, 2024

*These minutes are unofficial until signed.*