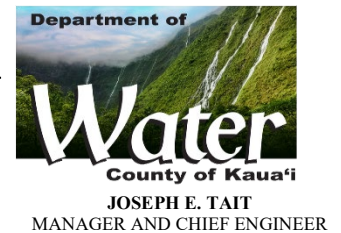


BOARD OF WATER SUPPLY

TOM SHIGEMOTO CHAIR
JULIE SIMONTON, VICE CHAIR
KURT AKAMINE, SECRETARY

MICAH FINNILA, MEMBER
KA'AINA HULL, EX-OFFICIO
TROY TANIGAWA, EX-OFFICIO
VACANT, EX-OFFICIO



REGULAR MONTHLY MEETING NOTICE AND AGENDA

Thursday, October 17, 2024
9:30 a.m. or shortly thereafter

Meetings of the Board of Water Supply, County of Kauai will be conducted in-person at the Department of Water Board Room, 2nd Floor located at 4398 Pua Loke Street, Lihue, Kauai, Hawaii, and remotely in accordance with Act 220, Session Laws of Hawai'i 2021 via interactive conference technology as follows:

Click on the link below to join on your computer or mobile app by VIDEO:

<https://us06web.zoom.us/j/81316683324>

Passcode: 074714

OR

Dial phone number and enter conference ID to call in and join by AUDIO:

Phone: 888 788 0099 US Toll-free

Phone Conference ID: 813 1668 3324

Please Note: If you do not provide a name, unique identifier, or alias when joining the meeting, you will be renamed to allow staff to address and manage individual guests.

In the event of a lost connection the Board will recess for up to 30 minutes to restore the connection. If the connection cannot be restored within 30 minutes, the Board will continue the meeting to 12:00 p.m. or shortly thereafter. If the visual link cannot be restored, the Board may reconvene with an audio-only link using the above dial-in phone number and conference ID. A lost connection only applies to remote connections provided as part of the remote meeting but does not apply to a public member being unable to access the meeting due to a connectivity issue on their end.

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS

Next Scheduled Board Meeting: Thursday, November 21, 2024 – 9:30 a.m.

APPROVAL OF AGENDA

MEETING MINUTES

1. Regular Board Meeting – September 19, 2024

PUBLIC TESTIMONY

NEW BUSINESS

1. Discussion and Adoption of Resolution No. 25-03, Mahalo and Aloha to Virgil RH Kapanui (Retiree), Water Field Operations Superintendent, Operations Division
2. *Manager's Report No. 25-05* Discussion and Possible Action to Approve Grant of Easement from County of Kaua'i for TMK 2-1-013:001 (Lima Ola Lot 1 Kealaula West)
3. *Manager's Report No. 25-06* Discussion and Possible Action to Approve Grant of Easement from DMurata LLC; Murata, Dawn M Rev Living Trust for TMK 3-8-007:014
4. *Manager's Report No. 25-07* Discussion and Possible Action to execute an annual Use and Occupancy Permit No. 914 between the State of Hawai'i and the Board of Water Supply, County of Kaua'i for non-trenching maintenance, inspection and other uses and activities within the State Highway Right of Way, Kaua'i, Hawai'i.

PERMITTED INTERACTION GROUP REPORT

1. Permitted Interaction Group (PIG) Report for the Performance Appraisal for the Manager & Chief Engineer and Delegation of Authority to the Board Chair

INFORMATIONAL BRIEFING

1. Water Systems Investment Plan presentation (*Information only; non-action item*)

STAFF REPORTS

1. **Fiscal:**
 - a. Monthly dashboard
 - b. Budget Report for September 2024
 - c. Quarterly BAB Statement
2. **Operations** – Monthly dashboard
3. **Engineering**
 - a. Monthly dashboard
 - b. Quarterly Update
4. **Administration**
 - a. Monthly dashboard
 - b. Public Relations – updates on Public Notices & Announcements, Community Outreach & Education, and Upcoming Events
 - c. Human Resources – updates on Personnel Vacancies
5. **Manager and Chief Engineer** – Required communications to the Board, and update of Department activities

TOPICS FOR NEXT BOARD OF WATER SUPPLY MEETING: (November)

TOPICS FOR FUTURE BOARD OF WATER SUPPLY MEETING:

EXECUTIVE SESSION:

Pursuant to Hawai'i Revised Statutes (HRS) §92-7(a), the Board may, when deemed necessary, hold an executive session on any agenda item without written public notice if the Executive Session was not anticipated in advance. Any such executive session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a).

ADJOURNMENT

WRITTEN TESTIMONY

The Board is required to afford all interested persons an opportunity to present testimony on any agenda item. The Board encourages written testimony at least two (2) business days prior to a scheduled Board meeting. At each Board meeting, the Board will accept oral and written testimony on any agenda item during the Public Testimony portion.

Please include:

1. Your name and if applicable, your position/title and organization you are representing
2. The agenda item that you are providing comments on; and
3. Whether you are a registered lobbyist and, if so, on whose behalf you are appearing.

Send written testimony to:

Board of Water Supply, County of Kaua'i
C/O Administration
4398 Pua Loke Street
Līhu'e, Hawai'i 96766

E-Mail: board@kauaiwater.org
Phone: (808) 245-5406
Fax: (808) 245-5813

Public Testimony

You do not need to register to provide oral testimony on the day of the meeting. Please note that public testimony is taken after the approval of the meeting agenda to ensure public testimony is received before any action is taken on an agenda item. The length of time allocated to present oral testimony may be limited at the discretion of the chairperson.

SPECIAL ASSISTANCE

If you need an auxiliary aid/service or other accommodation due to a disability, or an interpreter for non-English speaking persons, please call (808) 245-5406 or email board@kauaiwater.org as soon as possible. Requests made as early as possible will allow adequate time to fulfil your request. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

A horizontal splash of clear blue water with bubbles, positioned behind the text.

DRAFT

MINUTES

MINUTES
BOARD OF WATER SUPPLY
Thursday, September 19, 2024

The Board of Water Supply, County of Kaua‘i, met in a regular meeting in Lihu'e on Thursday, September 19, 2024. Chair Tom Shigemoto called the meeting to order at 9:32 a.m. The following Board members were present:

BOARD:

Mr. Tom Shigemoto, *Chair*
Ms. Julie Simonton, *Vice Chair*
Ms. Micah Finnila
Mr. Troy Tanigawa

EXCUSED:

Mr. Kurt Akamine
Mr. Ka‘aina Hull

Quorum was achieved with 4 members present at Roll Call.

ANNOUNCEMENTS

Next Scheduled Board Meeting: Thursday, October 17 2024 – 9:30 a.m.

APPROVAL OF AGENDA

The agenda was amended to

MEETING MINUTES

1. Regular Board Meeting – August 15, 2024

Board member Simonton moved to amend the agenda to address Old Business following the presentation of the staff reports, seconded by Mr. Tanigawa; with no objections, motion carried with 4 Ayes.

PUBLIC TESTIMONY

None

STAFF REPORTS

Fiscal:

- a. Monthly dashboard
- b. Budget Report for August 2024
1. Operations – Monthly dashboard
 - a. Engineering – Monthly dashboard
2. Administration:
 - a. Monthly dashboard
 - b. Public Relations – updates on Public Notices & Announcements, Community Outreach & Education, and Upcoming Events
 - c. Human Resources – updates on Personnel Vacancies
 - d. Information Technology
 - i. Corrective Action Plan updates
3. Manager and Chief Engineer – Required communications to the Board, and update of Department activities

Manager Joseph Tait noted that the Department is in a transition phase of how the staff reports and dashboards will be managed and presented moving forward. The Board will likely see a different format and process at the next meeting.

OLD BUSINESS

1. Discussion and Adoption of Resolution No. 25-02, Farewell to Duane Moriguchi (Retiree)
Heavy Vehicle & Construction Equipment Mechanic, Operations Division
Board member Simonton moved to adopt Resolution No. 25-02, seconded by Mr. Tanigawa; with no objections, motion carried with 4 Ayes.

TOPICS FOR NEXT BOARD OF WATER SUPPLY MEETING: (October)

TOPICS FOR FUTURE BOARD OF WATER SUPPLY MEETING:

EXECUTIVE SESSION:

Pursuant to Hawai'i Revised Statutes (HRS) §92-7(a), the Board may, when deemed necessary, hold an executive session on any agenda item without written public notice if the Executive Session was not anticipated in advance. Any such executive session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a).

There was no executive session held.

ADJOURNMENT

The meeting was adjourned at 10:42 a.m.

Respectfully submitted,

Cherisse Zaima
Commission Support Clerk

A horizontal splash of clear blue water with bubbles, set against a white background. The water is in motion, creating a sense of freshness and energy.

NEW

BUSINESS

MAHALO AND ALOHA

Virgil RH Kapanui

*Water Field Operations Superintendent
March 2003 – November 2024*

WHEREAS, Virgil Kapanui joined the County of Kaua'i, Department of Water as a Pipefitter Helper on March 3, 2003, three years later he was promoted to Pipefitter on March 16, 2006, five years later on March 17, 2011, Virgil was promoted again to Water Service Supervisor III, nearly seven years after that he was promoted to Water Field Operations Superintendent on February 16, 2018; and

WHEREAS, after more than 21 years of service to the County of Kaua'i and DOW customers, Virgil decided it is time to pursue other interests; and

WHEREAS, now Virgil can dedicate more time to his family and keep plugging away at that never ending honey-do list; and

WHEREAS, Virgil no longer has to worry about the late night phone calls and the stress of never knowing when the next big emergency leak will happen; and

WHEREAS, Virgil leaves us knowing that he was always relied upon for his guidance, expertise, and quick wit that was cherished by all who knew him internal and external; and

WHEREAS, Virgil can retire knowing that the water will continue to flow due to his mentorship and training of the next generation to take over; and

WHEREAS, Virgil's dependability and reliability will be greatly missed, the time and care he put into the warehouse and making sure we always had our inventory stocked to keep our customers water supply flowing was essential to the Department's operations; and

WHEREAS, with Virgil's departure, goes his black hole of Raider's gear, here's to hoping they can bring him a Super Bowl victory since he will be able to watch and enjoy the games without having to rush to an emergency; and

WHEREAS, in addition to his many years of dedicated, loyal and devoted service with the Department of Water of the County of Kaua'i, we will miss the "can do" attitude by which Virgil performs his work duties and work assignments; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF WATER SUPPLY, COUNTY OF KAUAI, STATE OF HAWAII, that on behalf of the water-consuming customers of Kaua'i, the Board expresses its gratitude and appreciation for the many years of dedicated service rendered by Virgil RH Kapanui. We extend to Virgil our best wishes for much happiness and success in retirement.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Virgil RH Kapanui with our warmest Aloha and best wishes for success in all future endeavors.



We do certify that the foregoing was duly adopted by the Board of Water Supply during its meeting on October 17, 2024.

Tom H. Shigemoto, Chairperson

Kurt Akamine, Secretary

DEPARTMENT OF WATER

County of Kaua'i

"Water has no Substitute – Conserve It!"

MANAGER'S REPORT No. 25-05

October 17, 2024

Re: Discussion and Possible Action to Approve a Grant of Easement Agreement for the Kealaula West at Lima Ola Water Project at TMK: (4) 2-1-013:001, 'Ele'ele, Kaua'i, Hawai'i

RECOMMENDATION:

It is recommended that the Board approve the Grant of Easement document; whereby, the above landowners, grant to the Board of Water Supply, County of Kaua'i, easement "W-1" on, over and under that certain parcel of land located TMK: (4) 2-1-013:001 as specified above in 'Ele'ele, Kaua'i, Hawai'i, for the following work:

1. Reading of water meters and for the construction, installation, re-installation, maintenance, repair, and removal of potable water pipelines and related meters, valves, and other associated waterworks facility improvements and appurtenances.

Further, the GRANTEE shall indemnify and save the GRANTOR harmless from and against all damage to the GRANTOR's property and all liability for injury to or the death of persons when such damage, injury, or death is caused by the negligence of the GRANTEE, its officers, agents and employees while using the easement area.

FUNDING: N/A.

BACKGROUND:

As part of the constructions plans for the subject project, the above owner installed a 2" water meter to serve Kealaula West at Lima Ola. The water facilities are on private property which requires an easement in favor of the Department of Water.

OPTIONS

Option 1: Approve the Grant of Easement.

Pro: Project can be completed as designed. Project will attain certificate of completion.

Con: None.

Option 2: Do not approve the Grant of Easement.

Pro: None.

Con: Project won't be completed as designed. The project won't attain certificate of completion.

SS/crz

Attachment: Grant of Easement – TITL LLC., TMK: (4) 2-1-013:001, 'Ele'ele, Kaua'i, Hawai'i

LAND COURT SYSTEM

REGULAR SYSTEM

After Recordation Return By: **MAIL [XX]** Pickup []

TO:

DEPARTMENT OF WATER

4398 PUA LOKE STREET

LĪHU'E, KAUA'I, HAWAI'I 96766

GRANT OF EASEMENT

for

TMK: (4) 2-1-013:001:0000

THIS INDENTURE made this day of , 2024 by and between **County of Kauai**, a political subdivision of the State of Hawaii, whose mailing address is 4444 Rice Street Suite 330 Lihue, Hawaii 96766, (hereinafter, the "GRANTOR"), and the **BOARD OF WATER SUPPLY** of the County of Kaua'i, whose mailing address is 4398 Pua Loke Street, Līhu'e, Hawai'i 96766 (hereinafter, the "GRANTEE").

C 2024-122

WITNESSETH:

THAT IN CONSIDERATION of the sum of one dollar (\$1.00) paid by the GRANTEE to the GRANTOR, the receipt of which is acknowledged, and the covenants contained in this grant of easement to be performed by the GRANTEE, the GRANTOR does hereby grant, bargain, sell and convey to the GRANTEE an easement in perpetuity on, over, and under that certain parcel of land located generally at Koloa, Kaua'i, Hawai'i, **Tax Map Key No. (TMK) (4) 2-1-013:001:0000, Project Name: Kealaula West at Lima Ola Water Meter Layout**, and more particularly described in Exhibit "A" and Exhibit "B", which is attached and incorporated by reference into this grant of easement (hereafter "easement area").

This easement is granted for the reading of water meters and for the construction, installation, re-installation, maintenance, repair, and removal of potable water pipelines and related meters, valves, and other associated waterworks facility improvements and appurtenances. The GRANTEE is further allowed the right of ingress and egress at any time to, from, and through the easement area, with or without vehicles or equipment, as the GRANTEE deems necessary for the proper operation of its water system.

TO HAVE AND TO HOLD the same unto the GRANTEE forever; provided that should the GRANTEE cease to use the easement area for the purposes described for a continuous period of two (2) calendar years, this easement shall terminate and the interest granted shall immediately and without the GRANTOR's re-entry revert to the GRANTOR. In such an event, this easement shall cease to exist by operation of the GRANTEE's non-use, without any necessary action on the GRANTOR's part.

AND IN FURTHER CONSIDERATION of the rights granted to the GRANTEE the benefits accruing to the GRANTOR under this easement, the GRANTOR and GRANTEE further covenant, agree, and promise as follows:

1. That should the GRANTEE disturb in any way the ground which is the subject of the easement area, the GRANTEE shall at its own expense restore the ground to its original condition to the extent that such restoration is reasonable;
2. That the GRANTEE shall indemnify and save the GRANTOR harmless from and against all damage to the GRANTOR's property and all liability for injury to or the death of persons when such damage, injury, or death is caused by the negligence of the GRANTEE, its officers, agents and employees while using the easement area;
3. That the GRANTEE shall not assign its rights under this easement without the prior written consent of the GRANTOR; provided that the GRANTEE may assign its rights to a successor of the GRANTEE duly created by law;

4. That should the GRANTOR's development plans require that the easement area and/or waterworks facility improvements within, on, or under the easement area be re-located, the GRANTOR will, at the GRANTOR's own expense and pursuant to the GRANTEE's instructions and specifications, re-locate the affected easement area and waterworks facility improvements and appurtenances without interruption of the GRANTEE's services;
5. That the GRANTOR shall at no time erect any building foundation of any kind below the surface of the land which is the subject of the easement area or any building or structure of any kind (other than roads, sidewalks, curbs or similar appurtenances) on the surface of the land which is the subject of the easement area unless the GRANTOR receives the prior written consent of the GRANTEE. Only lawn grass shall be planted within three (3) feet of all meter boxes, fire hydrants, and other waterworks facility improvements and appurtenances. No trees with aggressive root systems shall be planted within twenty (20) feet of all meter boxes, fire hydrants, and other waterworks facility improvements and appurtenances.
This Paragraph No. 5, though, shall not prevent the GRANTOR from crossing over, constructing, and maintaining roadways within the easement area or laying, operating, maintaining, repairing, or removing conduits and drains which do not interfere with the exercise of the GRANTEE's rights under this easement; and
6. That the GRANTOR covenants with the GRANTEE that the GRANTOR is the lawful owner of the land which is the subject of this easement area, that the GRANTOR has good right and title to grant this easement, and that the GRANTOR will warrant and defend the same unto the GRANTEE against the claims and demands of all persons.

When used within this document the term "GRANTOR" shall mean the singular and plural, masculine and feminine, and natural persons, trustees, corporations, partnerships, limited partnerships, sole proprietorships and other forms of business entities. The term shall also mean the GRANTOR's or GRANTORS' estates, heirs, personal representatives, successors, successors-in-trust and assigns.

IT IS FURTHER MUTUALLY AGREED that the terms of this easement shall be binding upon and inure to the benefit of all the parties to this document and that all covenants and obligations undertaken by two or more persons shall be deemed to be joint and several unless a contrary intention is clearly expressed in this document.

This Grant of Easement may be executed in counterparts. Each counterpart shall be executed by one or more parties hereinbefore named and the several counterparts shall constitute one instrument to the same effect as though the signatures of all the parties are upon the same document.

Form and Legality. This Grant of Easement has been approved as to form and legality by the County Attorney as required by the Charter of the County of Kaua'i. No modification of any term herein, other than the completion of the fillable fields, is permitted without the express written approval of the County Attorney or a Deputy County Attorney. Any such modification made without the express written approval of the County Attorney or Deputy County Attorney will result in the revocation of the approval as to form and legality.

[SIGNATURES ON FOLLOWING PAGES]

OWNER/GRANTOR (S):

RECOMMEND APPROVAL:



By: Adam P. Roversi
Its: Director, Housing Agency
STATE OF HAWAII
COUNTY OF KAUA'I

APPROVED AS TO FORM AND LEGALITY:



By: Charles A. Foster
Its: Deputy County Attorney
STATE OF HAWAII
COUNTY OF KAUA'I

RECOMMEND APPROVAL:



By: Jade K. Fountain-Tanigawa
Its: County Clerk
STATE OF HAWAII
COUNTY OF KAUA'I

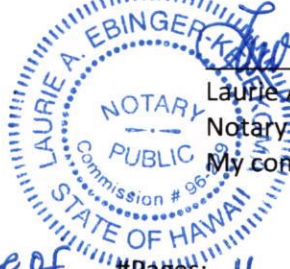
APPROVED



By: Chelsie Sakai
Its: Director of Finance
STATE OF HAWAII
COUNTY OF KAUA'I

STATE OF HAWAII)
) ss.
COUNTY OF KAUAI)

On this 1st day of October, 2024 before me appeared **Chelsie Sakai**, to me personally known, who, being by me duly sworn, did say that she is the Director of Finance of the COUNTY OF KAUAI, a political subdivision of the State of Hawaii; and that said instrument was signed on behalf of said COUNTY OF KAUAI by authority of its Charter; and said **Chelsie Sakai**, acknowledged said instrument to be the free act and deed of said COUNTY OF KAUAI.



[Signature]
Laurie A. Ebinger-Kelekoma
Notary Public, State of Hawaii
My commission expires: April 10, 2027

Doc. Date: undated @ time of notarization #Pages: 11

Laurie A. Ebinger-Kelekoma Fifth Circuit

Print Name

Doc. Description:

Grant of Easement Deed - Time OIa

TMK: (4) 2-1-013 001:0000

[Signature]
Notary Signature



10/1/24
Date

APPROVED:

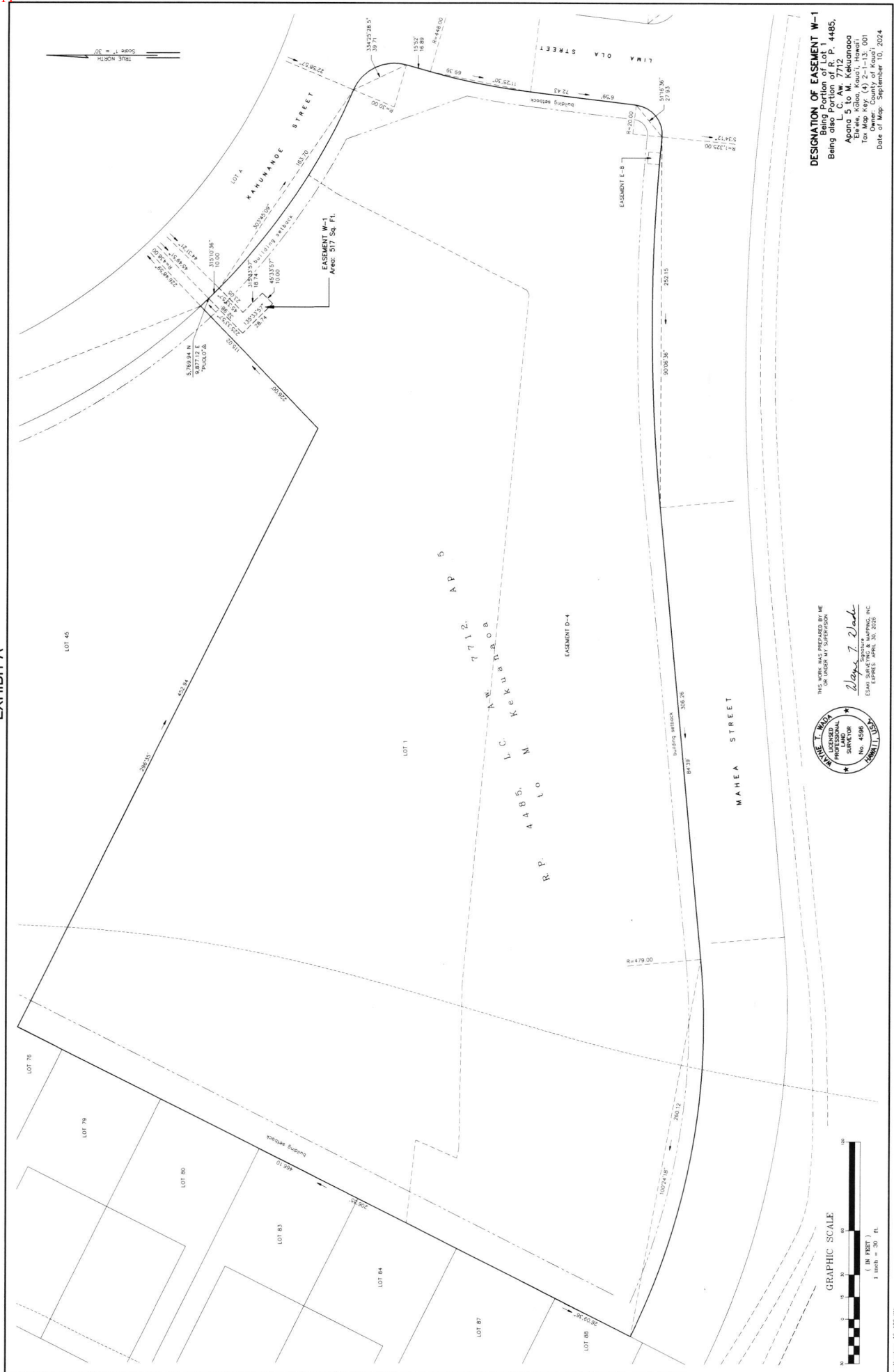
BOARD OF WATER SUPPLY, COUNTY OF
KAUA'I

Joseph E. Tait
Manager and Chief Engineer

By: Tom H. Shigemoto
Chairperson

DOW "Notary" placeholder page.

EXHIBIT A



THIS WORK WAS PREPARED BY ME
 OR UNDER MY SUPERVISION
 AND I AM A LICENSED SURVEYOR
 IN THE STATE OF HAWAII
 My Signature: *Wayne J. Black*
 Esaki Surveying & Mapping, Inc.
 License No. 4595
 EXPIRES APRIL 30, 2025

DESIGNATION OF EASEMENT W-1
 BEING ALSO PART OF THE
 L.C. AW 7712
 APANA 5 TO M. KEKUAOAO
 TAX MAP KEY: (4) 2-1-13:001
 OWNER: COUNTY OF KAUAI
 DATE OF MAP: SEPTEMBER 10, 2024

EASEMENT W-1
(For Water Purposes)

Being Portion of Lot 1
Lima Ola Subdivision
Being also Portion of R.P. 4485, L.C. Aw. 7712, Ap. 5 to M. Kekuanaoa

LAND SITUATED AT ELEELE, KOLOA, KAUAI, HAWAII

Beginning at the north corner of this parcel of land, the coordinated of said point of beginning referred to Government Survey Triangulation Station "PUOLO" being 5,769.94 feet North and 9,877.12 feet East, thence running by azimuths measured clockwise from true South:

			thence along the south side of Roadway Lot A (Kahunaoe Street) on a curve to the left with a radius of 438.00 feet, the chord azimuth and distance being;
1.	315° 10' 36"	10.00	feet;
2.	45° 33' 57"	23.05	feet along the remainder of R.P. 4485, L.C. Aw. 7712, Ap. 5 to M. Kekuanaoa (Lot 1);
3.	315° 33' 57"	18.74	feet along the remainder of R.P. 4485, L.C. Aw. 7712, Ap. 5 to M. Kekuanaoa (Lot 1);
4.	45° 33' 57"	10.00	feet along the remainder of R.P. 4485, L.C. Aw. 7712, Ap. 5 to M. Kekuanaoa (Lot 1);
5.	135° 33' 57"	28.74	feet along the remainder of R.P. 4485, L.C. Aw. 7712, Ap. 5 to M. Kekuanaoa (Lot 1);

EXHIBIT B

6. 225° 33' 57" 32.98 feet along the remainder of R.P. 4485, L.C. Aw. 7712, Ap. 5 to M. Kekuanaoa (Lot 1) to the point of beginning and containing an area of 517 Sq. Ft.



DESCRIPTION PREPARED BY:
ESAKI SURVEYING & MAPPING, INC.

Wayne T. Wada

Wayne T. Wada
Licensed Professional Surveyor
Certificate Number 4596

Lihue, Hawaii
September 2024

EXHIBIT B

DEPARTMENT OF WATER

County of Kaua'i

"Water has no Substitute – Conserve It!"

MANAGER'S REPORT No. 25-06

October 17, 2024

Re: Discussion and Possible Action to Approve a Grant of Easement Agreement for the Murata Project New Two Story Building TMK: (4) 3-8-007:014, Lihue, Kaua'i, Hawai'i

RECOMMENDATION:

It is recommended that the Board approve the Grant of Easement document; whereby, the above landowners, grant to the Board of Water Supply, County of Kaua'i, easement "W-1" on, over and under that certain parcel of land located at TMK: (4) 3-8-007:014 as specified above in Līhu'e, Kaua'i, Hawai'i, for the following work:

1. Reading of water meters and for the construction, installation, re-installation, maintenance, repair, and removal of potable water pipelines and related meters, valves, and other associated waterworks facility improvements and appurtenances.

Further, the GRANTEE shall indemnify and save the GRANTOR harmless from and against all damage to the GRANTOR's property and all liability for injury to or the death of persons when such damage, injury, or death is caused by the negligence of the GRANTEE, its officers, agents and employees while using the easement area.

FUNDING: N/A.

BACKGROUND:

As part of the constructions plans for the subject project, the above owner installed a 4'' RPDA on the new fire line. The water facilities are on private property which requires an easement in favor of the Department of Water.

OPTIONS

Option 1: Approve the Grant of Easement.

Pro: Project can be completed as designed. Project will attain certificate of completion.

Con: None.

Option 2: Do not approve the Grant of Easement.

Pro: None.

Con: Project won't be completed as designed. The project won't attain certificate of completion.

SS/crz

Attachment: Grant of Easement – DMURATA LLC., TMK: (4) 3-8-007:014, Līhu'e, Kaua'i, Hawai'i

LAND COURT SYSTEM

REGULAR SYSTEM

After Recordation Return By: **MAIL [XX]** Pickup []

TO:

DEPARTMENT OF WATER

4398 PUA LOKE STREET

LĪHU'Ē, KAUA'I, HAWAI'I 96766

GRANT OF EASEMENT

for

TMK: (4) 3-8-007:014:0000

THIS INDENTURE made this 28th day of September, 2024 by and between **DMurata LLC**, a Limited Liability Company, whose mailing address is 4218 Pua Pinao Place Koloa, Kauai, Hawaii 96756, (hereinafter, the "GRANTOR"), and the **BOARD OF WATER SUPPLY** of the County of Kaua'i, whose mailing address is 4398 Pua Loke Street, Līhu'e, Hawai'i 96766 (hereinafter, the "GRANTEE").

W I T N E S S E T H:

THAT IN CONSIDERATION of the sum of one dollar (\$1.00) paid by the GRANTEE to the GRANTOR, the receipt of which is acknowledged, and the covenants contained in this grant of easement to be performed by the GRANTEE, the GRANTOR does hereby grant, bargain, sell and convey to the GRANTEE an easement in perpetuity on, over, and under that certain parcel of land located generally at Waimea, Kaua'i, Hawai'i, **Tax Map Key No. (TMK) (4) 3-8-007:014:0000, Project Name: 5/8" to 1" Water Meter Upgrade & 4" Reduced Pressure Detector Assembly for Murata Project**, and more particularly described in Exhibit "A" and Exhibit "B", which is attached and incorporated by reference into this grant of easement (hereafter "easement area").

This easement is granted for the reading of water meters and for the construction, installation, re-installation, maintenance, repair, and removal of potable water pipelines and related meters, valves, and other associated waterworks facility improvements and appurtenances. The GRANTEE is further allowed the right of ingress and egress at any time to, from, and through the easement area, with or without vehicles or equipment, as the GRANTEE deems necessary for the proper operation of its water system.

TO HAVE AND TO HOLD the same unto the GRANTEE forever; provided that should the GRANTEE cease to use the easement area for the purposes described for a continuous period of two (2) calendar years, this easement shall terminate and the interest granted shall immediately and without the GRANTOR's re-entry revert to the GRANTOR. In such an event, this easement shall cease to exist by operation of the GRANTEE's non-use, without any necessary action on the GRANTOR's part.

AND IN FURTHER CONSIDERATION of the rights granted to the GRANTEE the benefits accruing to the GRANTOR under this easement, the GRANTOR and GRANTEE further covenant, agree, and promise as follows:

1. That should the GRANTEE disturb in any way the ground which is the subject of the easement area, the GRANTEE shall at its own expense restore the ground to its original condition to the extent that such restoration is reasonable;
2. That the GRANTEE shall indemnify and save the GRANTOR harmless from and against all damage to the GRANTOR's property and all liability for injury to or the death of persons when such damage, injury, or death is caused by the negligence of the GRANTEE, its officers, agents and employees while using the easement area;

3. That the GRANTEE shall not assign its rights under this easement without the prior written consent of the GRANTOR; provided that the GRANTEE may assign its rights to a successor of the GRANTEE duly created by law;
4. That should the GRANTOR's development plans require that the easement area and/or waterworks facility improvements within, on, or under the easement area be re-located, the GRANTOR will, at the GRANTOR's own expense and pursuant to the GRANTEE's instructions and specifications, re-locate the affected easement area and waterworks facility improvements and appurtenances without interruption of the GRANTEE's services;
5. That the GRANTOR shall at no time erect any building foundation of any kind below the surface of the land which is the subject of the easement area or any building or structure of any kind (other than roads, sidewalks, curbs or similar appurtenances) on the surface of the land which is the subject of the easement area unless the GRANTOR receives the prior written consent of the GRANTEE.

Only lawn grass shall be planted within three (3) feet of all meter boxes, fire hydrants, and other waterworks facility improvements and appurtenances. No trees with aggressive root systems shall be planted within twenty (20) feet of all meter boxes, fire hydrants, and other waterworks facility improvements and appurtenances.

This Paragraph No. 5, though, shall not prevent the GRANTOR from crossing over, constructing, and maintaining roadways within the easement area or laying, operating, maintaining, repairing, or removing conduits and drains which do not interfere with the exercise of the GRANTEE's rights under this easement; and

6. That the GRANTOR covenants with the GRANTEE that the GRANTOR is the lawful owner of the land which is the subject of this easement area, that the GRANTOR has good right and title to grant this easement, and that the GRANTOR will warrant and defend the same unto the GRANTEE against the claims and demands of all persons.

When used within this document the term "GRANTOR" shall mean the singular and plural, masculine and feminine, and natural persons, trustees, corporations, partnerships, limited partnerships, sole proprietorships and other forms of business entities. The term shall also mean the GRANTOR's or GRANTORS' estates, heirs, personal representatives, successors, successors-in-trust and assigns.

IT IS FURTHER MUTUALLY AGREED that the terms of this easement shall be binding upon and inure to the benefit of all the parties to this document and that all covenants and obligations undertaken by two or more persons shall be deemed to be joint and several unless a contrary intention is clearly expressed in this document.

This Grant of Easement may be executed in counterparts. Each counterpart shall be executed by one or more parties hereinbefore named and the several counterparts shall constitute one instrument to the same effect as though the signatures of all the parties are upon the same document.

Form and Legality. This Grant of Easement has been approved as to form and legality by the County Attorney as required by the Charter of the County of Kaua'i. No modification of any term herein, other than the completion of the fillable fields, is permitted without the express written approval of the County Attorney or a Deputy County Attorney. Any such modification made without the express written approval of the County Attorney or Deputy County Attorney will result in the revocation of the approval as to form and legality.

[SIGNATURES ON FOLLOWING PAGES]

OWNER/GRANTOR:

DMURATA LLC, a Hawaii Limited Liability Company

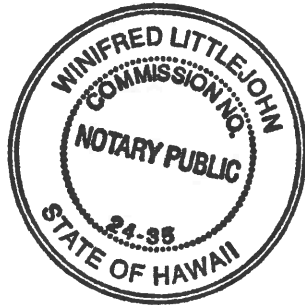


By: Dalton S. Murata
Its: Manager

STATE OF HAWAII

COUNTY OF KAUAI

This 8 page **GRANT OF EASEMENT**, dated 9-28, 2024, was subscribed and sworn to before me this 28 day of Sept. 2024, in the Fifth Circuit of the State of Hawaii, by **DALTON S. MURATA**, MANAGER, OF THE DMURATA LLC, a Hawaii Limited Liability Company, to me personally know, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as a free act and deed of such person(s), and if applicable in the capacities shown, having been duly authorized to execute such instrument in such capacities.



WJ

Winifred Littlejohn

(Print Name)

Notary Public, State of Hawaii

My commission expires: 3.3.2028

APPROVED:

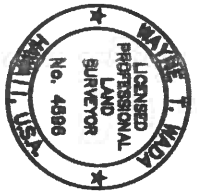
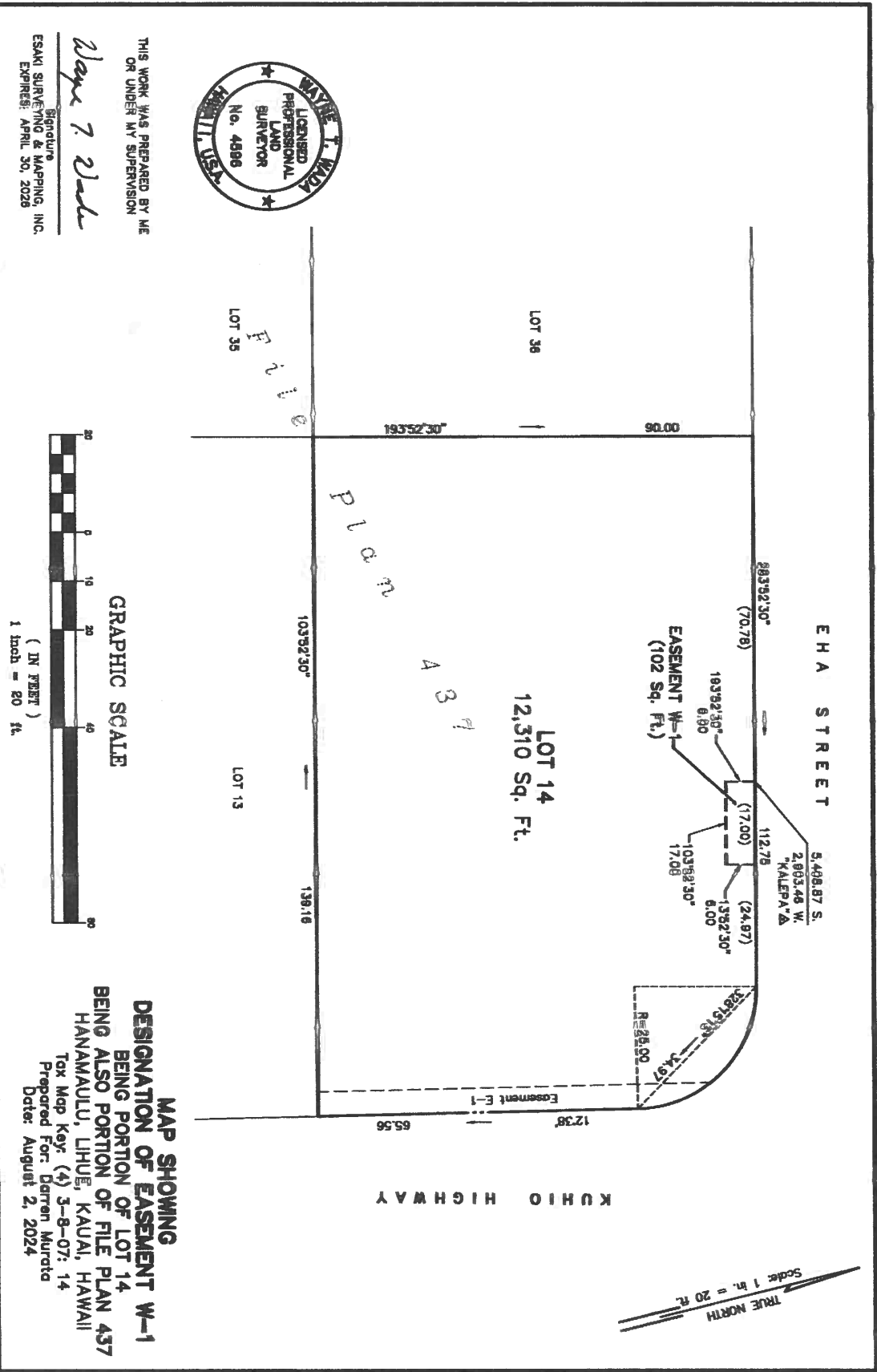
BOARD OF WATER SUPPLY, COUNTY OF
KAUAI

Joseph E. Tait
Manager and Chief Engineer

By: Tom H. Shigemoto
Chairperson

DOW "Notary" placeholder page.

EXHIBIT A



THIS WORK WAS PREPARED BY ME
 OR UNDER MY SUPERVISION
 Signature: *Wayne T. Wada*
 ESAKI SURVEYING & MAPPING, INC.
 EXPIRES: APRIL 30, 2028

Job Number: 22-71 CH
 Drawing File: 22-71 Water Easement.dwg

ESAKI SURVEYING & MAPPING, INC.
 Civil Engineers - Land Surveyors - Planners

**MAP SHOWING
 DESIGNATION OF EASEMENT W-1
 BEING PORTION OF LOT 14
 BEING ALSO PORTION OF FILE PLAN 437
 HANAMAULU, LIHUE, KAUAI, HAWAII**
 Tax Map Key: (4) 3-8-07: 14
 Prepared For: Darren Murata
 Date: August 2, 2024

1610 Halekono Street
 Lihue, Hawaii 96766

EASEMENT W-1

LAND SITUATED AT HANAMAULU, LIHUE, KAUAI, HAWAII

**Being Portion of Lot 14
Being Also Portion of File Plan 437**

Beginning at the northwest corner of this parcel of land, on the South side of Eha Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KALEPA" being 5,408.87 feet South and 2,903.46 feet West, thence running by azimuths measured clockwise from true South:

- | | | | |
|----|--------------|-------|--|
| 1. | 283° 52' 30" | 17.00 | feet along the south side of Eha Street; |
| 2. | 13° 52' 30" | 6.00 | feet along the remainder of Lot 14, File Plan 437; |
| 3. | 103° 52' 30" | 17.00 | feet along the remainder of Lot 14, File Plan 437; |
| 4. | 193° 52' 30" | 6.00 | feet along the remainder of Lot 14, File Plan 437 to the point of beginning and containing an area of 102 Square Feet. |



Lihue, Hawaii
August 2024

DESCRIPTION PREPARED BY:
ESAKI SURVEYING AND MAPPING, INC.

Wayne T. Wada

Wayne T. Wada
Licensed Professional Land Surveyor
Certificate Number 4596

EXHIBIT B

DEPARTMENT OF WATER

County of Kaua'i

"Water has no Substitute – Conserve It!"

MANAGER'S REPORT No. 25-07

October 17, 2024

Re: Discussion and Possible Action to execute an annual Use and Occupancy Permit No. 914 between the State of Hawai'i and the Board of Water Supply, County of Kaua'i for non-trenching maintenance, inspection and other uses and activities within the State Highway Right of Way, Kaua'i, Hawai'i.

RECOMMENDATION:

It is recommended that the Board allow the Department of Water to enter into an annual Use and Occupancy Permit (UOP) No. 914 between the State of Hawai'i and the Board of Water Supply, County of Kaua'i for non-trenching maintenance, inspection and other uses within the State Highway Right of Way, Kaua'i, Hawai'i.

Further, Board approval is specifically requested for the "Workmanship: Responsibility" and "State: Indemnity" provisions in the UOP, wherein the Board agrees to the following provisions in connection with Department of Water's use and occupancy within the various state highway right of ways on Kaua'i:

Workmanship: Responsibility

"4. To diligently prosecute the work activity, or event to completion, in a neat workmanlike manner, within the dates and conditions set forth under said permit so as to minimize any inconvenience or interference to the public or traffic movements."

"5. To remove all equipment and unused material upon completion of the work, activity, or event, repair any damages and leave the surface in a clean, safe, and presentable condition."

"6. To make, for a period of one (1) year after the expiration date of this permit, any necessary repairs to highway facilities disturbed and/or caused by the work, activity, or event performed under said permit; or to pay the actual cost of such repairs made by the Department of Transportation. "

"7. To make all repairs in such a manner as may be required by Chapter 264, Hawai'i Revised Statutes."

And:

State Indemnity

"8. To protect, defend, indemnify and save harmless, the state and its agents and representatives against any claim, liability, suit, or action of every manner and description, for any injury to or death of persons or for property damage, whenever such injury, death, or damage shall be inflicted or caused by him, his agents, contractors, or representatives in connection with the work, activity, or event covered by said permit."

FUNDING: N/A

BACKGROUND:

In 2023, the State of Hawai'i Department of Transportation requested the Department of Water to apply for an annual UOP for non-trenching work in the various state highway right of ways in a similar way that other utilities such as the County of Kaua'i Wastewater Division. The permit must be renewed annually, hence the need for this permit for November 2024 - November 2025. The proposed permit application is intended to include Department of Water non-trenching functions related to the maintenance, repair, and replacement of water facilities which include water meters, water meter boxes, hydrants, pressure/air relief valves, vaults, and other system appurtenances. The application also covers inspection and water meter readings.

The State is requiring that the Department complete and apply for this permit on an annual basis for non-trenching work in the State Right of Way. The Department will attach the applicable COI when executing the permit. The one (1) year time period would commence from the time the current permit expires in November 2024 and run through November 2025 per the dates on the draft permit. Please note that trench work, such as for Operations waterline repairs will still need to obtain a separate permit to perform work upon state highways.

Potential future financial liabilities:

Due to not knowing when or the amount of any financial liabilities that may or may not occur in the future associated with the conditions of the UOP, specific funding to address potential financial liabilities is not being requested or budgeted at this time. If special funding is required in the future, the necessary funds will be requested from the Board at that time.

OPTIONS:

Option 1: Agree to enter into Use and Occupancy Permit No. 914 with the State of Hawai'i.

Pro: The completion of a UOP will address the State request that a UOP is completed for the non-trenching maintenance, repair, replacement, inspection and reading of Department of Water facilities and meters installed in the State Highway Right of Way.

Con: The UOP will obligate the DOW with unknown financial liabilities and risk; to some extent at the discretion of the State. The permit will also have to be reapplied for annually as each permit is only valid for one (1) year from the approximate time of application date.

Option 2: Do not agree to enter into Use and Occupancy Permit No. 914 with the State of Hawai'i.

Pro: The Department will not be bound by an annual permit that subjects the Department to unknown financial liabilities and risk.

Con: The Department may not be able to maintain, repair, replace, inspect, or read meters and water facilities that do not involve trenching as intended as it relates to the State request for an annual UOP.

RS /crz

Attachment(s): Use and Occupancy Permit No. 914
Certificate of Liability Insurance

APPLICATION & PERMIT FOR THE OCCUPANCY & USE OF STATE HIGHWAY RIGHT-OF-WAY

Application date _____, **20**_____

POLICE CHECKLIST: ITEMS 1 THRU 5.

Pursuant to the provisions of Chapter 264, Hawaii Revised Statutes as amended, application is hereby made to perform the following work, activity, or event, upon the state highway described below and at the location(s) specified below and at no other place.

1. Name of Highway _____ **Route # /Section** _____

2. Locations or limits on said highway _____

3. Description of work, activity, or event to be performed

() Engineering Survey () Maintenance () Inspection () Landscaping () Other

4. Dates between which work, activity, or event will be performed: _____

5. General Conditions

- a. No digging or disturbing of the highway will be permitted under this permit.
- b. The work, activity, or event may be performed only during off-peak hours unless otherwise approved in writing. Peak hours are from 6:00 AM to 8:30 AM and from 3:00 PM to 6:00 PM, Monday through Friday excluding State Holidays.
- c. All lanes shall be open to traffic during the hours from 6:00 AM to 8:30 AM, during the hours of 3:00 PM to 6:00 PM, and when no work is being done under this permit. Only one lane of traffic may be closed at any other time unless otherwise approved in writing.
- d. Parking permitted only in designated areas for vehicles actively engaged in, or loading or unloading materials for, the specified work, activity, or event. Unattended vehicles will not be permitted.

6. Special Conditions and/or Restrictions _____

7. Submittals Required

- a. () Traffic Control Plan (whenever there are lane closures)
- b. () Approved Landscaping Plan: It is agreed that upon final acceptance of the approved landscape work by the State, all improvements placed on said premises shall be and remain the property of the State and may be removed or otherwise disposed of by the State at any time.
- c. Proof of State Indemnity
 - Certificate of Insurance naming State of Hawaii as an additional insured, having minimum coverages for Bodily Injury or Death Per Person; Bodily Injury or Death Per Accident: and Property Damages Per Accident of:
 - () \$100,000, \$300,000, and \$500,000 respectively; or
 - () combined single limit of \$500,000
 - () Certificate attached or with Permit No. _____
 - () Federal Non-Liability Clause (See Item 11 on the back of this permit)
 - () Waived
- d. () Permit Fee \$_____ (make check payable to Dept. of Transportation, State of Hawaii)

The applicant hereby agrees that any agreement heretofore made or hereafter to be made, and the covenants and conditions stated on the reverse side hereof shall be binding upon him, his heirs, personal representatives, successors, contractors, and assigns.

APPLICANT: _____
(Name or owner, whether individual firm, partnership, corporation, governmental agency, etc)

ADDRESS: _____

TELEPHONE NUMBER: _____

(Print Name & Title of Applicant or Authorized Rep.)

(Signature)

PERMIT NO. _____ **DATE** _____, **20**_____

Permission to perform the above described work, activity, or event at the location(s) stated and between the dates set forth in said application is hereby granted. The applicant shall notify the issuing office in writing at least 24 hours before commencing work.

Director of Transportation or Authorized Representative

OAHU 831-6712 HAWAII 933-8866 MAUI 873-3535 KAUAI 274-3111

IN CONSIDERATION OF A PERMIT BEING ISSUED TO THE APPLICANT, THE APPLICANT HEREBY AGREES AS FOLLOWS:

Rules & Regulations

1. To observe and comply with and cause all his agents, servants, and employees to observe and comply with all existing laws, ordinances, and regulations.
2. To install, provide, and maintain all traffic control devices in accordance with the Administrative Rules Governing the Use of Traffic Control Devices at Work Sites on or Adjacent to Public Streets and Highways as adopted by the Director of Transportation, and the FHWA Manual on Uniform Traffic Control devices for Streets and Highways, Part VI, Traffic Controls for Highway Construction and Maintenance Operations.
3. To safeguard and facilitate the movement of vehicular and pedestrian traffic in accordance with the Administrative Rules Governing the Design, Construction, and Maintenance of Public Streets and Highways as adopted by the Director of Transportation; to place signs or barricades informing motorists or pedestrians of work to be done in a safe manner and remove same upon completion of work.

Workmanship: Responsibility

4. To diligently prosecute the work, activity, or event to completion, in a neat and workmanlike manner, within the dates and conditions set forth under said permit so as to minimize any inconvenience or interference to the public or traffic movements.
5. To remove all equipment and unused material upon completion of the work, activity, or event, repair any damages and leave the surface in a clean, safe, usable, and presentable condition.
6. To make, for a period of one (1) year after the expiration date of this permit, any necessary repairs to highway facilities disturbed and/or caused by the work, activity, or event performed under said permit; or to pay the actual cost of such repairs made by the Department of Transportation.
7. To make all repairs in such manner as may be required by Chapter 264, Hawaii Revised Statutes.

State Indemnity

8. To protect, defend, indemnify and save harmless, the state and its agents and representatives against any claim, liability, suit, or action of every manner and description, for any injury to or death of persons or for property damage, whenever such injury, death, or damage shall be inflicted or caused by him, his agents, contractors, or representatives in connection with the work, activity, or event covered by said permit.
9. To procure, at his own expense, and keep in force at all times when the work, activity, or event permitted under said permit is being done, a policy or policies of public liability and property damage insurance, naming the State as additional insured, covering the work, activity, or event to be done under said permit and for at least the minimum coverages set forth on the reverse side hereof. The State is to be given 30 days written notice of cancellation of said insurance.
10. To supply evidence satisfactory to the State that the required insurance has been procured and is in force prior to commencing the work, activity, or event approved under said permit.
11. If the death or injury to any person, or the loss or damage to any property, is caused by the United States Government in the course of its use of the property, the liability, if any, of the U.S. Government thereof shall be determined in accordance with the applicable provisions of the Federal Tort Claims Act (62 Stat. 869,982; 28 USC 2671-2680).

Nondiscrimination Covenants

12. No person on the grounds of race, color, religion, sex, or national origin shall be excluded from participating in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
13. In the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, religion, sex, or national origin shall be excluded from participating in, denied the benefits of, or otherwise be subjected to discrimination.
14. The applicant shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulation, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulation may be amended.

Agreements

15. Any State highway representative or police officer has the right to stop any or all of the work or activity being performed under this permit if the work or activity is being conducted in an unsafe or unauthorized manner. The work or activity will not be allowed to continue until the deficiency has been corrected.
16. To surrender the permit herein applied for and surrender all rights thereunder whenever notified to do so by the State. The State may cancel this permit at any time.
17. To keep a copy of said permit available for exhibit upon request of any representative of the Department of Transportation or police officer.

PERMIT RESTRICTIONS and CERTIFICATION

File Name: DOW-914

Permittee: **County of Kauai – Department of Water**

Permit No.: 914

Permit Type: Occupancy & Use Permit

Dates of Work: 11/2/2024 - 11/1/2025

PERMIT RESTRICTIONS:

1. Insurance Requirements:
 - a. Applicant shall provide a Certificate of Liability Insurance for the following required coverages with **Waiver of Subrogation** for each coverage. By submittal of this application, applicant represents that the Applicant's policy includes appropriate endorsements for Additional Insureds and Waivers of Subrogation.
 - b. **Workers' Compensation.** The Applicant shall obtain Workers' Compensation Insurance for all persons whom they employ in carrying out the work under this permit. This insurance shall be in strict conformity with the requirement of the most current and applicable State of Hawaii Workers' Compensation Insurance laws in effect on the date of the approval of this permit and as modified during the duration of the permit.
 - c. **Automobile Liability.** The Applicant shall obtain Automobile Liability Insurance naming the State of Hawaii Department of Transportation as additional insured covering all owned, non-owned and hired automobiles with a Combined single Limit of not less than \$1,000,000 per accident for bodily injury and property damage.
 - d. **General Liability.** The Applicant shall obtain General Liability Insurance naming the State of Hawaii Department of Transportation as additional insured with a limit of not less than \$2,000,000 per occurrence and in the Aggregates for each of the following:
 - i. Products – Completed/Operations Aggregate,
 - ii. Personal & Advertising Injury, and Bodily Injury & Property Damage
2. During the hours of 4:30 am to 10:00 pm, no lane closures will be allowed on Kuhio Highway (56) from junction of Kaunualii Highway (50) in Lihue, to M.P. 10 north of Mailihuna Road in north Kapaa.
3. During the hours of 5:30 am to 10:00 pm, no lane closures will be allowed on Kaunualii Highway (50) from junction of Kuhio Highway (56) in Lihue, to M.P. 11.8 west of Papalina Road in Kalaheo.
4. All proposed exceptions within the State highway limits above will require a written request with work description and traffic control plan subject to acceptance by HDOT District Engineer, prior to beginning field work.
5. No lane closures or shoulder closures will be allowed during hours of contra-flow operations (5:00 am to 11:00 am) on Kuhio Highway (56), within the contra-flow corridor.
6. Permittee's traffic control shall conform to the current Manual on Uniform Traffic Control Devices (MUTCD) and Section 645 of the Standard Specifications for Road and Bridge Construction, 2005. In case of conflict between the two documents, Section 645 shall prevail.
7. Submit traffic control plan and work schedule 14 days before implementation, for planned lane closures subject to HDOT District Engineer acceptance.
8. Prepare and submit Public Service Announcement (PSA) to our office (fax no. 241-3011 or email dot.hwyk.permits@hawaii.gov) for review/acceptance, seven days prior to start of work involving lane closure or lane shift. For longer duration projects impacting traffic, we may require Garden Island newspaper ad be placed including Permittee's phone number.
9. Any maintenance activities that require a lane closure, shall install at least one electronic message board at each end of the work zone at least one week in advance, or at a minimum three days in advance of the scheduled work, to notify the travelling public of the work, closure dates, and time.
10. In emergency situations such as, but not limited to, poles and wires falling into State Highway Right-of-Way, provide immediate traffic control and promptly notify our office, phone 241-3000 and KPD Dispatch, phone 241-1711.
11. Any debris within the State highway Right-of-Way that are a result of the work done by the applicant shall be cleared by the end of each working day.

PERMIT RESTRICTIONS and CERTIFICATION

File Name: DOW-914

Permittee: **County of Kauai – Department of Water** Permit No.: 914

Permit Type: Occupancy & Use Permit Dates of Work: 11/2/2024 - 11/1/2025

PERMIT RESTRICTIONS (CONT.):

- 12. District Engineer reserves the right to immediately stop Permittee’s work within State Highway in the best interest of public safety.

- 13. Facilities upgrade work and new facilities construction work are not covered under this permit. Separate permits (Permit to Perform Work Upon State Highways, or Application and Permit for the Occupancy & Use of State Highway Right-of-Way) are required to be submitted by applicant. HDOT District Engineer will issue the permit if acceptable, for these types of projects.

CERTIFICATION:

I certify that I have reviewed the restrictions listed above and have found them acceptable.

Permittee: County of Kauai – Department of Water

By: _____ Date: _____

Its: _____

PERMIT RESTRICTIONS and CERTIFICATION

File Name: DOW-914

Permittee: **County of Kauai – Department of Water**

Permit No.: 914

Permit Type: Occupancy & Use Permit

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 - b. **Workers' Compensation.** The Applicant shall obtain Workers' Compensation Insurance for all persons whom they employ in carrying out the work under this permit. This insurance shall be in strict conformity with the requirement of the most current and applicable State of Hawaii Workers' Compensation Insurance laws in effect on the date of the approval of this permit and as modified during the duration of the permit.
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7. Submit traffic control plan and work schedule 14 days before implementation, for planned lane closures subject to HDOT District Engineer acceptance.
8. Prepare and submit Public Service Announcement (PSA) to our office (fax no. 241-3011 or email dot.hwyk.permits@hawaii.gov) for review/acceptance, seven days prior to start of work involving lane closure or lane shift. For longer duration projects impacting traffic, we may require Garden Island newspaper ad be placed including Permittee's phone number.
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10. In emergency situations such as, but not limited to, poles and wires falling into State Highway Right-of-Way, provide immediate traffic control and promptly notify our office, phone 241-3000 and KPD Dispatch, phone 241-1711.
11. Any debris within the State highway Right-of-Way that are a result of the work done by the applicant shall be cleared by the end of each working day.

PERMIT RESTRICTIONS and CERTIFICATION

File Name: DOW-914

Permittee: **County of Kauai – Department of Water** Permit No.: 914

Permit Type: Occupancy & Use Permit Dates of Work: 11/2/2024 - 11/1/2025

PERMIT RESTRICTIONS (CONT.):

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CERTIFICATION:

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Permittee: County of Kauai – Department of Water

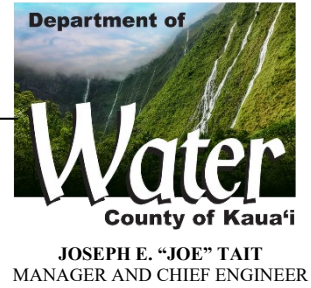
By: _____ Date: _____

Its: _____

BOARD

COMMITTEE

REPORTS



BOARD OF WATER SUPPLY

TOM SHIGEMOTO, CHAIR
JULIE SIMONTON, VICE CHAIR
KURT AKAMINE, SECRETARY

MICAH FINNILA, MEMBER
KA'AINA HULL, MEMBER *Ex-Officio*
TROY TANIGAWA, MEMBER *Ex-Officio*
VACANT, MEMBER, *Ex-Officio*

PERMITTED INTERACTION GROUP REPORT

October 8, 2024

Subject: Report of the Permitted Interaction Group of the Kaua'i County Board of Water Supply regarding Discussion and Possible Action on Manager's Annual Evaluation timeline, process, and criteria

The Permitted Interaction Group (PIG) met on February 15, 2024, March 7, 2024, July 16, 2024, and August 8, 2024, with **all three members (Micah Finnila, Kurt Akamine, and Ka'aina Hull) present**. The group reviewed the presentation slides provided by Ms. Finnila at the November 17, 2023, Board meeting and discussed Human Resources Best Practices using SHRM (Society for Human Resource Management) as a reference point and guideline.

The PIG agreed to develop a hybrid/combo Performance Evaluation policy, process and form utilizing elements of Manager's Report No. 22-55 Manager/Chief Engineer's Goals & Benchmarking, County of Kauai Department of Human Resources Evaluation Factors for Appointees, and SHRM/Joyaux Associates Best Practice Performance Appraisal Process for CEO from which the PIG developed a draft Board Policy that includes the evaluation process and form.

The members recommend that the PIG be disbanded and that the proposed policy titled The Performance Appraisal Process for the Manager & Chief Engineer & Delegation of Authority to the Board Chair be forwarded to the full Board for discussion and possible adoption.

Sincerely,

Micah Finnila
Permitted Interaction Group

MF/crz

BOARD OF WATER SUPPLY POLICY NO. XX

RE: THE PERFORMANCE APPRAISAL PROCESS FOR THE MANAGER & CHIEF ENGINEER AND DELEGATION OF AUTHORITY TO THE BOARD CHAIR

Purpose

Pursuant to the Kaua‘i County Charter, the Board of Water Supply (“Board”) has the authority to manage, control and operate the waterworks of the County of Kaua‘i, which includes appointing and removing the Manager & Chief Engineer (“Manager”). Accordingly, the Board has inherent authority to conduct annual job performance appraisals of the Manager. The purpose of this policy is to establish the Board’s job performance appraisal process for the Manager and the form to be used and completed by the Board as a result of the Manager’s annual job performance appraisal process.

Elements of the Performance Appraisal Process

The Performance Appraisal Process will be documented using the attached form, titled Performance Appraisal Form (“Form”). The Form will aid the Board in conducting a careful review of the following:

- Accomplishment of goals for the review period (Section 1 of the Form)
- Performance on key responsibilities of the job description (Section 2 of the Form)
- Goals for upcoming review period with ample input from Board Chair and incumbent (Section 3 of the Form)
- Performance improvement plan (Section 4 of the Form)
 - Set jointly with Board and Manager, with monitored target dates as needed.
- Development Plan (Section 5 of the Form)
 - Set jointly with Board and Manager and includes monitored target dates.
- Potential for advancement to greater responsibilities.

Delegation of Authority

The Board delegates to the Board Chair the authority to commence and manage the Performance Appraisal Process in accordance with this policy. The Board retains final approval authority.

Board Chair Responsibilities

1. Initiate the formal Performance Appraisal Process, typically 2-3 months prior to the start of the new fiscal year. This time period allows completion of the Performance Appraisal Process, format review and action by the Board, meeting with the Manager, and then any necessary budget action.
2. The Chair sends the Manager the Form to complete as a self-appraisal. Once the Manager completes the Form, the Manager sends it to the Chair.
3. The Chair completes Sections 1-4 of the Form. The Chair then compares results to Manager’s self-appraisal.
4. The Chair prepares the final Form, completing Sections 1-4 of the Form and the “Overall performance rating” of the Form. The Chair may also make merit-based recommendations on salary and benefit adjustments for possible Board action, provided any such recommendations are not contrary to the maximum salary determined for the Manager position as established by the Salary Commission and/or any employee benefits regulated by the Department of Human Resources.
5. At a duly noticed meeting, the Board convenes in executive session, unless the Manager requests that the Performance Appraisal Process occur in open session, to discuss the results of the performance appraisal with the Manager. The Manager may comment on the Performance Appraisal Process and/or the results documented on the Form. The Board and the Manager jointly

outline the Performance Improvement Plan (Section 4 of the Form) and Development Plan (Section 5 of the Form). The Chair incorporates and updates the Form.

6. The Board shall take action on the results of the Performance Appraisal Process.
7. If approved, the Chair prepares and signs the final Performance Appraisal Form and presents the Form to the Manager for signature.
8. The fully executed Form and the Manager's self-appraisal Form is forwarded to the Department of Human Resources.

Performance appraisal ratings

The Performance Appraisal Process shall use the following criteria in rating the Manager's performance:

- **Exceeds expectations** – The individual is making an exceptional, significant contribution to DOW. This person constantly accepts responsibilities beyond those of the job held and continuously exceeds expectations regarding completion of work assignments. There are few areas regarding performance of job responsibilities in which she could improve.
- **Meets expectations** – The individual is a steady, consistent, dependable performer and carries out duties in a fully responsible and effective manner. Meets and occasionally exceeds expectations regarding job responsibilities and completion of work assignments. Even though present performance is acceptable, there may be areas regarding performance of job responsibilities in which the person should improve.
- **Needs improvement** – The individual falls below standards or expectations. It is expected that with the appropriate improvement plan, performance will reach a fully satisfactory level within a specified time period.

APPROVED:

CHAIR
BOARD OF WATER SUPPLY

Date

Performance Appraisal Form DOW Manager & Chief Engineer

First & Last Name: _____

Current evaluation period _____

Date evaluation completed _____ Date of Board action _____

Section 1: Achievement of goals from last review period *(type in the agreed-upon goals decided during the last review period):*

Section 2: Performance on key responsibilities of the job description: *Use ratings: EE (Exceeds Expectations), ME (Meets Expectations), NI (Needs Improvement). When using NI, please give specific example(s) below the goal statement.*

Performance appraisal ratings

- **Exceeds expectations** – The individual is making an exceptional, significant contribution to DOW. This person constantly accepts responsibilities beyond those of the job held and continuously exceeds expectations regarding completion of work assignments. There are few areas regarding performance of job responsibilities in which she could improve.
- **Meets expectations** – The individual is a steady, consistent, dependable performer and carries out duties in a fully responsible and effective manner. Meets and occasionally exceeds expectations regarding job responsibilities and completion of work assignments. Even though present performance is acceptable, there may be areas regarding performance of job responsibilities in which the person should improve.
- **Needs improvement** – The individual falls below standards or expectations. It is expected that with the appropriate improvement plan, performance will reach a fully satisfactory level within a specified time period.

<u>Responsibility</u>	<u>Rating</u>
<u>Mission, policy, planning</u>	
1. Helps Board monitor and evaluate organization’s relevancy, effectiveness, and results. Example(s):	
2. Keeps Board fully informed re: organization’s condition and all important factors influencing it. Example(s):	

<p>3. Assures that appropriate policies are in place to guide the organization’s work in all areas.</p> <p>Example(s):</p>	
<p>Management, administration</p>	
<p>4. Provides oversight of all DOW activities, manages day-to-day operations, and assures a smoothly functioning, efficient organization.</p> <p>Example(s):</p>	
<p>5. Assures DOW quality and organizational stability through development and implementation of standards and controls, systems and procedures, and regular evaluation.</p> <p>Example(s):</p>	
<p>6. Assures a work environment that recruits, retains, and supports quality staff.</p> <p>Example(s):</p>	
<p>7. Assures process for selecting, development, motivating, and evaluating staff.</p> <p>Example(s):</p>	
<p>Responsibility</p>	
<p>8. Recruits personnel, negotiates professional contracts, and assures development and maintenance of appropriate salary structures.</p> <p>Example(s):</p>	
<p>Governance</p>	
<p>9. Work effectively with Board, its officers and committees to define their roles and responsibilities; helps evaluate their performance regularly.</p> <p>Example(s):</p>	
<p>10. Works with Board Chair to enable Board to fulfill its governance functions and manages Boards’s due diligence process to ensure timely attention to core issues.</p> <p>Example(s):</p>	

<p>11. Works with Board Chair to focus Board attention on long-range strategic issues.</p> <p>Example(s):</p>	
<p>12. Works with Board officers and committee chairs to get best thinking and involvement of each Board member & to stimulate each Board member to give his / her best.</p> <p>Example(s):</p>	
<p>13. Frames significant questions and complex issues in ways that facilitate Board dialogue and action.</p> <p>Example(s):</p>	
<p>14. Recommends Board and its committees.</p> <p>Example(s):</p>	
Finance	
<p>15. Oversees the fiscal activities of the organization, assures adequate controls.</p> <p>Example(s):</p>	
<p>16. With Board, ensures financing to support goals, including effective fund development program.</p> <p>Example(s):</p>	
Relationship building	
<p>17. Identifies the key relationships necessary to support an effective organization and assures proper planning, relationship building and communications to develop and maintain these.</p> <p>Example(s):</p>	
<p>18. Facilitates the integration of the organization into the community by assuring the use of effective marketing and communications activities.</p> <p>Example(s):</p>	
<p>19. Acts as an advocate, within the public and private sectors, for issues relevant to DOW, its services, and constituencies.</p> <p>Example(s):</p>	

20. Listens to s stakeholders in order to improve services. Example(s):	
21. Works with legislators and regulatory agencies to promote legislative and regulatory policies that promotes the DOW's policies and priorities. Example(s):	
Leadership	
22. Demonstrates initiative and creativity in identifying and addressing strategic issues facing the organization. Example(s):	
23. Effectively manages continuity, change and transition. Example(s):	
24. Sets and achieves clear and measurable goals and reasonable deadlines. Example(s):	
25. Deals effectively with demanding situations and designs and implements effective interventions. Example(s):	
26. Consistently displays integrity and models the organization's values. Example(s):	

Section 3: Goals for the next review period:

___ Check if none.

Goal 1:	
Goal 2:	
Goal 3:	

Section 4: Performance improvement plan: *Outline any areas where the Manager & Chief Engineer needs improvement to reach higher levels of performance.*

___ Check if none.

Needs Improvement:	
Needs Improvement:	
Needs Improvement:	

Section 5: Development plan: *Outline training / development that will enhance Manager & Chief Engineers contribution to the organization. Also specify areas of support and action that the Board can do to help the Manager & Chief Engineer.*

___ Check if none.

Training/Development:	
Training/Development:	
Training/Development:	

Overall performance rating:

___ Exceeds Expectations ___ Meets Expectations ___ Needs Improvement

Comments for Manager & Chief Engineer for this evaluation period:

Action and approvals

APPROVED:
BOARD OF WATER SUPPLY, COUNTY OF KAUA'I

Its: Chair

Dated: _____

Manager & Chief Engineer signature and meeting date: _____

Please write any comments from Manager & Chief Engineer on the other side of these pages.

INFORMATIONAL

BRIEFING

Brown AND Caldwell

Water Systems Investment Plan

Board presentation

October 17, 2024







Department of
Water
County of Kauai

Agenda

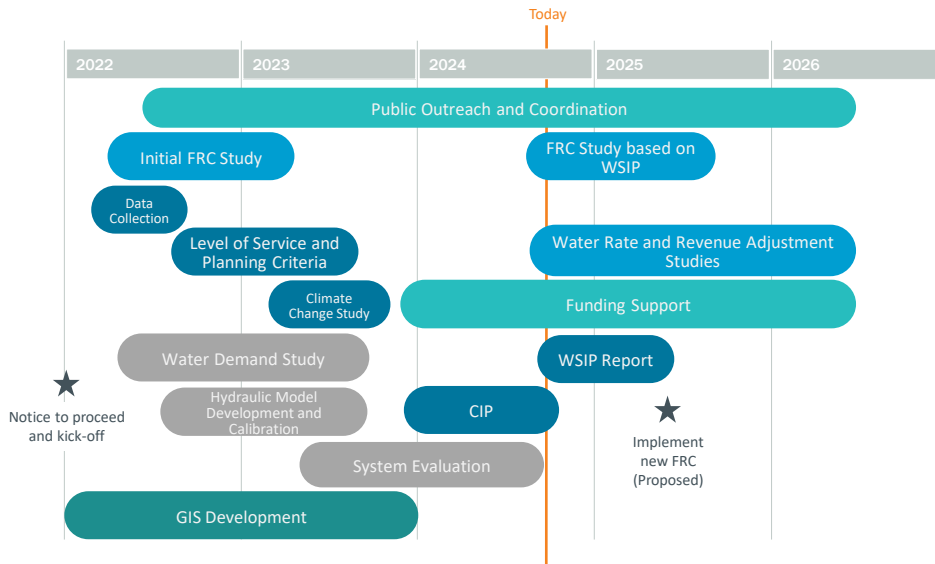
WSIP Overview and Objectives 1 minutes	CIP Development 5 minutes	CIP Prioritization 5 minutes
Funding 3 minutes	Stakeholder Engagement 1 minutes	What's next?

WSIP Overview and Objectives

WSIP Project Purpose

-  Develop robust **GIS and hydraulic modeling** tools that support utility planning and system operations.
-  Provide in-person and virtual **training** sessions so that KDOW staff are prepared to leverage tools.
-  Use tools to develop a **20-year Capital Improvement Program**, supporting KDOW and the Board of Directors goals and objectives.
-  Establish justifiable **Rates and Facility Reserve Charge** aligned with the WSIP Capital Improvement Program.
-  Identify alternative **funding opportunities** to support implementation of the CIP.
-  **Coordinate** with stakeholders and **communicate** with the people of Kauai.

Project Schedule Overview



Brown and Caldwell

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CIP development

CIP Definitions

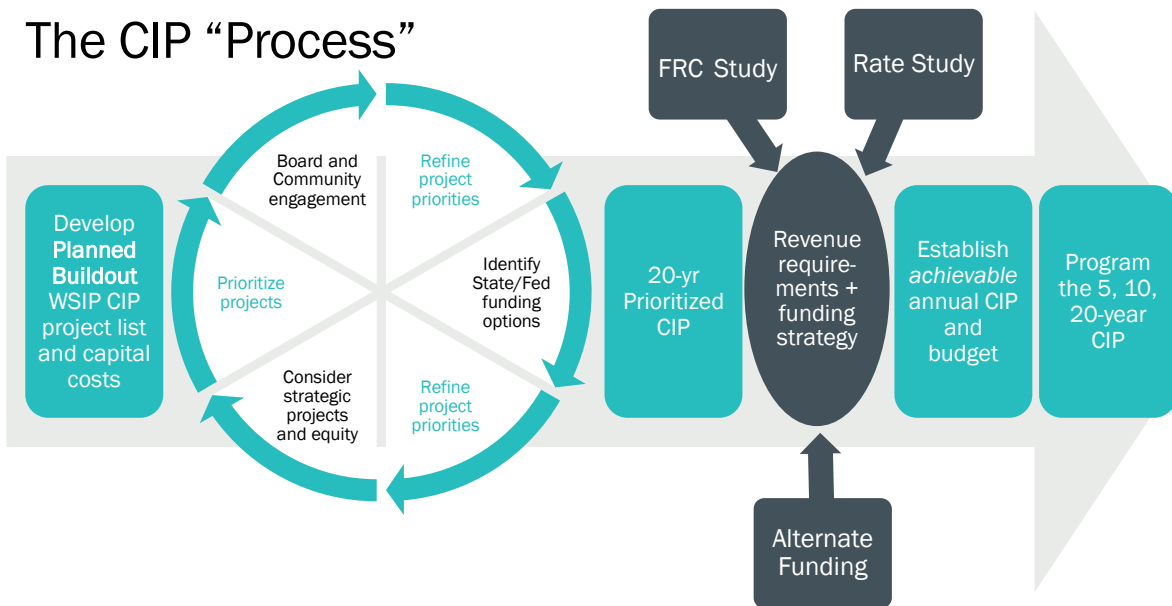
- “Planned Buildout” CIP
- “20-year Prioritized” CIP
- “Near Term” CIP
- Programming the CIP



Brown and Caldwell

7

The CIP “Process”

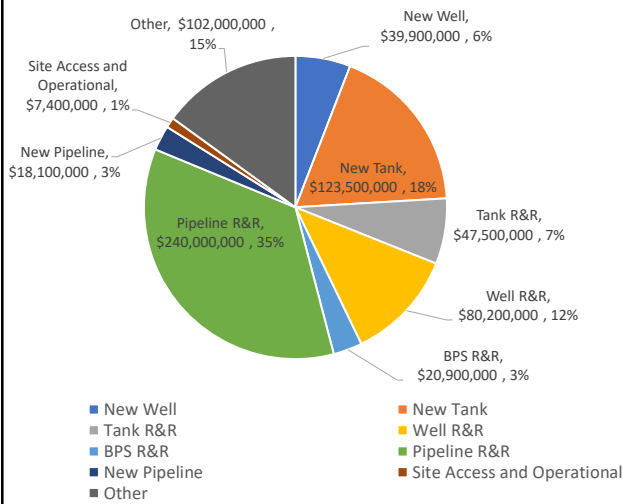


Brown and Caldwell

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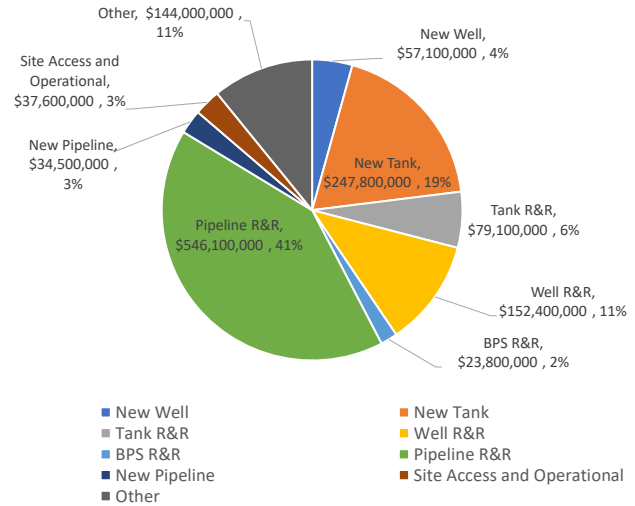
20-Yr Prioritized CIP*

127 Projects, \$680M, ~\$34M/year



"Planned Build-Out" CIP*

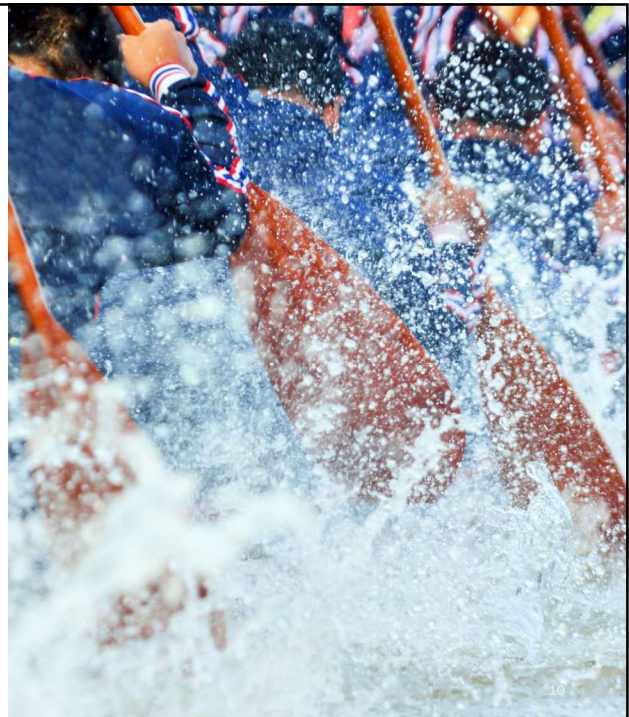
160 Projects, \$1.3B, ~\$66M/year



*As of October 8, 2024

Interdepartmental Coordination

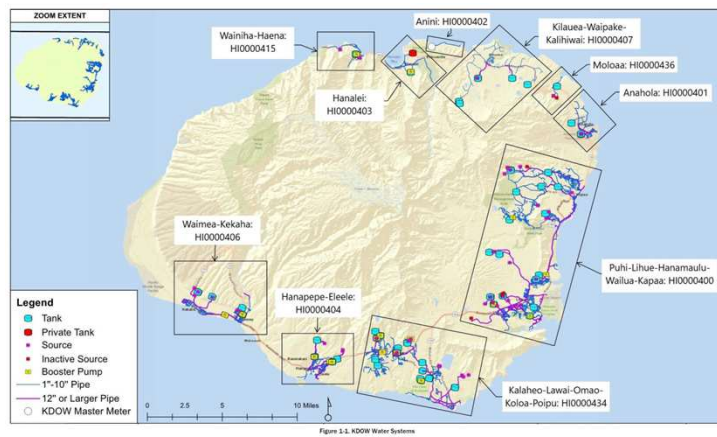
- County-wide coordination is needed to prioritize and program and fund the CIP
- Wastewater projects are needed to serve same areas as water projects
- Projects to support County-wide initiatives such as Affordable Housing, Climate Adaptation Plan, General Plan...



CIP Prioritization: “Tools and Humans”

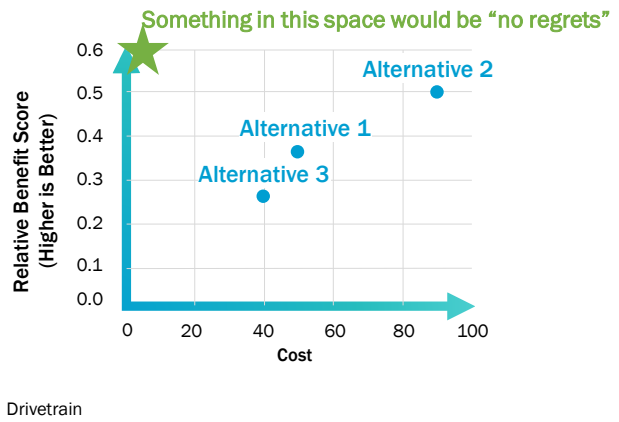
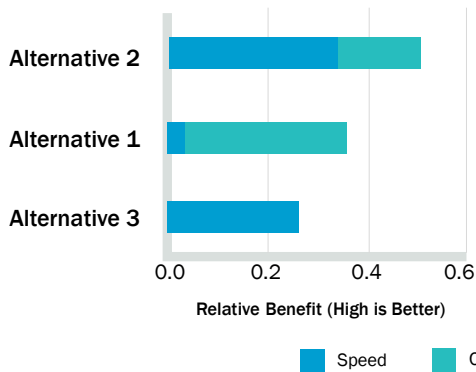
Prioritizing the CIP

How should KDOW and the Board of Water Supply **prioritize** CIP investments to align with the department’s **values, goals, and commitments**?



It is important to look at benefits, the reasons for total benefits, and cost to fully grasp high value projects.

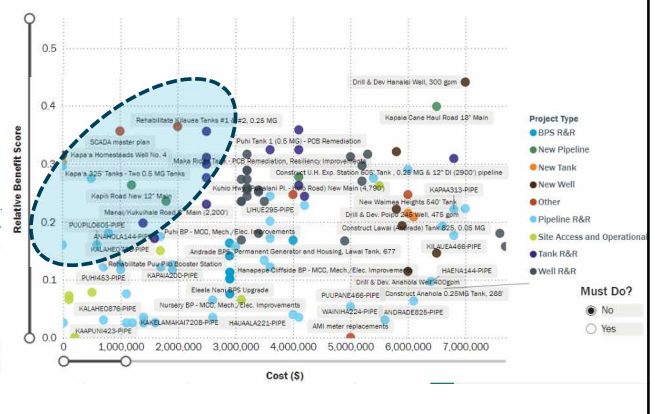
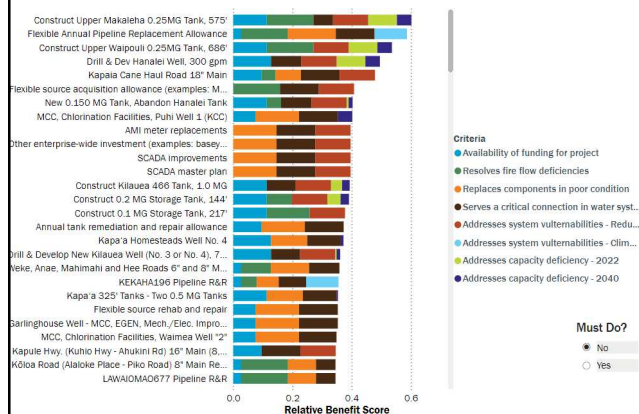
It is easy to focus here, but it likely a balance with cost



Brown and Caldwell

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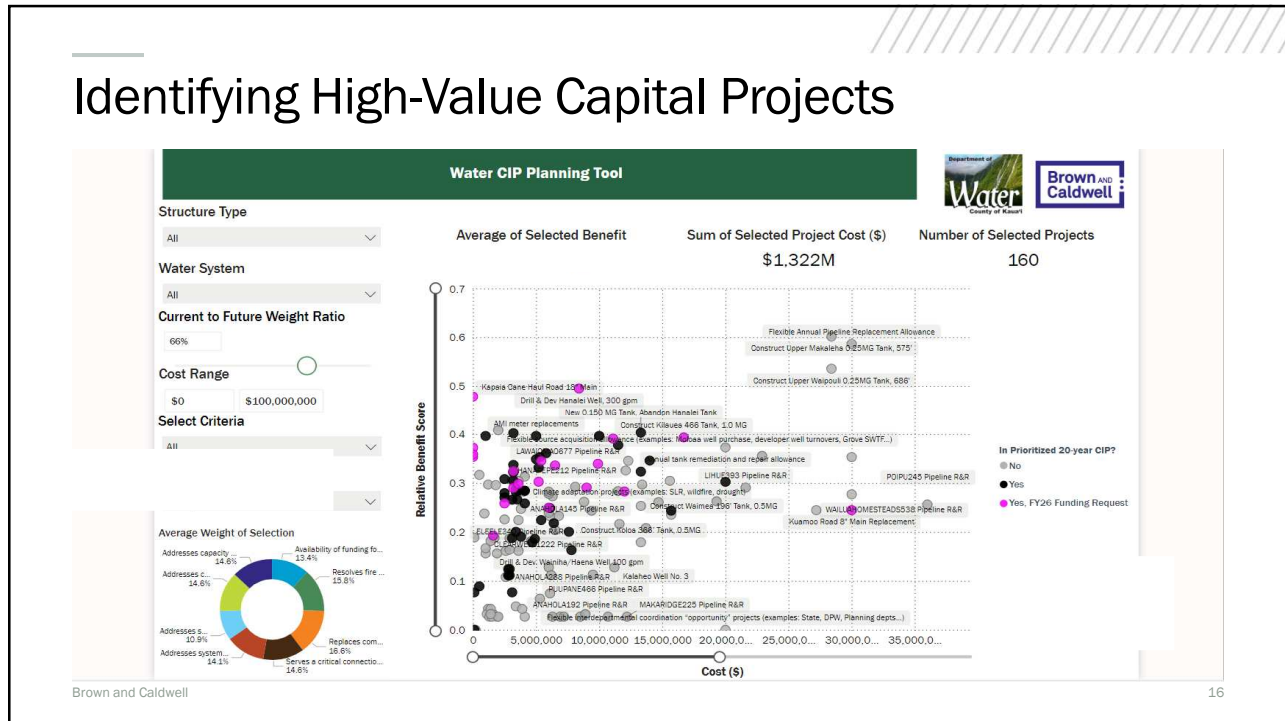
It is important to look at benefits, the reasons for total benefits, and cost to fully grasp high value projects.



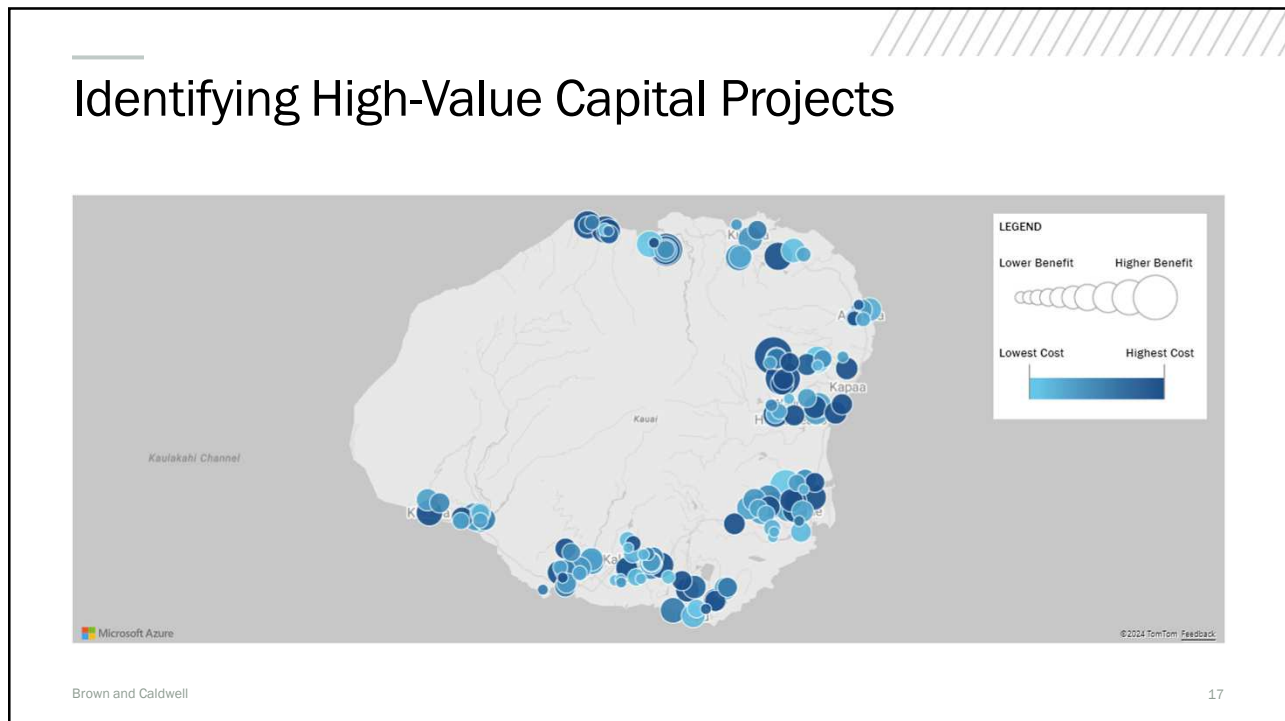
Brown and Caldwell

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Identifying High-Value Capital Projects

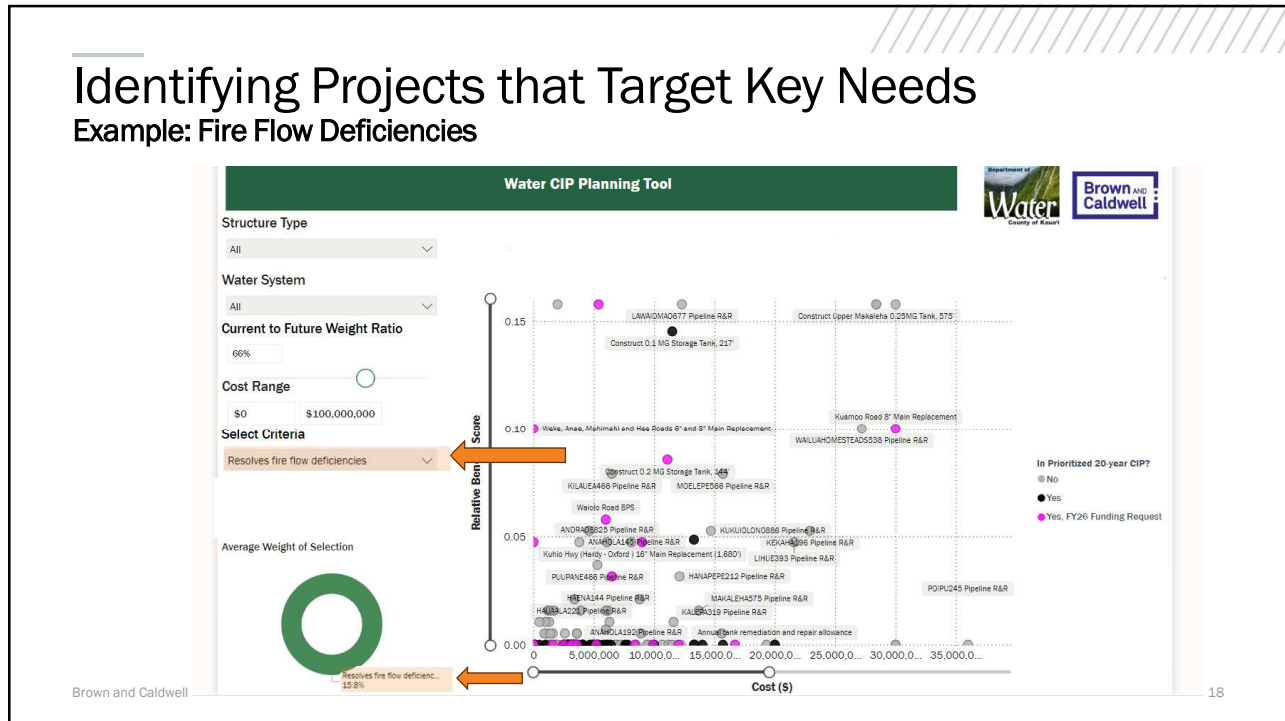


Identifying High-Value Capital Projects



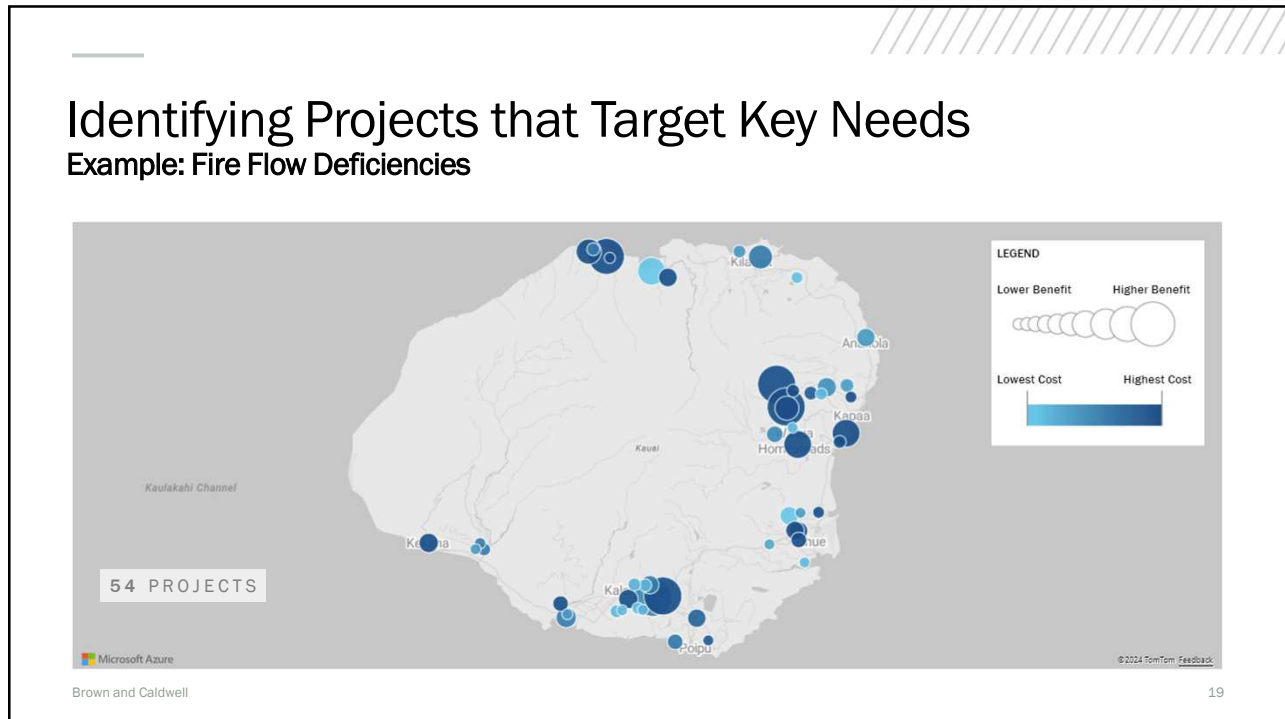
Identifying Projects that Target Key Needs

Example: Fire Flow Deficiencies

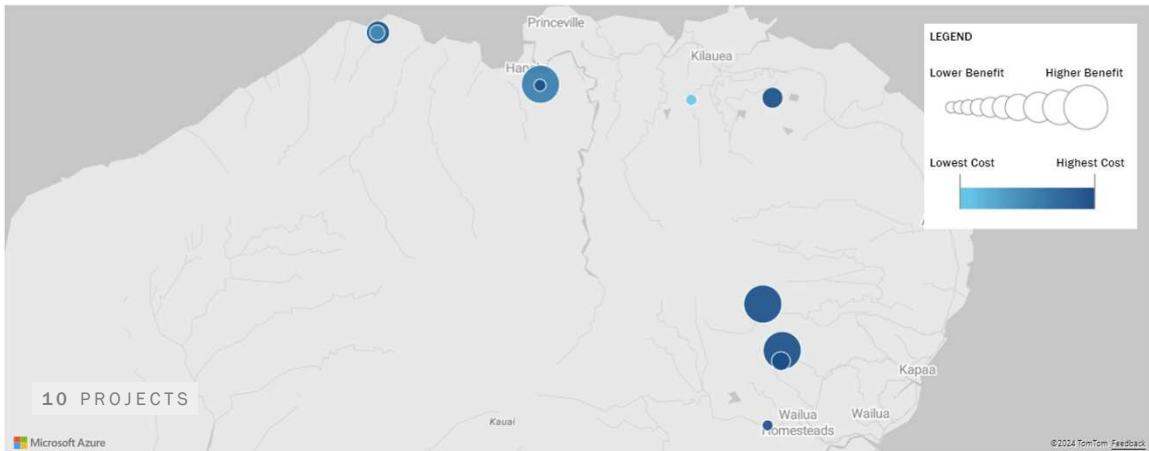


Identifying Projects that Target Key Needs

Example: Fire Flow Deficiencies



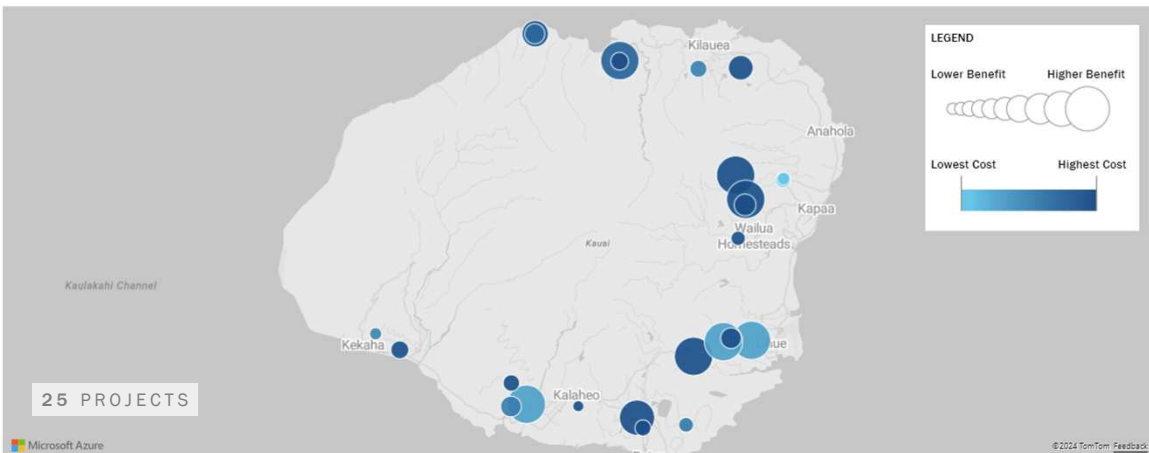
Resolving Today's Capacity Issues



Brown and Caldwell

20

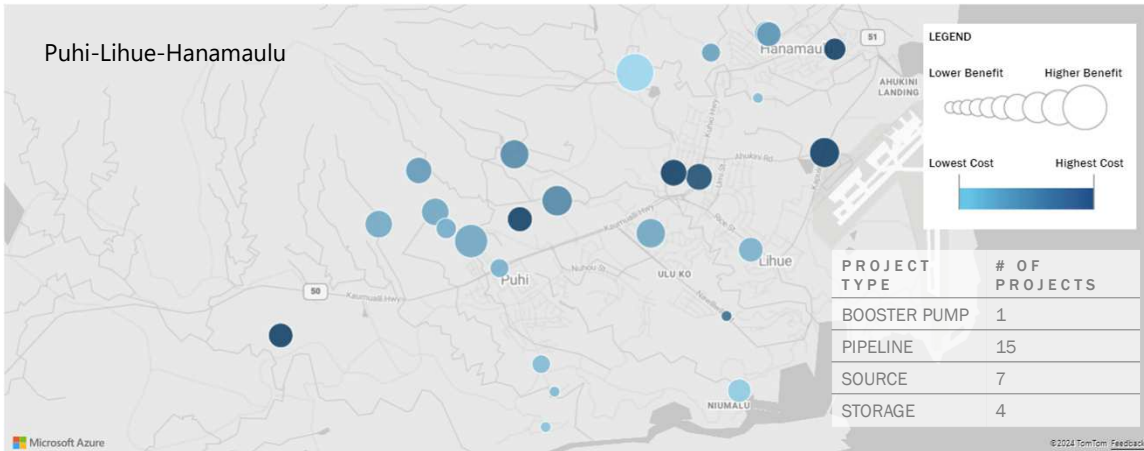
Anticipating and Resolving Future Capacity Deficiencies



Brown and Caldwell

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Highlighting System-Specific Projects

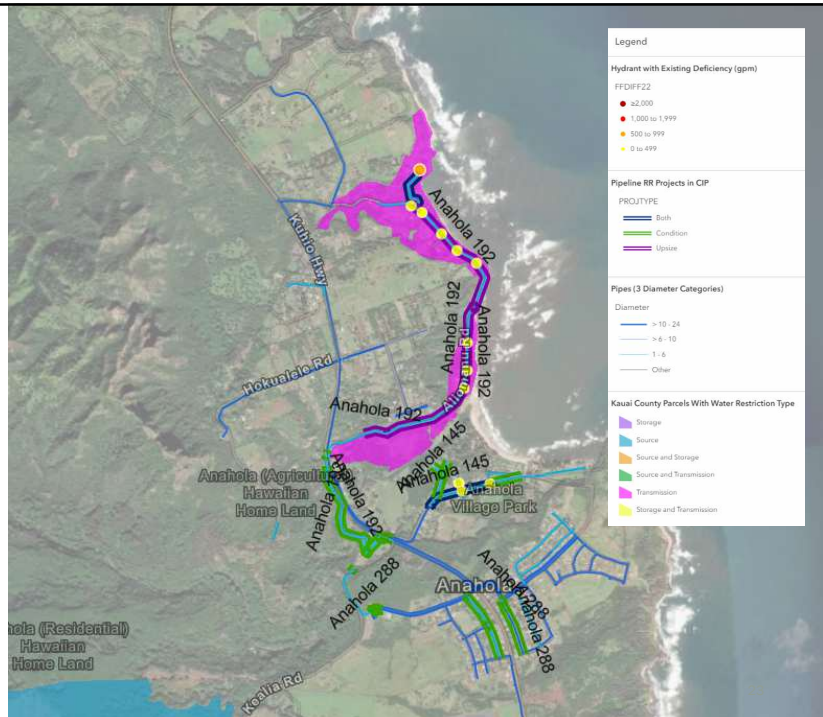


Brown and Caldwell

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GIS provides a visual display of the problems to be solved...

...and decision-making support to plan for solutions



Brown and Caldwell



Funding Mechanisms for Capital Improvement Projects



Cash collected as connection fees



Pay-as-you-go financing or upfront collection of project costs from existing and new users



Debt financing or other borrowing mechanisms
– G.O. bonds, Revenue bonds, Variable Rate Demand Obligations, General Reserves or Special Assessments



Market-based programs (tax credits, purchase agreements, voluntary programs, trading and offset programs and public-private partnerships)



Federal, State and local low interest loans or grant funding sources for project that meet select criteria



Direct Federal or State Appropriations

County of Kauai Water Infrastructure Needs

“Planned Buildout” CIP:

\$1.3B in funding needed for Water Infrastructure

165 # of Projects (Wells, Tanks, BPS, Pipeline and other)

“Near-Term” CIP:

\$282M in funding needed for Water Infrastructure

41 # of Projects (Wells, Tanks, Pipeline and other)

Aligned with External Funding

\$246M in potential external funding opportunities

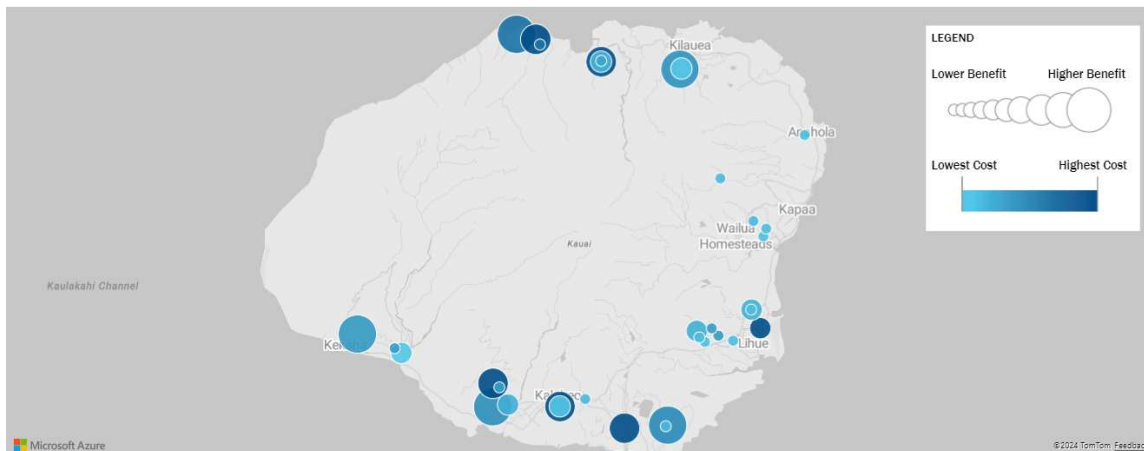
31 # of Projects (Wells, Tanks, Pipeline and other)

Ability to reprioritize based on funding availability and MCDA Tool

- Focus on 5 year CIP
- Project timing (>1 year)
- Priority/Program
- Removed O&M & Annual Remediation/Repair Allowance
- Removed Enterprise-wide investments & Fire Flow (only)
- Removed Flexible Annual and General Allowance Projects

Brown and Caldwell

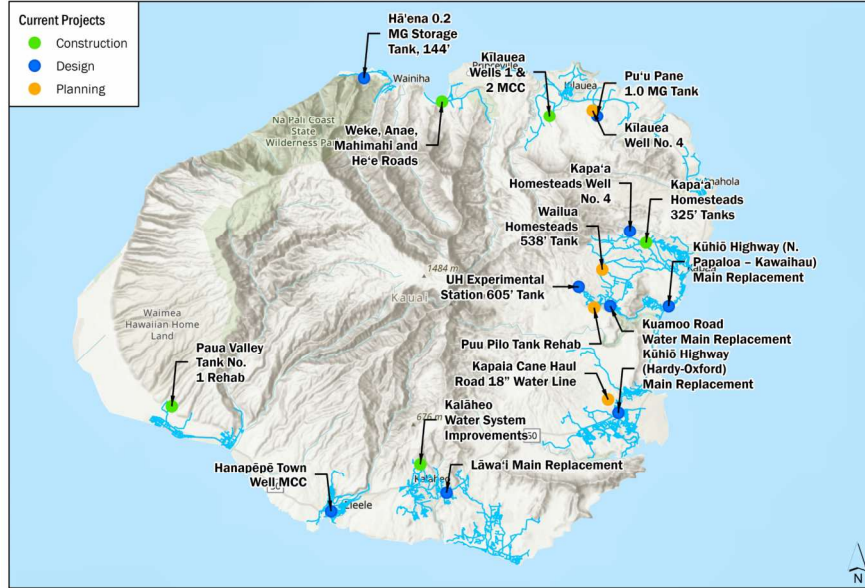
Near-Term Projects Aligned with External Funding Opportunities



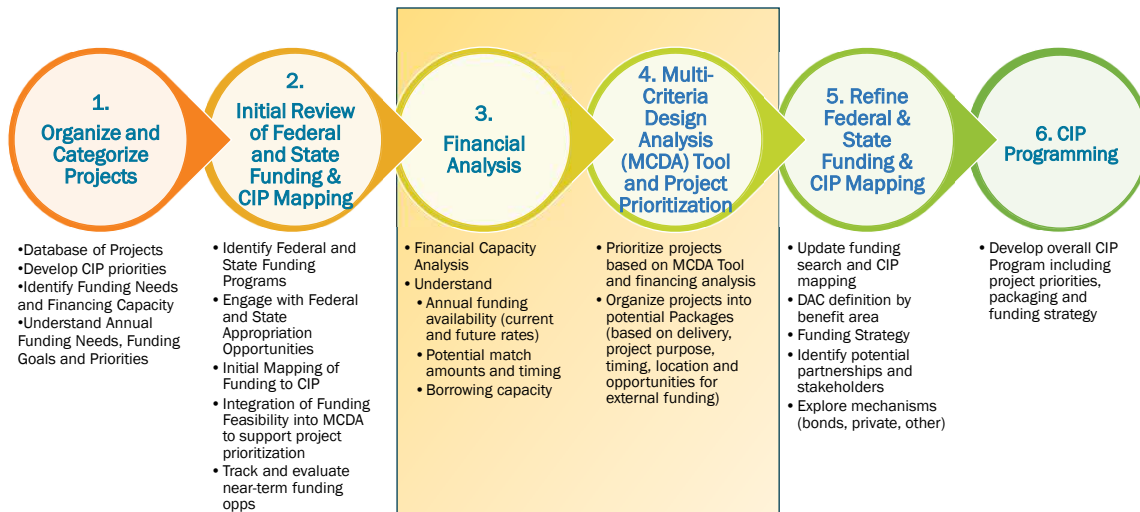
Brown and Caldwell

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Projects Currently in Progress



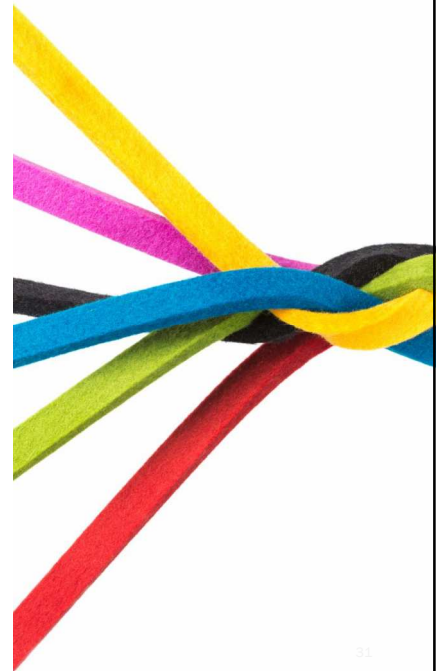
Pursuit of funding is also an iterative process



Stakeholder Engagement

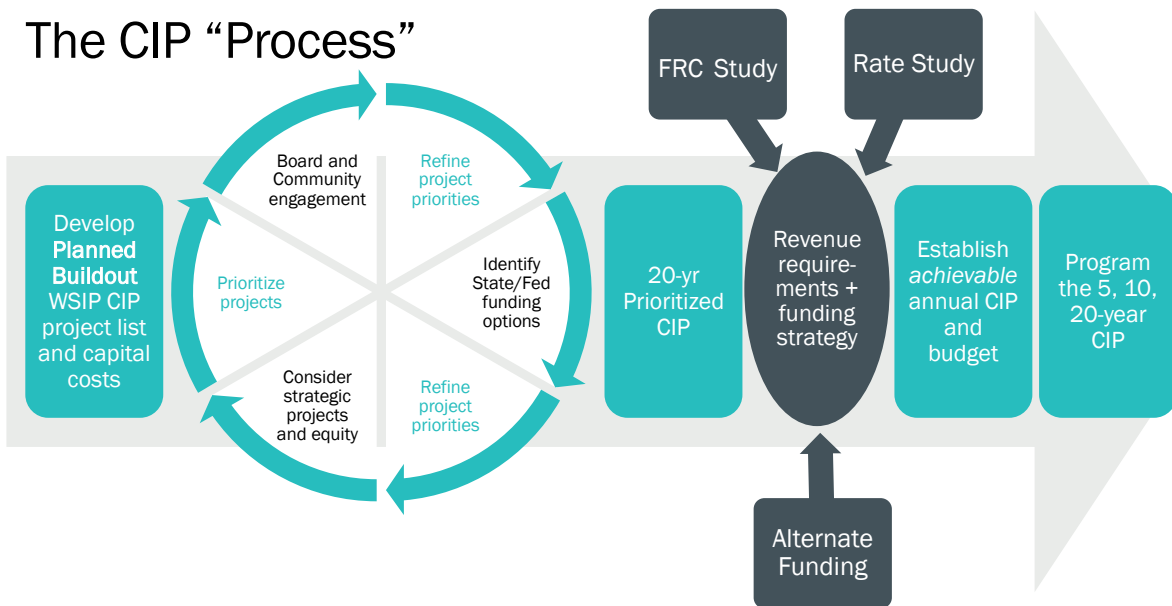
Many opportunities are planned to engage the community

- FRC Outreach
- Rate Study Outreach
- WSIP Engagement Plan
- CoK Interdepartmental Stakeholder Coordination (Wastewater, Housing, Planning)
- Ka Pa'akai Analysis



What's Next?

The CIP "Process"



Thank you!

A horizontal splash of clear blue water with bubbles, positioned behind the text.

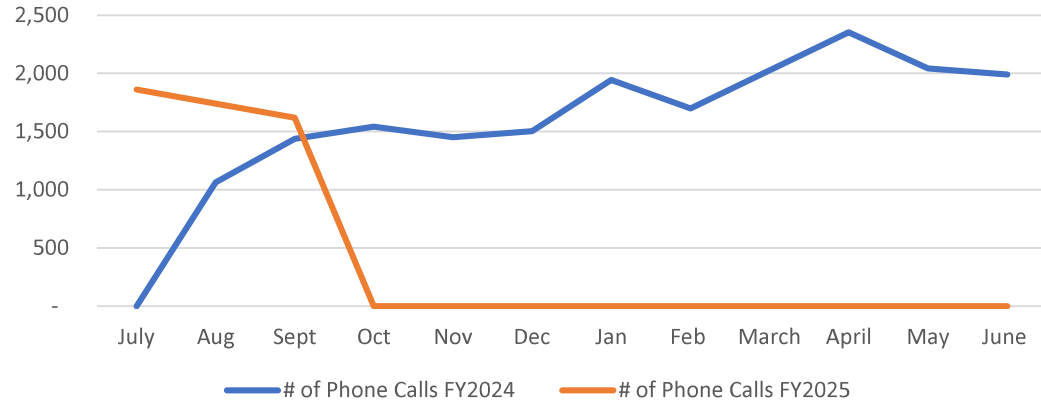
STAFF

REPORTS

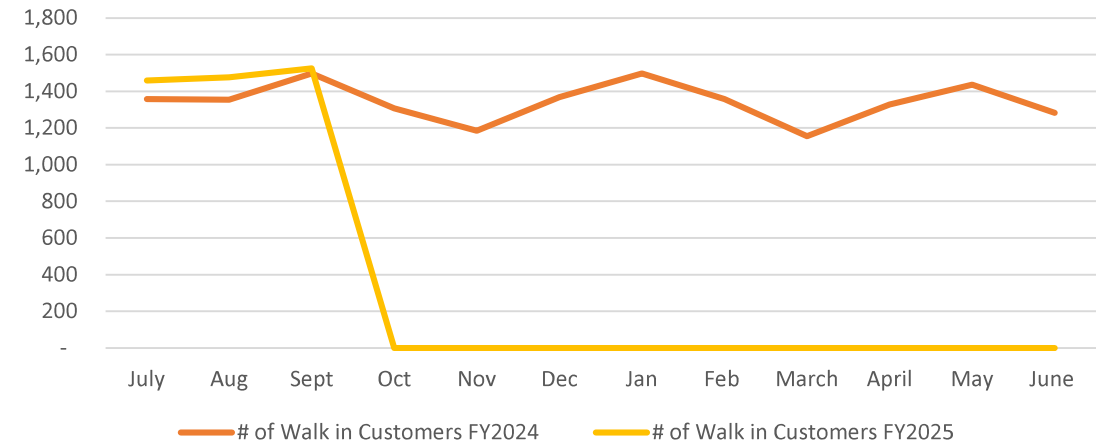


FISCAL DIVISION DASHBOARD

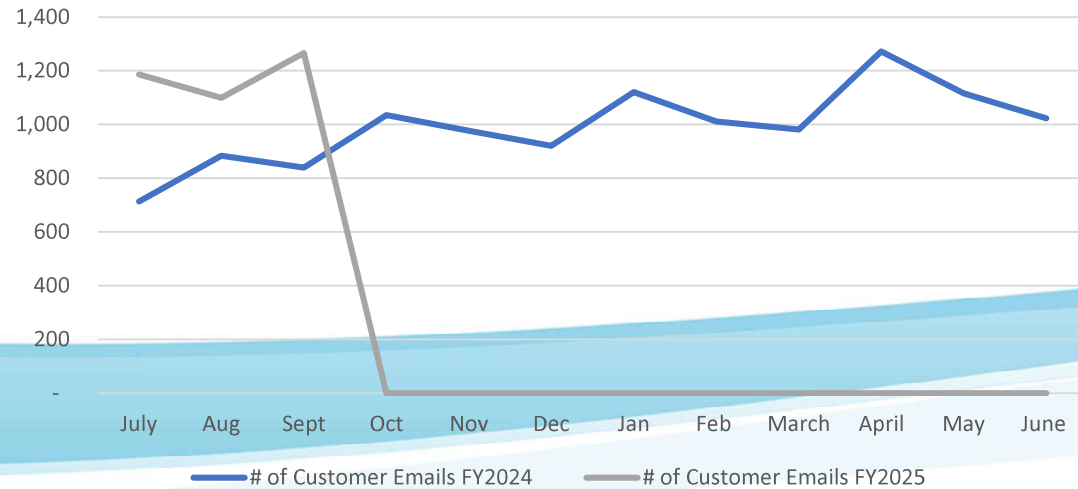
of Customer Service Calls



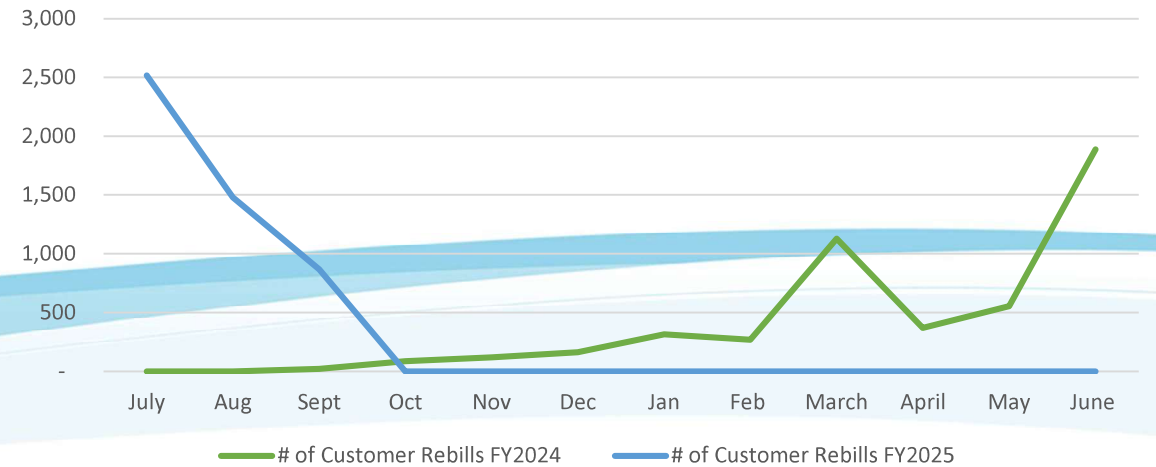
of Walk in Customers



of Customer Emails and Correspondence



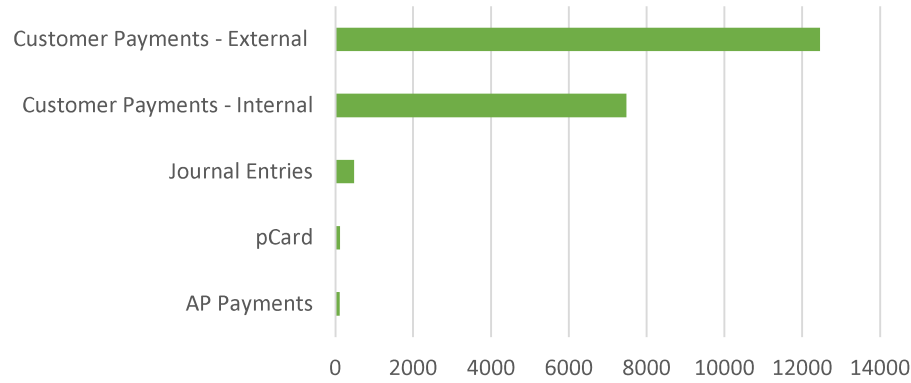
of Customer Rebills





FISCAL DIVISION DASHBOARD

Accounting Highlights



Transponder Replacement Highlights:

7,680 parts ordered on May 30, 2024

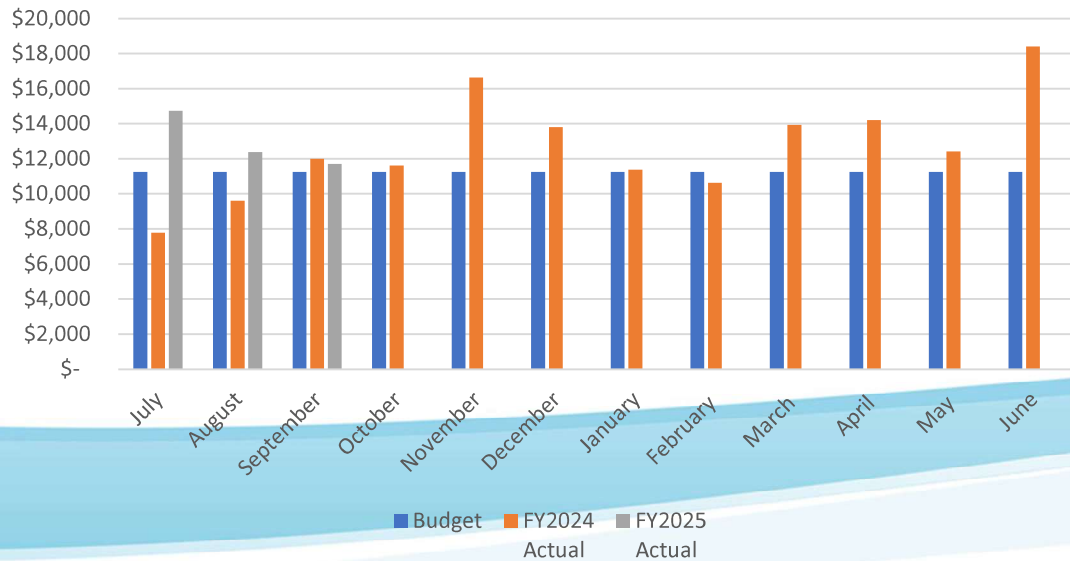
- 1,800 Expected to ship **September 2024**
- 1,800 Expected to ship October 2024
- 1,800 Expected to ship November 2024
- 2,280 Expected to ship December 2024

Note: Updated shipment date of 10/23/24

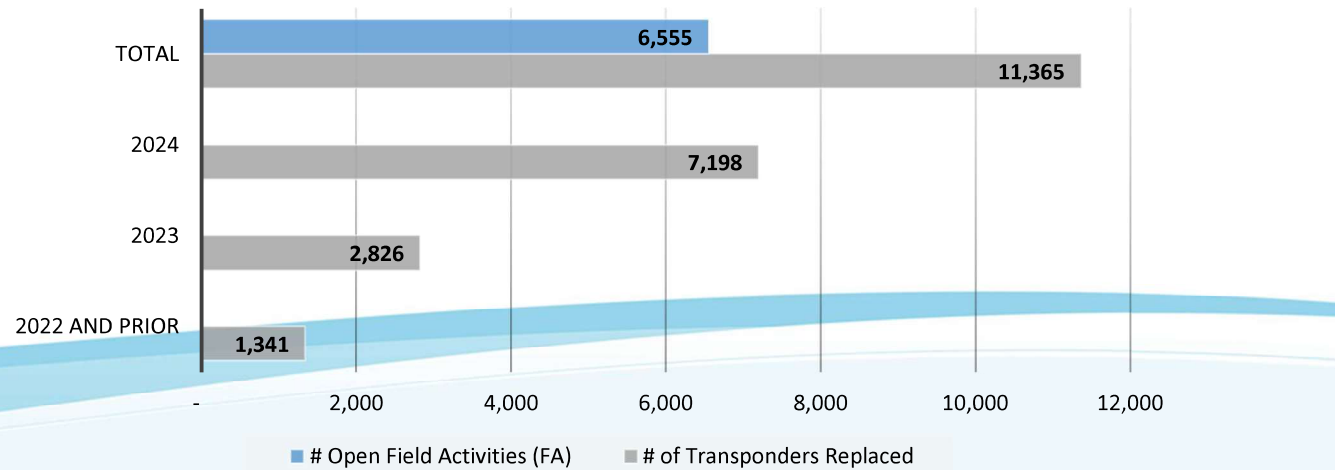
49% Replaced to date.
29% Awaiting parts.
22% Active; expected to fail

Monthly Transactional Volume processed and reconciled by the Accounting Team.

Overtime



Transponder Replacement Progress (Calendar Year)



Department Of Water Budget Report for September 2024

	September 2024			Fiscal Year 2025			
	Budget	Actual	Variance	Year to Date Budget	Year to Date Actual	Variance	Variance %
Operating Revenue	\$ 2,765,742.00	\$ 3,686,503.90	\$ 920,761.90	\$ 8,297,226.00	\$ 9,810,210.63	\$ 1,512,984.63	18.%
Expenses							
Labor *	\$ 1,166,793.00	\$ 550,223.15	\$ 616,569.85	\$ 3,500,379.00	\$ 3,301,338.95	\$ 199,040.05	6.%
Services	1,341,633.30	320,672.68	1,020,960.62	4,024,899.90	991,060.91	3,033,838.99	75.%
Utilities & Materials	952,621.84	215,095.52	737,526.32	2,857,865.51	1,546,175.84	1,311,689.67	46.%
Total Operating Expenses	\$ 3,461,048.14	\$ 1,085,991.35	\$ 2,375,056.79	\$ 3,461,048.14	\$ 5,838,575.70	\$ (2,377,527.56)	(69.%)
Debt Service Principal & Interest	250,099.00	234,544.50	15,554.50	250,099.00	234,544.50	(169,172.71)	(68.%)
Operating and Debt Expenses	\$ 3,711,147.14	\$ 1,320,535.85	\$ 2,390,611.29	\$ 3,711,147.14	\$ 6,073,120.20	\$ (2,361,973.06)	-64%
Net Income (Loss)	\$ (945,405.14)	\$ 2,365,968.05	\$ 3,311,373.19	\$ 4,586,078.86	\$ 3,737,090.43	\$ (848,988.43)	19.%

* Current month's labor is estimated

Capital Projects and Purchases**

	Fiscal Year Budget	September FYD 2025 Actual	Remaining Budget
Water Utility Funded Projects			
IT-Expansion Capital Purchases--	\$ 968,434.45	\$ 34,868.73	\$ 933,565.72
Eng-Job 18-3 -Kuhio Hwy Hardy-Oxford 16IN M	2,808,941.82	2,398.95	2,806,542.87
Eng-56%R-Job 23-03 Kuhio Hwy Papaloa to Wai	318,284.46	25,959.36	292,325.10
Cns-44%R-09-01 Yamada Tank Clearwell, Conn	2,777,114.24	34,347.92	2,742,766.32
Ops-R&R-Upgrade and Replace SCADA RTU and	261,281.91	77,994.60	183,287.31
Ops-RandR Capital Purchases	2,193,999.05	24,121.98	2,169,877.07
Ops-Expansion Capital Purchases	631,573.69	114,763.19	516,810.50
Projects with budget but no activity	12,981,451.56		12,981,451.56
	\$ 22,941,081.18	\$ 314,454.73	\$ 22,626,626.45
FRC Funded Projects			
Eng-ALLE--H-08 Hanalei Well 2	\$ 130,000.00		\$ 130,000.00
Eng WK-08, Kapaa Homesteads 2-0.5MG Tanks	3,000,000.00		3,000,000.00
Eng-ALLE-12-02 WK-23 UH Expmntal Storage Ta	304,981.00		304,981.00

Eng 04-08 WK-39 Drill Kapaa Homestead Well 4	2,521,934.49		2,521,934.49
Eng-90%E-Kilauea 1.0MG Tank Job 02-06	7,212.24		7,212.24
Job 15-08-HW-11-Haena 0.2MG Tank	1,306.63		1,306.63
Eng-ALLE-Wainiha Well #4	200,000.00		200,000.00
Projects with budget but no activity	\$ 6,165,434.36	\$ -	\$ 6,165,434.36
	<u>\$ 6,165,434.36</u>	<u>\$ -</u>	<u>\$ 6,165,434.36</u>

Build America Bonds Funded Projects

Eng-ALLR-09-01 K-01 Kalaheo 1111FT & 1222FT	\$ 63,998.94	\$	63,998.94
Eng-ALLE-02-14 WK-08 Kapaa Homesteads Tanl	5,600,000.00		5,600,000.00
Eng WK-39, Drill/Dev Kapaa Homesteads Well I	2,600,000.00		2,600,000.00
Cns-ALLE-02-06WKK15-Kilauea 466 Tank Puu P	9,706.76		9,706.76
Eng-98%E-02-01 Land for Kukuioolono Tank Site	53,508.05		53,508.05
Cons-Exp-Kapaia Cane Haul Road	1,091,650.00		1,091,650.00
Projects with budget but no activity	\$ 9,418,863.75	\$	9,418,863.75
	<u>\$ 9,418,863.75</u>	<u>\$ -</u>	<u>\$ 9,418,863.75</u>

State Allotment Funded Projects

WK-08-Kapaa Homesteads 2-0.5MG Tanks	\$ 2,400,000.00	\$	2,400,000.00
WK-39, Kapaa Homesteads Well No. 4 Pump ar	2,400,000.00		2,400,000.00
PLH-27 Kūhiō Highway (Hardy-Oxford) 16' Mair	2,500,000.00		2,500,000.00
	<u>\$ 7,300,000.00</u>	<u>\$ -</u>	<u>\$ 7,300,000.00</u>

State Revolving Funded Projects

WK-08, Kapaa Homsteads 2.0 5MG Tanks	\$ 5,200,000.00	\$	5,200,000.00
Yamada Tank Conn Pipe	6,926,518.00	1,892,951.00	5,033,567.00
	<u>\$ 12,126,518.00</u>	<u>\$ 1,892,951.00</u>	<u>\$ 10,233,567.00</u>

Total Capital Projects	<u>\$ 57,951,897.29</u>	<u>\$ 2,207,405.73</u>	<u>\$ 55,744,491.56</u>
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Selected Divisions

	September 2024			Fiscal Year 2025			
	Budget	Actual	Variance	Year to Date Budget	Year to Date Actual	Variance	Variance %
Engineering	\$ 881,339.59	\$ 134,071.99	\$ 747,267.60	\$ 2,644,018.77	\$ 760,466.56	\$ 1,883,552.21	71.0%
Fiscal	245,832.78	114,353.95	131,478.83	\$ 737,498.34	620,069.89	117,428.45	16.0%
Operations	1,561,895.28	514,662.18	1,047,233.10	\$ 4,685,685.84	3,233,072.28	1,452,613.56	31.0%
	<u>\$ 2,689,067.65</u>	<u>\$ 763,088.12</u>	<u>\$ 1,925,979.53</u>	<u>\$ 8,067,202.95</u>	<u>\$ 4,613,608.73</u>	<u>\$ 3,453,594.22</u>	<u>43.0%</u>

CASH RECEIPTS	(Preliminary 2024 is not closed)	TOTAL	2025	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
BEGINNING CASH BALANCE		\$ 60,000,000.00																\$ 60,000,000.00
Bond Proceeds																		
Interest Income		\$ 2,403,588.28	\$ 147,894.75	\$ 406,245.18	\$ 10,145.00	\$ (321,259.46)	\$ 1,406.49	\$ 318,033.00	\$ 239,725.76	\$ 136,213.08	\$ 43,433.92	\$ 62,650.14	\$ 246,093.42	\$ 1,113,007.00				
TOTAL RESOURCES		\$ 62,403,588.28	\$ 147,894.75	\$ 406,245.18	\$ 10,145.00	\$ (321,259.46)	\$ 1,406.49	\$ 318,033.00	\$ 239,725.76	\$ 136,213.08	\$ 43,433.92	\$ 62,650.14	\$ 246,093.42	\$ 1,113,007.00	\$ -	\$ -	\$ -	\$ 60,000,000.00
201-01 BAB - CIP		\$ -																
Cost of Issuance		\$ 535,838.66																\$ 535,838.66
217 EA-194 Hanalei River & Moelepe Stream Pipeline		\$ 741,141.50																\$ 741,141.50
218 Job 02-18	Pipeline replacement, Kapaa Homesteads	\$ 2,941,979.00														\$ 966,229.51	\$ 1,975,749.49	
219 Job 04-02	Main replacement, Vivian Heights and Apopo Road and Kanahele Road	\$ 2,651,730.99												\$ 105,007.40	\$ 476,365.60	\$ 2,070,357.99		
220 Job 03-02	Anahola 0.15 MG Tank Renovation	\$ 1,571,169.09												\$ 417,459.47	\$ 738,342.29	\$ 348,437.12	\$ 66,930.21	
684 Job 05-01	Waimea Main Replacement	\$ 3,272,975.12														\$ 112,524.38	\$ 3,160,450.74	
687 Job 02-03	Kekaha 12" Main Replacement and Waimea Canyon Drive 12" Main Replacement	\$ 677,234.29														\$ 8,796.00	\$ 668,438.29	
221 Job 10-01	Pipeline replacement, Anini Road	\$ 724,652.00							\$ 320.25	\$ 40,444.75	\$ 99,727.00		\$ 75,360.00	\$ 91,600.00	\$ 331,800.00	\$ 85,400.00		
222 Job 10-02 & 13-03	Kaunualii Hwy widening, Anonoui St to Lihue Mill Bridge	\$ 5,208,503.03											\$ 603,320.00		\$ 4,368,972.73	\$ 236,210.30		
223 Job 05-06	PLH-25, 8" Main Replacement, Eiwa, Umi, Akahi, Elua & Hardy/Alohi Streets	\$ 2,710,970.00												\$ 207,527.45	\$ 1,837,108.24	\$ 666,334.31		
224 Job 02-16	Rehabilitation of Maka Ridge Deepwell Tank, Pipeline and Rdway, Ohana, Anolani & Kuamoo Roads	\$ 1,381,988.40											\$ 70,243.40	\$ 816,129.43	\$ 495,615.57			
227 Waimea Well A Renovation		\$ 639,282.53												\$ 299,937.43	\$ 308,235.45	\$ 31,109.65		
326 Job 02-02	Omao 0.5 MG Tank and connecting Pipeline	\$ 2,519,540.05													\$ 1,105,978.21	\$ 1,413,561.84		
228 Koloa Tank Site Acquisition		\$ 500,991.73															\$ 500,991.73	
230 Job 02-08	Rehabilitation of Eleee Twin 0.4 MG Steel Tanks	\$ 2,018,853.05											\$ 419,657.59	\$ 820,325.86	\$ 654,054.56	\$ 124,815.04		
231 Job 02-19	Waipouli Main Replacement to Akulikuli	\$ 2,229,690.39											\$ 140,809.76	\$ 460,829.74	\$ 1,628,050.89			
232 Job 02-14	Kapaa Homesteads 0.5 MG Tank #2 and Kapahi 1.0 MG Tank	\$ 410,240.21		\$ 104,355.40	\$ 12,281.25			\$ 28,276.20	\$ 181,031.23	\$ 33,913.47				\$ 4,820.46	\$ 44,327.74	\$ 1,234.46		
233 Job 09-01 K-01, K-12	Kalaheo 1111' & 1222' Water System Improvement	\$ -	\$ (1,117,183.23)	\$ 54,579.24	\$ 5,326.25	\$ 30,660.00	\$ 67,910.95	\$ 40,510.00	\$ 252,930.74	\$ 4,084.44	\$ 41,155.98	\$ 29,424.45		\$ 54,561.67	\$ 505,005.23	\$ 31,034.28		

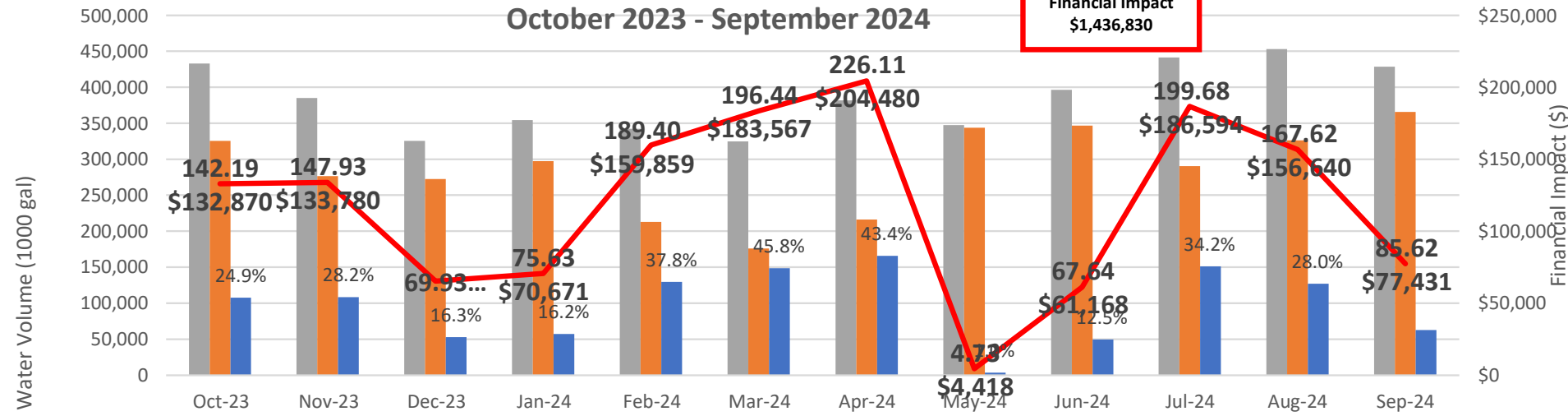
CASH RECEIPTS		(Preliminary 2024 is not closed)	TOTAL	2025	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
683	Job 04-06	Kekaha Well B Renovation	\$ 627,165.43													\$ 42,828.60	\$ 265,223.57	\$ 319,113.26	
234	Kukuiolono Water Tank Site Acquisition		\$ 302,396.47															\$ 302,396.47	
235	Job 05-05	Nawiliwili, Niumalu and Kupolo 6", 8" and 12" Main replacement	\$ 3,150,226.75													\$ 689,732.75	\$ 2,460,494.00		
237	Job 11-02	Replacement Grove Farm Tanks #1 & #2	\$ 201,658.00								\$ 24,767.90	\$ 33,185.10		\$ 67,905.00	\$ 44,165.00		\$ 31,635.00		
692	PLH-39 Lihue Baseyd		\$ 7,755,133.98						\$ 15,035.86	\$ 544,777.77	\$ 575,693.09	\$ 5,951,097.31	\$ 1,510.40	\$ 1,466.25	\$ 382,445.74	\$ 283,107.56			
621	Job 02-06	Kilauea 1.0 MG Tank	\$ 16,329.20		\$ (234,643.96)				\$ 17,438.16	\$ 13,380.00				\$ 73,995.00	\$ 93,310.00	\$ 52,850.00			
238	Job 11-04	Lawai-Omao Water Main Replacement & Service Improvements	\$ 71,737.50											\$ 5,967.45	\$ 30,745.05	\$ 35,025.00			
239	Job 02-17	Maka Ridge Facilities Rehabilitation and Princeville Interconnection Plan	\$ 2,333,850.55										\$ 244,226.89	\$ 276,328.78	\$ 1,813,294.88				
240	Job 11-03	Land and Well Acquisition, Moloaa and Waimea, Kauai	\$ 159,938.00								\$ 3,678.00	\$ 25,300.00	\$ 14,160.00		\$ 23,290.00	\$ 71,730.00	\$ 21,780.00		
242	Job 02-11	Moloaa Land Acquisition	\$ -																
243	Job 11-06	Rehabilitate Moelpe Tunnel and improve access road	\$ 19,200.00														\$ 19,200.00		
244	K-05A Kukuiolono 0.5 MG 886' Tank		\$ 193,578.95								\$ 67,715.05	\$ 61,552.30		\$ 64,311.60					
	Job 11-10	8" WL Halewili Kaumualii to Hale	\$ 694,331.55									\$ 282,186.78	\$ 412,144.77						
	Job 11-07	MCC Chlor KoloaWell16-A,B,E	\$ 3,667,032.67					\$ 44,513.76	\$ 1,623,383.03	\$ 1,999,135.88									
	Job 04-08	Kapaa Homesteads Well #4	\$ 1,502,796.10			\$ 32,504.61	\$ 162,138.43	\$ 43,250.00	\$ 588,360.39	\$ 676,542.67									
	TOTAL		\$ 51,432,155.19	\$ -	\$ (1,351,827.19)	\$ 191,439.25	\$ 179,745.93	\$ 73,910.00	\$ 700,785.10	\$ 2,401,506.17	\$ 3,087,416.57	\$ 1,056,359.93	\$ 6,518,285.06	\$ 349,034.19	\$ 2,210,406.85	\$ 6,723,168.75	\$ 16,360,816.36	\$ 11,654,128.06	\$ 1,276,980.16
	Cash & Investment Balance		\$ 10,971,433.09																



OPERATIONS DASHBOARD

Monthly Water Audit October 2023 - September 2024

**Annual
Financial Impact
\$1,436,830**

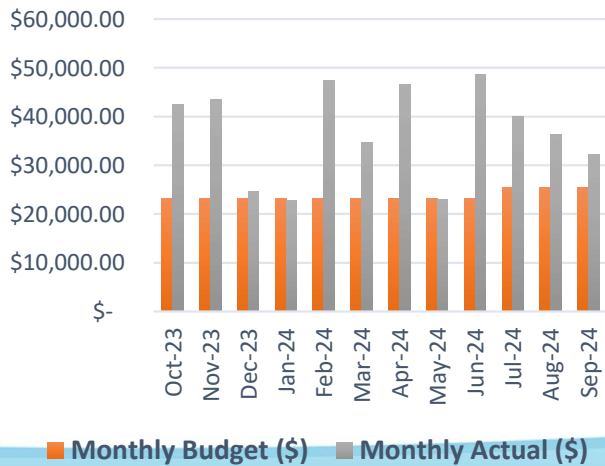


	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
Produced (Kgals)	433,059	384,904	325,580	354,475	342,356	324,631	381,800	347,331	396,223	441,367	452,933	428,498
Customer Read (Kgals)	325,421	276,529	272,639	297,225	212,855	175,924	216,151	343,752	346,671	290,208	326,039	365,771
Non-Rev Water (Kgals)	107,638	108,375	52,941	57,250	129,501	148,707	165,649	3,579	49,552	151,159	126,894	62,727
Financial Impact	\$132,870	\$133,780	\$65,351	\$70,671	\$159,859	\$183,567	\$204,480	\$4,418	\$61,168	\$186,594	\$156,640	\$77,431

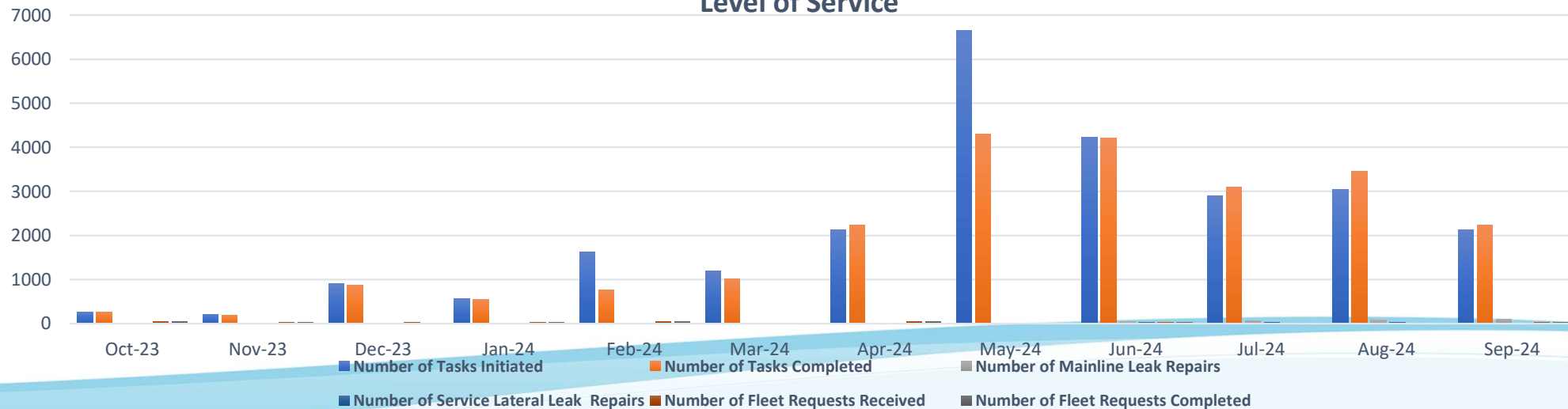
Ops Highlights:

1. Recruiting for Water Meter Mechanic Helper, Auto Mechanic I, Maintenance Worker II, and Lead Pipefitter.
2. 1,820 meter transponders will ship in October.
3. Field has performed a large amount of leak repairs in the FY so far, 42 more than last FY.
4. Training conducted for Leadership, CPR/AED, Fire Extinguisher, Excavating/Trenching Safety.

Overtime



Level of Service



OPERATIONS

	Last Month		Current Month		Previous FY		Current FY	
					Year to Date		Year to Date	
STAFFING								
Budgeted Staff Vacancies	49	10	50	9	49	8	50	9
OVERTIME								
Budget (\$) Actual (\$)	\$25,416.67	\$36,256.54	\$25,416.67	\$32,206.56	\$69,850.00	\$80,876.97	\$76,250.00	\$108,588.08
FLEET MANAGEMENT								
# of Vehicles Active per day	41		43		42		41	
# of Vehicles Active per month	857		860		900		866	
METER PROGRAM								
# of Existing Meters Replaced	4		0		6		168	
# of Existing Meters Repaired	295		180		196		1093	
# of New Meters Installed	11		10		23		25	
# of New Laterals Installed	1		0		4		2	

OPERATIONS



LEVEL OF SERVICE

	Last		Current		Previous		Current	
	Month	Month	Month	Month	FY YTD	FY YTD	FY YTD	FY YTD
# of Tasks Initiated	3048		2134		1217		8086	
# of Tasks Completed	3456		2232		1079		8796	
# of Mainline Leak Repairs	18		21		37		59	
# of Service Lateral Leak Repairs	29		14		45		65	
# of Calls for Service	225		234		583		669	
# of Temporary Hydrant Meters Installed	2		1		9		6	
# One Call Request Received Completed	54	57	51	55	182	182	132	132
# of Auto Shop Requests Received Completed	17	18	28	22	85	82	66	59
# of Hydrant Hits	3		1		8		6	

WATER AUDIT

	Last	Current Month	Previous	Current
	Month		FY YTD	FY YTD
Water Produced (Million Gallons)	452.933	428.498	1247.292	1322.798
Customer Meter Reading (Million Gallons)	326.039	365.771	943.119	982.018
Non-Revenue Water (Million Gallons)	126.894	62.727	304.173	340.780
Non-revenue %	28%	15%	24%	26%
Financial Impact	\$156,640.49	\$77,431.46	\$375,476.84	\$420,665.65



ENGINEERING DASHBOARD

	Last Month		Current Month		Previous FY Year to Date		Current FY Year to Date	
STAFFING								
Budgeted Staff Vacancies	24	4	24	5	23	6	24	5
OVERTIME								
Budget (\$) Actual (\$)	\$12,900	\$21,000	\$12,900	\$29,100	\$14,800	\$50,200	\$38,800	\$63,300

CIP Project Highlights:

- Kapa‘a Homesteads 325’ Tanks
 - Submittals scheduled to start this month
- Pu‘u Pane 1.0 MG Tank
 - Final EA scheduled to post 10/8/24
- Kalāheo Water System Improvements Project
 - Poured columns for Yamada Tank
 - Working on retaining wall for Clearwell Tank
 - Approximately halfway complete with water main installation on Po‘ohiwi Road
- Kūhiō Hwy (Hardy-Oxford) 18” Main Replacement
 - Anticipate Issuing IFB in October
- Weke, ‘Anae, Mahimahi and He‘e Rds Main Replacement
 - Submittals scheduled to start this month
- Hanapēpē Town Well MCC, Chlorination Facilities
 - Issued award to Valley Well Drilling on 9/30/24
- Lāwa‘i 6” and 8” Main Replacement
 - Preliminary fieldwork to start this month
- Līhu‘e Administrative Building Fencing
 - IFB issued 10/7/24

	Last Month		Current Month	
PROJECT MANAGEMENT				
DOW Projects In Design In Construction	30	6	15	8
Private Projects Design Approved In Construction	4	161	4	164
Private Projects Construction Completed	1		1	



ENGINEERING DASHBOARD

	Last Month		Current Month		Previous FY Year to Date		Current FY Year to Date	
WATER RESOURCES AND PLANNING								
Number of Customer Requests Received Completed								
Subdivision Applications, Zoning, Land Use and Variance Permits	8	3	7	7	23	17	19	19
ADU/ARU Clearance Applications	4	3	2	3	7	5	11	12
Building Permits	201	191	155	180	484	436	501	494
Water Service Requests	40	36	32	33	64	39	97	87
Government Records Request	2	0	4	3	3	6	10	6
Backflow Inspection # of Devices Tested	185		50		337		432	

- DOW Project Highlights:**
- KWUDP Update
 - Coordinating with CWRM Staff for Possible Adoption at October Board Meeting
 - Water Systems Investment Plan (WSIP)
 - Evaluating CIP project list
 - Working on FRC update
 - Lead and Copper Rule Revisions (LCRR) Update
 - Submitted inventory, 9/13/24, was due 10/16/24

QUARTERLY UPDATE

Period of July 1, 2024 to September 30, 2024

ENGINEERING DIVISION

Submitted by: Jason Kagimoto, P.E.

DEPARTMENT OF WATER

October 17, 2024

Overview

- **Water Resources and Planning Section**

- Subdivision-Land Use Applications Completed = 19
- ADU/ARU Clearance Applications Completed = 12
- Building Permit Applications Reviewed = 494
- Water Service Requests Completed = 87
- Backflow Devices Inspected and Tested = 432
- Kaua'i Water Use and Development Plan Update – Provided briefing to CWRM Board, Possibly Requesting Adoption at October Board Meeting
- Water Systems Investment Plan – Evaluating CIP program and Working on Rate Study
- Lead and Copper Rule Revisions Update – Submitted inventory on 9/13/24

- **Project Management Section**

- 15 active DOW CIP design projects
- 6 active DOW CIP construction projects (\$60M total)
- Rehabilitate Paua Valley Tank No. 1 – In construction, nearing completion
- Kalāheo Water System Improvements – In construction
- Kapa'a Homesteads 325' Tanks – Starting submittals this month
- Weke, 'Aanae, Mahimahi and He'e Roads Main Replacement – Starting submittals this month
- Kapa'a Homesteads Well No. 4 Pump and Controls – NTP 10/1/24
- Kūhiō Highway (Hardy-Oxford) 16" Main Replacement – Anticipate Issuing IFB in October
- Hanapēpē Town Well MCC, Chlorination Facilities – Issued Award on 9/30/24
- Līhu'e Administrative Building Fencing – Issued IFB on 10/7/24

Water Restriction Areas

Water System/Sub-System	Restrictions (5/8-inch water meter or number units per lot)	Inadequate Facilities	Comments
Upper Lāwaʻi	2	Storage	Administration Approved
Poʻipū	300	Storage	Board Approved (50% of new tank allowed for new development; 50% to make up storage deficit)
Wailua Homesteads	5	Storage	Administration Approved
Upper Wailua Homesteads	2	Storage	Administration Approved
Kapaʻa Homesteads	5	Source	Board Approved
Moloaʻa	0	Source and Storage	Water Purchase Agreement
Kīlauea-Kalihiwai	5	Source and Storage	Administration Approved
Aliomanu – Kukuna Road	0	Transmission	Administration Approved
ʻAnini	1	Source and Storage	Water Purchase Agreement
Upper Wainiha Valley	1	Storage	Administration Approved
Wainiha – Hāʻena	3	Storage	Administration Approved

Water Plan 2020 Construction Project Status

WP 2020 NUMBER	JOB NO	PROJECT TITLE	% COMPLETE JUNE 2024	ORIGINAL ESTIMATE TO COMPLETE	CURRENT ESTIMATE TO COMPLETE	CURRENT CONTRACT AMOUNT
WK-08	02-14	Kapa'a 325' Tanks – Package A Drain Line	80%	Q3 2019	Q4 2024 (1)	\$2,354,293.35
WK-08	02-14	Kapa'a 325' Tanks – Package B 2 0.5MG Tanks	0%	Q1 2027	Q1 2027	\$23,347,000.00 (2)
WK-39		Drill and Test Kapa'a Homestead Well No. 4	80%	Q3 2019	Q4 2024 (1)	\$2,605,418.35
K-01 & K-12	09-01	Kalaheo Water System Improvements Package A – 0.5 MG Yamada Reservoir Package B – 0.1 MG Clearwell Reservoir Package C – Water Main Installation	50%	Q1 2025	Q1 2026	\$21,756,430.00 (3)
PLH-35B	16-02	Kapaia Haul Cane Road 18" Transmission Line	10%	Q3 2019	Q4 2026 (4)	\$4,127,545.00
WKK-03	16-04	Kilauea Wells Nos. 1 and No. 2, MCC, Chlorination Facilities	45%	Q3 2024	Q3 2025	\$3,211,866.80 (5)
KW-07	17-10	Rehabilitate Paua Valley Tank No. 1, 0.5 MG Tank	85%	Q2 2021	Q3 2024	\$3,745,064.48 (6)
H-05	23-05	Weke, Anae, Mahimahi and Hee Roads 6" and 8" Main Replacement	0%	Q4 2026	Q4 2026	\$3,089,000.00
	24-05	Kapa'a Homesteads Well No. 4 Pump and Controls	0%	Q4 2027	Q4 2027	\$7,683,000.00 (7)
					TOTAL =	\$71,919,617.98

(1) Additional contract time required to perform environmental assessment, re-design drainage system and obtain land-owner approval for DOW drainage easement.

(2) \$7.25M State appropriation

(3) \$10.2M State appropriation, \$5.2M DWSRF Loan Principal Forgiveness

(4) Project issued stop work order and is on hold while performing environmental permitting.

(5) \$2.6M State appropriation

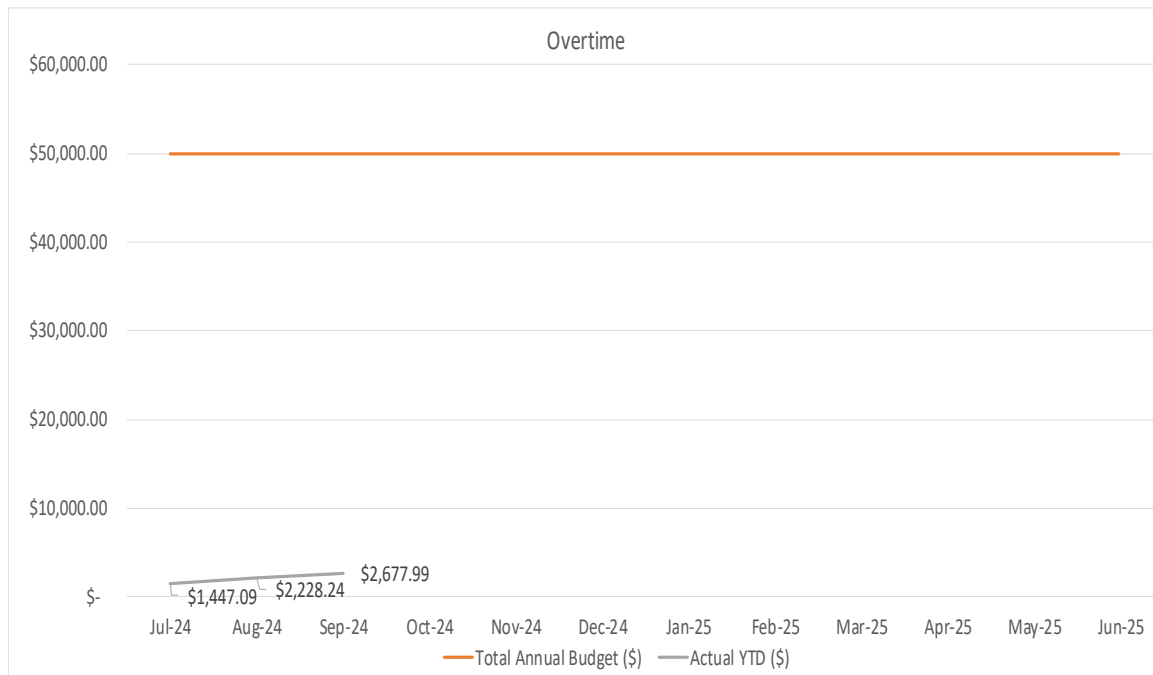
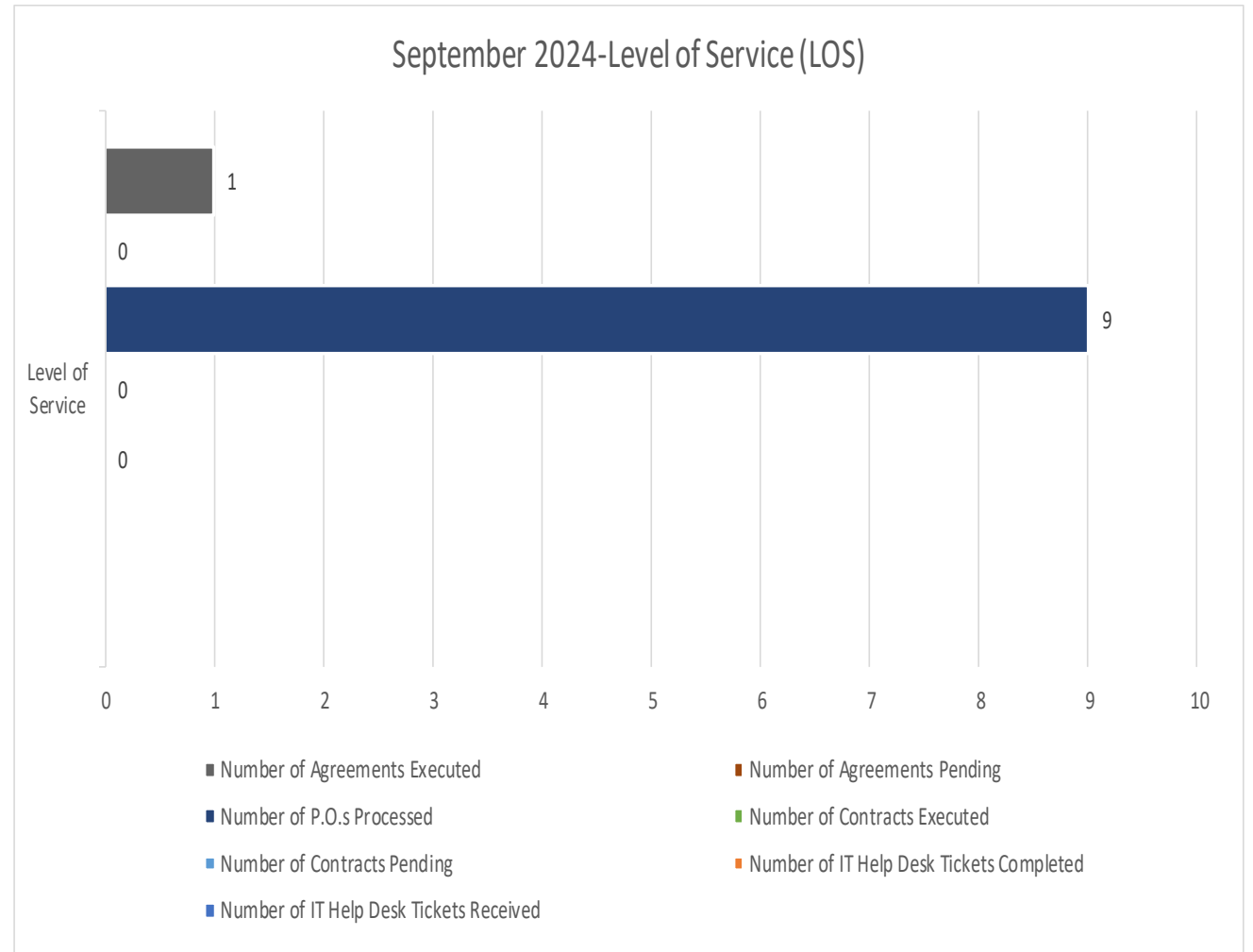
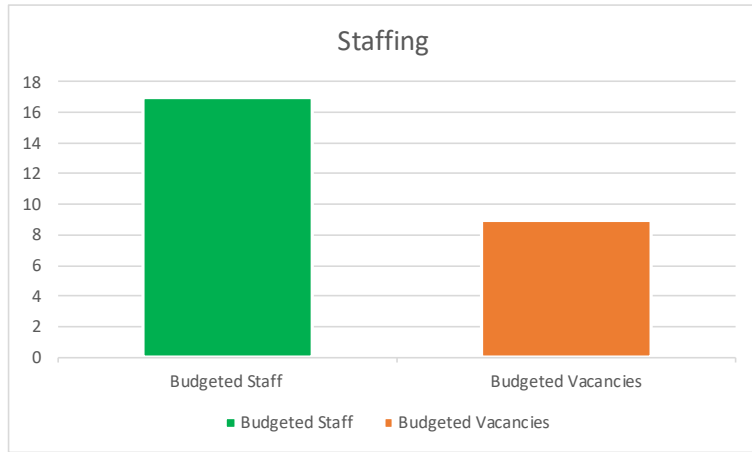
(6) \$1.2M State appropriation

(7) \$2.6M State appropriation

Supplemental Support Services

Contract Number	Company	Professional Service	Contract Amount	Amount Invoiced	Number of PAOs
728	RM Towill, Inc.	As-Needed CM	\$1,000,000	\$32,000	4
747	Kennedy/Jenks	As-Needed PM and Inspectional Services	\$1,000,000	\$210,000	4
763	Brown and Caldwell	As-Needed GIS and Hydraulic Modeling Services	\$99,600	\$0	0
767	Maddaus Water Management	As-Needed Grant Writing and Preparation Services	\$100,000	\$15,000	2

ADMINISTRATION DASHBOARD



ADMINISTRATION

	Aug-24		Sep-24		Previous FY YTD		Current FY YTD	
STAFFING								
Budgeted Staff vs Vacancies (Admin-HR-IT-PR)	17	9	17	9	17	9	17	9
OVERTIME								
Budget (\$) vs Actual (\$)	\$ 4,166.67	\$ 781.15	\$ 4,166.67	\$ 449.75	\$ 12,500.00	\$ 22,715.40	\$ 12,500.00	\$ 2,677.99

	Aug-24		Sep-24		Previous FY YTD		Current FY YTD	
LEVEL OF SERVICES								
# of IT Help Desk Tickets Received Completed	60	56	0	0	122	78	97	90
# of Legal Claims Outstanding Resolved	0	0	1	1	1	0	1	1
# of Contracts Pending Executed	0	0	0	0	1	4	0	1
# of Purchase Orders Processed	28		9		77		68	
# of Agreements Pending Executed	0	0	0	1	1	4	0	7
# of MOU MOA Pending	0	0	0	0	1	1	0	0
# of MOU MOA Executed	0	0	1	0	0	0	1	0
# of Customer Remarks	0		1		0		2	
# of Customer Compliments	0		2		1		2	

Notes: DOW Dashboard data tracking started November 2022 & Legal claims are compiled quarterly as of March, June, September, & December

DEPARTMENT OF WATER

“Water has no Substitute – Conserve it!”

INFORMATION & EDUCATION SPECIALIST REPORT

October 17, 2024

Public Notices and Announcements

All news releases are sent to statewide media partners, published on the Department of Water’s (DOW) Facebook page and the County of Kaua`i’s website at www.kauai.gov/press-releases. Notices labeled as a Public Service Announcement (PSA) are shared directly with local newspaper and radio stations and posted on the Department’s Facebook page. Additionally, all roadwork notices are emailed to the Department of Transportation’s (DOT) communications office.

Service Announcements

<i>Date Issued</i>	<i>Water System & Affected Service Areas</i>	<i>Announcement</i>	<i>Effective Date & Times</i>	<i>Other Notices</i>
09-06-2024 09-12-2024 09-27-2024 10-01-2024	Omao-Koloa	Water conservation notice for Omao-Koloa continues until further notice	June 6, 2024, from 10:30 a.m. until further notice	Kaua`i County Alerts (weekly)
09-11-2024	LIHUE – A portion of Rice Street	Emergency water service shutdown on portion of Rice Street due to mainline break	Sept. 11, 2024	
9-16-2024 9-16-2024	n/a	DOW website unavailable DOW website internal update complete, back online	Sept. 16, 2024 Approx. 11:15 a.m. Sept. 16, 2024 Approx. 2 p.m.	Kaua`i County Alerts
9-20-2024	n/a	DOW hosts 19 th Make a Splash water education Festival	Sept. 20, 2024	Garden Island Newspaper, Kaua`i Now News, KITV (Attached)
09-30-2024	Kalaheo – Pu`uwai Road	Lane and road closure notices on Pu`uwai Road extended through October 31	Oct. 1-31	Kaua`i County Alerts
10-02-2024	n/a	DOW’s outreach and education program wins national 2024 Excellence Award		
10-02-2024	KEKAHA – portion of Ulili Road	Water service shutdown to portion of Ulili Road on Oct. 3	Oct. 3 from 9 a.m. to 1 p.m.	Kaua`i County Alerts

Public Relations Programs

Community Outreach & Education and Conservation Program

- The Department of Water received its 4th national Excellence Award from the Environmental Protection Agency for its comprehensive and creative outreach and education programs. DOW’s Public Relations (PR) section spearheaded 2 new water use efficiency campaigns in 2023 resulting in the distribution and encouraged installation of over 275 WaterSense

labeled showerheads; potentially saving nearly 750,000 gallons of water from our sources annually. EPA also highlighted PR's coordination of eight WaterSense events and staff's participation in 20 outreach reach events within the year where they also educated customers on water-saving practices, billing and water services. EPA presented the 2024 Excellence Award to Jonell Kaohelaui'i, DOW's information and education specialist and WaterSense program manager at the WaterSmart Conference and Expo awards ceremony on Sept. 26, 2024.

Advertising & Communications

- The Department's "Wise Water Wednesday" advertising awareness campaign for the month of October includes continuance of weekly water conservation notices for Omao-Koloa customers, distribution of free toilet tablets, promotion of payment kiosk and water conservation tips. The weekly media campaign is posted on the Department's Facebook page, aired on local radio stations and published on Wednesday in the Garden Island Newspaper (print and online).

Upcoming Community Outreach & Educational Events

- None.

Project WET (Water Education Today) Hawaii

- The Department coordinated its 19th Make a Splash with Project WET Festival on Friday, September 20, 2024, at the Vidinha Stadium Soccer field, receiving its largest student attendance to date at 787 fifth graders and their teachers. This year an increase to about 24 parent/aides attended the festival with their child's class to experience the 10 water education activities presented. More than 225 volunteers participated in the set-up, breakdown, presentations, activity support and other duties to make this event a huge success this year. Teachers expressed that the Make a Splash festival is the most "anticipated field trip of the year" Volunteers included DOW staff, retirees and personnel from the following agencies:
 - Aqua Engineers, Inc.
 - Department of Land and Natural Resources – Division of Forestry and Wildlife
 - Department of Health – Safe Drinking Water Branch
 - East & West Kauai Soil and Water Conservation District
 - Grove Farm Land Corporation
 - Hawaii Rural Water Association
 - Hawaii Water Environment Association
 - Kapa'a High School – JROTC
 - Kodani and Associates Engineers, Inc.
 - NOAA – Marine mammal rescue program
 - The Nature Conservancy

Attachments: *KITV.com* (DOW teaches students water sustainability with Make a Splash)
GardenIsland (Happy Camper for Saturday, Sept. 21, 2024)
KauaiNowNews.com (Kauai Department of Water hosts 19th Make a Splash water education festival)
GardenIsland (Making a Splash with interactive education)

DOW teaches students water sustainability with Make a Splash

By Jeremiah Estrada Sep 20, 2024 0



Students conduct pH testing on a variety of liquids during the Reclaim Water activity conducted by Aqua Engineers, Inc. Courtesy of Department of Water

f x e p u q

LIHUE, Hawaii (Island News) -- The Department of Water (DOW) hosted its 19th Make a Splash with Project WET festival for fifth grade students on Friday, Sept. 20, 2024.

The DOW's largest student outreach ever welcomed 787 fifth grade students at the Vidinha Stadium Soccer Field in Lihue. Each year, the Make a Splash festival unites parents, students, teachers, government resource agencies, community volunteers and businesses to educate students about how water is a precious resource.

Jonell Kaohelaui'i, Project WET state coordinator and DOW's Information and Education Specialist shared the significance of the festival, "The Make a Splash festival demonstrates the importance of education and our commitment to promote the value of water in our communities. We have a responsibility to educate the next generation of water leaders. Each year we share our knowledge with students through live demonstrations of real-life water topics and encourage critical thinking to give them a glimpse of how they can influence a sustainable water future."

-continued-

Lessons in subjects like infrastructure, environmental impact and rehabilitation, groundwater, watershed management, scientific water properties and wastewater are offered. In addition to the lesson, each activity has a hands-on element which provides students with memorable learning experiences.

Project WET provides their award-winning curriculum of water education activities with support from water-related presentations from DOW's community partners. The eight featured Project WET activities and two activities sponsored from this year included Aqua Engineers, Inc., NOAA-Marine Mammal and Sea Turtle program.

The educational presentations at the festival were made possible through volunteers from Kauai and neighboring islands who joined DOW staff.

###

Happy Camper for Saturday, September 21, 2024

By Dennis Fujimoto The Garden Island | Saturday, September 21, 2024, 12:05 a.m.

Share this story   



Dennis Fujimoto / The Garden Island

Longtime Department of Water employee Becky Malapit found her grand niece Audryn Ihara at the Make A Splash water education event at the Vidinha Stadium soccer fields on Friday, Sept. 20, 2024.



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-continued-

Kauai News

Kaua'i Department of Water hosts 19th Make a Splash water education festival

September 21, 2024 · 3:00 AM HST



Listen to this Article
2 minutes

A A A

On Friday, 787 fifth graders participated in the Kaua'i Department of Water's 19th Make a Splash with Project WET festival at the Vidinha Stadium Soccer Field in Lihue.

The event gathers parents, students, teachers, government resource agencies, community volunteers and businesses for a common cause: to educate students about water, our most precious resource.



A Wilcox Elementary student shows off her claypot ecosystem after it is restored. This activity demonstrated environmental rehabilitation after a disaster or environmental impact event. (Photo Courtesy: Kaua'i Department of Water)

-continued-



“The Make a Splash festival demonstrates the importance of education and our commitment to promote the value of water in our communities,” said Jonell Kaohelauli’i, Project WET state coordinator and the department’s information and education specialist.

Kaohelauli’i said the department has a responsibility to educate the next generation of water leaders.

“Each year we share our knowledge with students through live demonstrations of real-life water topics and encourage critical thinking to give them a glimpse of how they can influence a sustainable water future,” Kaohelauli’i said.

The festival offers lessons in infrastructure, environmental impact and rehabilitation, groundwater, watershed management, scientific water properties and wastewater. Each activity is structured in two parts: a lesson and a hands-on component, to provide students with a memorable learning experience.

Make a Splash features activities from [Project WET \(Water Education Today\)](#), an award-winning curriculum of water education activities, in addition to water-related presentations from the water department’s community partners: Aqua Engineers and NOAA-Marine Mammal and Sea Turtle program.

For more information about Make a Splash Festival or the water department’s conservation and educational outreach programs, call 808-245-5455. To learn more about Project WET, visit www.projetwet.org.

###

Lifestyles

Making a splash with interactive education

By [Dennis Fujimoto](#) [The Garden Island](#) | Monday, September 23, 2024, 12:05 a.m.

Share this story   



Dennis Fujimoto / The Garden Island An Elelele Elementary School fifth grader tried to keep the water in the bucket at the Department of Water Make A Splash water education event at the Vidinha Stadium soccer fields on Friday, Sept. 20, 2024.

LIHUE — Nearly 800 fifth grade students created a splash on Friday at the Vidinha Stadium soccer fields during the Project Wet Make A Splash water education event presented by the Department of Water (DOW) in collaboration with numerous community partners.

Jonell Kaohelaulii of the DOW said the 787 students represented the largest group they've had since Make A Splash

-continued-



FALL
Sept 16th
SAVE
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started 19 years ago.

"Today's group is from all of the public schools on the island," Kaohelaulii said. "It doesn't include any students from the charter schools or home schools that never responded to our inquiries."

As the only island in the state to present Make A Splash event, the DOW has been hosting the event since it debuted.

"We should be at 21 years," Kaohelaulii said. "But we took off for two years because of the COVID-19 pandemic. There are other islands that want to set up a similar program, but to date we're the only ones in the state that present Make A Splash."

Becky Malapit, one of the DOW volunteers, said she's been with the DOW for 20 years, and has been involved with Make A Splash for as long as she can remember.

Make A Splash is a series of interactive stations, 10 for this year, where fifth grade students receive water education centering around the DOW and its mission of being able to deliver safe, quality water to Kauai's people.

One example is housing, and the urgent need for more affordable units. But how do you build more houses and still have the ability to provide service from a finite resource such as water?

"One of our new stations this year by Aqua Engineers is 'Don't Flush,'" Kaohelaulii said.

The station discussed reclaiming water, and had student scientists taking samples of alkaline and acid products to compare against a master chart.

Earlier in the year, the DOW hosted fifth grade educators for a presentation where teachers could fully utilize the Make A Splash experience.

"This is a really good program," said a teacher from the Hanalei Elementary School. "We still don't have our school uniforms, yet, but these people even took care of the bus transportation. More people should have access to what is being presented."

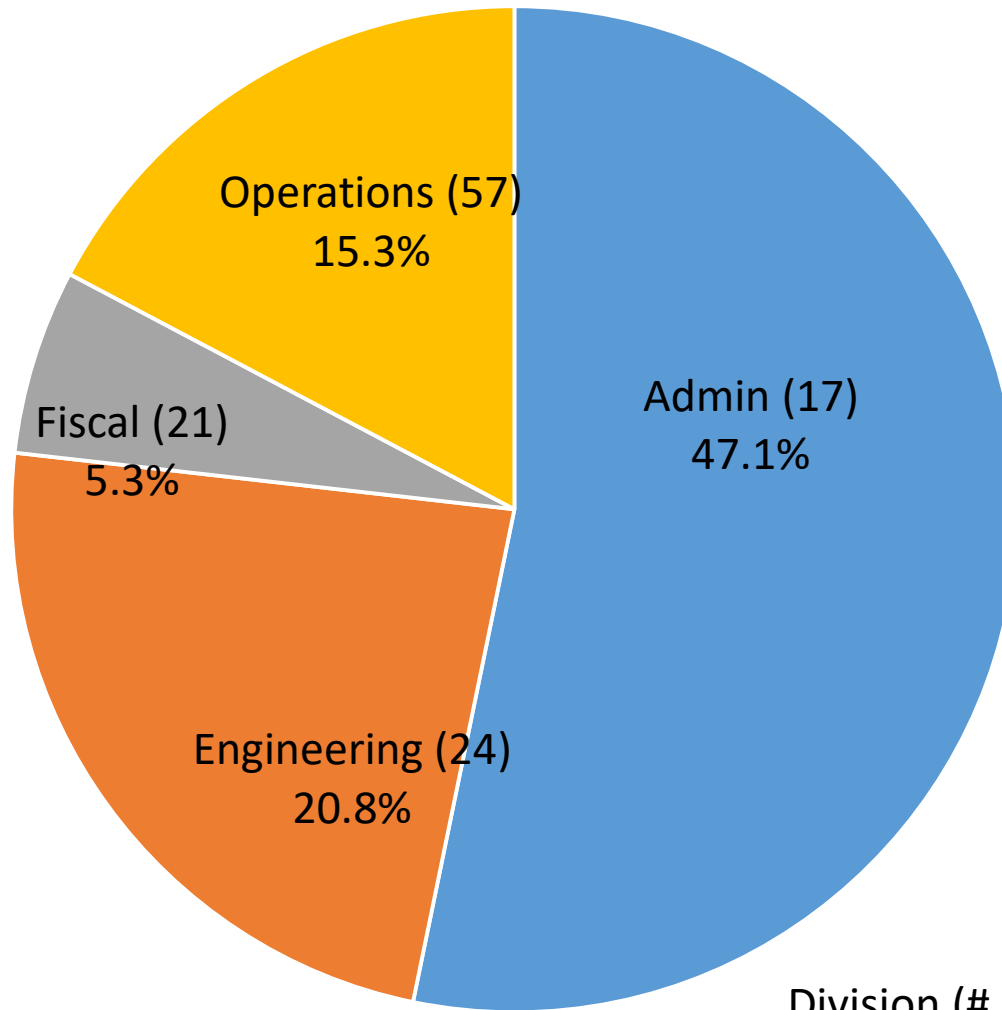
-continued-

Kaohelauii said the success of the program is the collaboration and volunteerism of the community partners and water industry leaders from Kauai and neighbor islands.

This year's collaborators joining the DOW were Aqua Engineers, Department of Land and Natural Resources, Division of Forestry and Wildlife, Department of Health, Safe Drinking Water Branch, East and West Kauai Soil and Water Conservation District, Grove Farm Land Corp., Hawaii Rural Water Association, Hawaii Water Environmental Association, Kapaa High School JROTC, Kodani & Associates Engineers, National Oceanic and Atmospheric Administration, Marine Mammal Rescue Program, The Nature Conservancy, County of Kauai, Kauai County Farm Bureau and University of Hawaii College of Tropical Agriculture and Human Resources.

###

% Vacancy Within Each Division Level



Division (# Auth) - % Vacant

DEPARTMENT OF WATER

County of Kaua'i

"Water has no substitute – Conserve It!"

MANAGER’S UPDATE

October 17, 2024

Pursuant to Board Policy No. 3

**1. RFP #IT-2025-01, CONTRACT AWARD TO COMPULINK MANAGEMENT CENTER, INC. DBA LASERFICHE
JOB NO. IT-2025-01, DOCUMENT MANAGEMENT SOFTWARE, HOSTING, AND SUPPORT SERVICES**

RECOMMENDATION:

It is recommended that the Manager approves a contract award to Compulink Management Center, Inc. dba Laserfiche for Document Management Software, Hosting, and Support Services.

FUNDING:

Account No.	10-31-10-550-000		
Acct Description	WU-Acc-Adm-Subscription Based IT Arrangement		
Funds Available	<i>Verified by WWC</i>		\$85,415.00
Contract No.	769		
Vendor	Compulink Management Center,		
	Contract Amount	\$131,498.55	
	5% Contingency	\$N/A	
	Total Funds Certified	\$85,415.00	<\$85,415.00>

BACKGROUND:

The Department currently operates in a highly paper-driven environment. The purpose of the document management software is two-fold; the Department will address Audit Finding 2023-004 *Improve Procedures to Identify and Account for Contracts* and allow the Department to transition to an electronic workflow, which captures records, routes for approval, and ultimately stores documents in the cloud for recordkeeping. The Fiscal Division worked with Deputy County Attorney, Tyler Saito, to review and approve the standard Terms and Conditions set forth in the Laserfiche agreements.

Multi-term contract for three (3) years.

Year 1: \$85,415.00

Year 2: \$22,701.20

Year 3: \$23, 382.35

Total Contract (1,095 days): \$131,498.55

**2. EIGHTH AMENDMENT TO CONTRACT NO. 440, KODANI & ASSOCIATES ENGINEERS, LLC
 JOB NO. 02-06, WP2020 #WKK-15, KĪLAUEA 1.0 MG STORAGE TANK, KĪLAUEA, KAUA'I, HAWAII**

RECOMMENDATION:

It is recommended that the Manager approve the Eighth Amendment to Contract No. 440 with Kodani & Associates Engineers, LLC for additional permitting and design and construction phase services for the above-referenced project.

FUNDING:

Account No.	10-20-10-540-010		
Acct Description	WU/Eng/Admin/Professional Services (Technical		
Funds Available	<i>Verified by WWC</i>		\$195,882.68
Contract No.	440		
Vendor	Kodani & Associates Engineers,		
	Contract Amount	\$12,700.00	
	5% Contingency	\$N/A	
	First Amendment	\$78,099.80	
	Second Amendment	\$192,200.00	
	Third Amendment	\$6,200.00	
	Fourth Amendment	\$53,424.00	
	Fifth Amendment	\$25,260.00	
	Sixth Amendment	\$180,000.00	
	Seventh Amendment	\$223,409.71	
	Total Funds Certified to Date	\$771,293.51	
Eighth Amendment:			
	Additional permitting, design and construction phase	\$195,882.68	
	Total Amendment	\$195,882.68	<\$195,882.68>
Contract Amount To Date		\$771,293.51	

BACKGROUND:

Contract NTP Date: [REDACTED] December 13, 2004
 Original Contract End Date: [REDACTED] May 12, 2005
 New Contract End Date: 730 calendar days after Notice to Proceed for Eighth Amendment

The Kīlauea-Waipake-Kalihiwai water system is supplied by two well sources; one production well and one standby well, located on the mauka side of Kūhiō Highway in Kīlauea. These wells provide supply to two (2) 0.25 MG storage tanks at the same location, three (3) 0.10 MG storage tanks at Waipake, Puu Pane and Kalihiwai, respectively. Water distribution from the Kīlauea wells and storage tank site is provided through a single transmission main before splitting off to provide service through a water distribution network to the three 0.10 MG storage tanks.

Due to the storage deficiency during fire flow and maximum day demand conditions, the Kīlauea 466' Tank project has been slated for execution during the first phase of the capital infrastructure improvement implementation as no other storage in the area has been developed. The need remains today.

The Department is currently limiting water service to lots in the area until additional storage facilities (and additional source facilities) are provided. The Department is proposing to construct a new 1.0 MG storage tank on the same site as an existing 0.1 MG storage tank. The 0.1 MG storage tank will be demolished and replaced with the new 1.0 MG storage tank. The addition of the proposed 1.0 MG tank will provide adequate storage facilities for the area.

In order to complete the bid documents and construct the project, the additional permitting and design and construction phase services are needed.

**3. THIRD AMENDMENT TO CONTRACT NO. 567 WITH ESAKI SURVEYING AND MAPPING, INC.
 JOB NO. 12-2, WK-23, U.H. EXPERIMENTAL STATION 605' TANK**

RECOMMENDATION:

It is recommended that the Manager approve the Third Amendment to Contract No. 567 for additional funds to add the Section 106 consultation which is required for federally funded construction projects. The Third Amendment also addresses duplicated efforts between the initial contract and the Second Amendment and an incorrect summation of the contract amount in the Second Amendment.

FUNDING:

Account No.	10-20-10-540-010		
Acct Description	WU/Eng/Admin/Professional Services		
Funds Available	<i>Verified by WWC</i>		\$19,322.00
Contract No.	567		
Vendor	Esaki Surveying and Mapping,		
	Contract Amount	\$38,500.00	
	5% Contingency	\$1,925.00	
	First Amendment (03/24/17)	\$0.00	
	Second Amendment (04/20/23)	\$278,149.00	
	Total Funds Certified to Date	\$316,649.00	
Third Amendment:			
	Adding in Section 106 Consultation and correcting	\$19,322.00	
	Total Amendment	\$19,322.00	<\$19,322.00>
	Contract Amount to Date	\$335,971.00	

BACKGROUND:

Contract NTP Date: [OBJ] July 5, 2013

Original Contract End Date: [REDACTED] April 1, 2014

New Contract End Date: [REDACTED] Seven hundred thirty (730) days from the NTP for the Third Amendment

The DOW is moving forward with the design of the U.H. Experimental Station 605' Tank. It was determined that a Section 106 consultation is required since the project is anticipated to be constructed using federal funds. Additionally, there was duplicated scope and fee between the initial contract and the Second Amendment. Further, the Second Amendment did not correctly sum up the contract amount. This Third Amendment addresses both issues.

**4. THIRD AMENDMENT TO CONTRACT NO. 710 WITH EUROFINS EATON ANALYTICAL, LLC
 JOB NO. SS-2022-02, WATER QUALITY LABORATORY TESTING SERVICES**

RECOMMENDATION:

It is recommended that the Manager approve the Third Amendment to Contract No. 710 with Eurofins Eaton Analytical, LLC for Water Quality Laboratory Testing Services.

FUNDING:

Account No.	10-20-10-540-010		
Acct Description	WU/Eng/Admin/Professional Services (SDWA Testing)		
Funds Available	Verified by WWC		\$N/A
Contract No.	710		
Vendor	Eurofins Eaton Analytical, LLC		
	Contract Amount	\$45,250.00	
	5% Contingency	\$N/A	
	First Amendment (Year 2 of 3)	\$45,250.00	
	Second Amendment (Year 3 of 3)	\$45,250.00	
	Total Funds Certified To Date	\$135,750.00	
Third Amendment:			
	Additional Time of Performance	\$0.00	
	Total Amendment	\$0.00	<\$N/A>
	Contract Amount to Date	\$135,750.00	
	Fund Balance		\$N/A

BACKGROUND:

Contract NTP Date: [REDACTED] August 16, 2021

Original Contract End Date: [REDACTED] August 14, 2024

New Contract End Date: [REDACTED] 90 calendar days from the NTP for this amendment

Eurofins Eaton Analytical, LLC is the only provider that complies with the State of Hawaii, Department of Health, Safe Drinking Water Branch, Electronic Data Delivery data management system Safe Drinking Water Information System. Vendor provides laboratory testing services required by the U.S. Safe Drinking Water Act.

The Third Amendment to Contract No. 710 increases the Time of Performance 90 calendar days to allow additional laboratory testing services to be performed.

**5. CHANGE ORDER NO. 3 TO CONTRACT NO. 722 (KIEWIT INFRASTRUCTURE WEST CO.
 JOB NO. 16-04, WP2020 #KW-03, MCC, CHLORINATION FACILITIES KILAUEA WELLS NO. 1 AND NO. 2, KILAUEA WATER SYSTEM, KILAUEA, KAUA'I, HAWAII**

RECOMMENDATION:

It is recommended that the Manager approve Change Order No. 3 for Contract No. 722.

FUNDING:

Account No.	10-20-10-540-010		
Acct Description	WU/Eng/Admin/Professional		
Funds Available	Verified by WWC		\$146,702.30
Contract No.	722		
Vendor	Kiewit Infrastructure West Co.		
	Contract Amount	\$3,124,020.00	
	Change Order No. 1	\$64,870.08	
	Change Order No. 2	\$22,976.72	
	Total Funds Certified	\$635,270.00	
Change Order No. 3:			
	MCC Re-Design	\$146,702.30	
	Total Change Order	\$146,702.30	<\$146,702.30>
Contract Amount To Date			
		3,358,569.10	

BACKGROUND:

Contract NTP Date: [OBJ] November 7, 2022
 Original Contract End Date: [OBJ] July 28, 2024
 New Contract End Date: [OBJ] January 13, 2028

The Kilauea Wells No. 1 and 2 MCC, Chlorination Facilities project consists of removing and installing a temporary and permanent motor control center (MCC), demolishing and installing a new roof and other hardening features to the existing pump control building, constructing a new shelter for the existing generator, and associated site grading for the new generator shelter, in accordance with the contract document requirements.

These project improvements are required to address the existing aged MCC's, upgrade the existing pump control building, and add a shelter for the existing generator.

Bids were opened on December 17, 2021. The contract award went to Kiewit Infrastructure West Co. in the amount of \$3,124,020.00, whose bid was deemed responsive to procurement. The Contract between Kiewit Infrastructure West Co. (KIWC) and the Board was executed on May 4, 2022. The Department tried to assign a Construction Manager (Bowers + Kubota) to the project. Unfortunately, on May 10, 2022, it was determined the Contract for Bowers + Kubota expired on 3-1-22. The Department performed a new Professional Services selection. A new Contract was executed with Bowers + Kubota on November 14, 2022. A NTP with KIWC was executed on November 7, 2022.

There has been a cost escalation for materials, labor, and equipment. A proposal of \$64,870.08 has been received and reviewed by the Department Staff. Due to this extended delay in issuing the NTP. Change Order No. 1 additional cost is necessary, and the cost proposal is deemed acceptable.

The access road to the project site was deemed unsafe and hazardous for vehicular traffic due to the wet and muddy conditions. KIWC proposed to make some access road improvements by placing aggregate material in muddy access road sections. On March 31, 2023, KIWC proposed an estimated cost of \$23,135.49. This would allow for manageable access to the project site. All proposed work was tracked via force account (FA). The FA sheets were signed off daily by KIWC and Bowers + Kubota. After the computation of the FA sheets. KIWC is proposing a total of \$22,976.72 and an additional 10 calendar days for Change Order No. 2.

During the submittal process of the permanent MCC. It was recognized the existing building wall space was not large enough to accommodate the new MCC. A contract time suspension was issued on September 29, 2023, so DOW's Consultant (Brown and Caldwell) could work on a redesign for the MCC. Due to the extended delay. Change Order No. 3 was issued to cover cost escalation of materials, labor, and equipment. On August 9, 2024, KIWC proposed a cost of \$146,702.30. This additional cost will cover escalation cost for materials, labor, and equipment. The proposal was reviewed by Bowers + Kubota and Department Staff. The proposal was deemed acceptable. KIWC is requesting 834 calendar days for Change order No. 3

**6. CHANGE ORDER NO. 1 FOR CONTRACT NO. 726 (HAWAIIAN DREDGING CONSTRUCTION COMPANY, INC.)
 JOB NO. 09-01, WP2020 #K-01, K-12, KALAHEO WATER SYSTEM IMPROVEMENTS; PACKAGE A-0.5 MG YAMADA RESERVOIR; PACKAGE B-0.1 MG CLEARWELL RESERVOIR; PACKAGE C-WATER MAIN INSTALLATION, KALAHEO-KOLOA WATER SYSTEM, KALAHEO KAUAI, HAWAII**

RECOMMENDATION:

It is recommended that the Manager approve Change Order No. 1 for Contract No. 726 with Hawaiian Dredging Construction Company, Inc.

FUNDING:

Account No.	10-21-00-604-029	
Acct Description	WU/Capital Outlay-R&R/Kalaheo (contingency)	
Funds Available	Verified by WWC	PO#5258 (Line 2)
Contract No.	726	
Vendor	Hawaiian Dredging Construction	

	Contract Amount	\$21,756,430.00	
	5% Contingency	\$1,087,570.00	\$1,087,570.00
	Total Funds Certified to Date	\$12,644,000.00	
Change Order No. 1:			
	Additional Project Sign and Remove Asbestos at Pkg	\$10,544.34	
	Total	\$10,544.34	<\$10,544.34>
	Contract Amount to Date	\$21,766,974.34	
	Contingency Balance		\$1,077,025.66

BACKGROUND:

Contract NTP Date: [REDACTED] October 12, 2022
 Original Contract End Date: [REDACTED] March 29, 2025
 New Contract End Date: [REDACTED] n/a

The Kalaheo Water System Improvements project consists of the construction of One (1) – 0.5 million gallon storage tank, One (1) – 0.1 million gallon storage tank and approximately 11,500 linear feet of ductile iron pipeline (12”, 8”, and 6”), water meter service connections, fire protection facilities and appurtenances, along with restoration and repaving work, in accordance with the contract documents requirements.

These project improvements are required to address the existing aged and undersized storage tanks and pipelines which are nearing the end of their life. The project’s replacement storage tanks and pipeline size have been designed to accommodate the domestic and fire protection needs of the area to meet current standards.

Bids were opened on May 11, 2022. The contract award went to Hawaiian Dredging Construction Company, Inc. in the amount of \$21,756,430.00, whose bid was deemed responsive to procurement.

The Contract between Hawaiian Dredging Construction Company, Inc. (HDCC) and the Board was executed on June 29, 2022. Notice to proceed was issued to HDCC on October 12, 2022.

It was identified in December 2023 that the Kalaheo Water System Improvements project needs to include a Bipartisan Infrastructure Law project sign since we are using funds from the Bipartisan Infrastructure Deal. A proposal from HDCC was received on December 12, 2023, in the amount of \$4,018.43. The proposal was reviewed by the Construction Manager (Bowers + Kubota) and the Department. The proposal was deemed acceptable.

During the demolition of asbestos at Package B. Per Section SP-5 – Removal and Disposal of Hazardous Materials. The Contractor was required to retain services of an independent Qualified Consultant to perform required testing and laboratory analysis. HDCC and their Consultant (Hawaii Analytical Laboratory) identified additional material found additional material at Package B. The material was tested and confirmed by Eurofins. Black caulking with paint on it was deemed to contain asbestos. This was not identified in the contract drawings. HDCC submitted a proposal on April 26, 2024, in the amount of \$6,525.91. Bowers + Kubota and the Department reviewed the proposal and deemed it acceptable. Both change proposals will be submitted as Change Order No. 1

7. U.S. ENVIRONMENTAL PROTECTION AGENCY - LEAD AND COPPER RULE REVISIONS SPECIAL BULK MAILING

RECOMMENDATION:

It is recommended that the Manager approve the budget line-item movements.

FUNDING:

Account No.:	Account Description	Amount
Fr: 10-01-10-563-000	WU-Adm-Operating Supplies	<\$12,000.00>
To: 10-01-10-544-000	WU-Adm-Freight and Postage	\$12,000.00

BACKGROUND:

In November 2021, the passing of the Bipartisan Infrastructure Law provided for unprecedented funding to support upgrades to the nation's drinking water, with funding dedicated to lead service line replacement and access to federal Drinking Water State Revolving Funds. Through this passing of legislation, water utilities are required to comply with Lead and Copper Rule Revisions with the U.S. Environmental Protection Agency (EPA). In August 2022, the EPA issued additional guidance and information to assist water utilities to prepare and maintain an inventory of service line materials by October 16, 2024. The Department completed and submitted its lead service line inventory on September 13, 2024. As part of the compliance requirements, the Department must notify all customers the results of testing, compliance monitoring, and public accessibility of service line inventory

8. PROFESSIONAL SERVICES DOW-2025-PROF-1, CONTRACT AWARD TO BOWERS+KUBOTA CONSULTING, INC. JOB NO. 25-01, AS-NEEDED CONSTRUCTION MANAGEMENT SERVICES 2024-2026

RECOMMENDATION:

It is recommended that the Manager approve a professional services contract award to Bowers+Kubota Consulting, Inc. in the amount of \$400,000.00.

FUNDING:

Account No.	10-20-10-540-010		
Acct Description	WU/Eng/Admin/Professional Services (Line 3)		
Funds Available	Verified by WWC		\$400,000.00
Contract No.	768		
Vendor	Bowers+Kubota Consulting, Inc.		
	Contract Amount	\$400,000.00	
	5% Contingency	\$N/A	
	Total Funds Certified	\$400,000.00	<\$400,000.00>

BACKGROUND:

The Department of Water (DOW) is requesting construction management services to oversee the construction of DOW's capital improvement program (CIP) projects.

CONVEYANCE OF WATER FACILITIES NONE