

REGULAR MEETING MINUTES  
BOARD OF WATER SUPPLY  
**Thursday, May 21, 2009**

The Board of Water Supply, County of Kaua'i, met in regular meeting at its office in Lihu'e on Thursday, May 21, 2009. Chairperson Leland Kahawai called the meeting to order at 10:15 a.m. On roll call, the following answered present:

**BOARD:** Mr. Leland Kahawai, Chairperson  
Mr. Dee Crowell  
Mr. Donald Fujimoto  
Mr. Raymond McCormick  
Mr. Randall Nishimura  
Mr. Roy Oyama

Absent & Excused: Mr. Ian Costa

**STAFF:** Mr. Gregg Fujikawa  
Ms. Wynne Ushigome  
Mr. William Eddy  
Mr. Keith Fujimoto  
Mr. Bruce Inouye  
Ms. Faith Shiramizu  
Deputy County Attorney Amy Esaki

Absent & Excused: Mr. Paul Ganaden

**GUESTS:** Mr. Lindsay Crawford, Kukui'ula Dev. LLC  
Mr. Tom Shigemoto, A&B Properties  
Mr. Ron Kouchi, KD Waipouli

**AGENDA**

Chair Kahawai re-ordered the Agenda to have Old Business, F7 – Selection of a new Manager and Chief Engineer, to be taken up first under Old Business.

Mr. Crowell requested that Item G-3 – Conveyance of Water Facility from KD Waipouli be moved up since the representative was present. Chair Kahawai replied that it would be taken up after Item F-7.

Mr. Nishimura moved to accept the changes to the Agenda, as amended, seconded by Mr. Oyama; motion was carried.

## **MINUTES:**

Regular Meeting – April 16, 2009

Special Meeting – May 8, 2009

Mr. Crowell moved to defer the Regular Meeting minutes of Thursday, April 16, 2009 and Special Meeting of Friday, May 8, 2009, seconded by Mr. Oyama; the motion was carried.

## **CORRESPONDENCE:**

Hale Opio Kaua'i, Inc. – Newsletter – Information only.

## **OLD BUSINESS:**

### **Re: Action by the Board Regarding the Selection of a New Manager and Chief Engineer for the Kauai Water Department**

Chair Kahawai stated that on May 8, 2009, the Board met and voted on the new Manager and Chief Engineer for the Kaua'i Water Department, and it was David Craddick; and at the same time they wanted to do the swearing in.

*A recess was called at 10:19 a.m.-10:24 a.m.*

Mr. Nishimura moved to approve the appointment of David Craddick as the Manager and Chief Engineer for the Kauai Water Department, seconded by Mr. Oyama; the motion was carried.

Mr. D. Fujimoto questioned the effective start date of the new Manager; Chair Kahawai replied that it was Friday, May 22, 2009.

### **Re: Conveyance of Water Facility from KD Waipouli, LLC, a Hawaii Limited Liability Company, for the Courtyards at Waipouli, Road Widening and Sidewalk Improvements (S-2007-04 and Z-IV-2006-3), TMK: (4) 4-3-01:014, Wailua, Kawaihau District, Kauai, Hawaii**

It is recommended that the Conveyance of Water Facility document be approved; whereby, KD Waipouli, LLC, a Hawaii limited liability company, transfer unto the Board of Water Supply, County of Kauai, all of its right, title and interest to: one (1) each, 2-inch copper single service lateral for 1 ½" water meter; two (2) each, 2 ½-inch copper single service lateral for 2" water meter; one (1) each, 8-inch ductile iron lateral for 8" detector check; one (1) each, 8-inch gate valve, including C.I. valve box & cover for 8" detector check lateral; two (2) each, fire hydrant assembly w/ 1-4 ½" & 1-2 ½" outlet; and two (2) each, 6-inch gate valve, including C.I. valve box & cover for fire hydrant, in

place complete, for the Courtyards at Waipouli, Road Widening and Sidewalk Improvements (S-2007-04 and Z-IV-2006-3), TMK: (4) 4-3-01:014, Wailua, Kawaihau District, Kauai, Hawaii.

Grant of Easement not required.

Mr. Crowell moved to approve the Conveyance of Water Facility from KD Waipouli for the Courtyards at Waipouli Road Widening and Sidewalk Improvements, seconded by Mr. Nishimura.

Discussion:

Mr. Ron Kouchi, representing KD Waipouli, expressed his thanks to the Board for the efforts that Bruce and the rest of the Water Department staff did to move his conveyance along. He stated that they were under the condition to have the units occupied by June 15, 2009 and everyone worked really hard to get all the documents for the conveyance; but unfortunately, with the amount of rain they were having, they were physically unable to complete the roadway construction on schedule. The bus turnoff was not completed, and they were not able to complete the dedication of the property over to DOT.

He stated that he wanted to inform the Board that he was submitting a letter in conjunction with the Housing Agency extending the occupancy date to August so that they can complete all the road construction, which he believed the date to be August 17, 2009. He pointed out that water is still important because the landscaping needs to be completed with the level of construction that is completed and they need the hydrants for fire protection, and he appreciated being on the agenda. He also mentioned that they are doing everything they can to get the people in sooner, and the only thing he was unaware of was that there was no such thing as a partial Certificate of Occupancy. They only issue a certificate when the whole project is completed. He stated that the Mayor asked if it would be possible to move people in sooner, and they probably have 30-40 units ready to go by the section closer to Kintaro that they could section off and not have construction activity and it would be secure. And if the mayor finds a way to do it, they will have people move in faster. They are still taking application, and he wanted to express his appreciation for the help and to let everyone know about the new amended timeline.

The motion was carried.

**Re: Status Report by Kukui'ula Development Company (Hawai'i) LLC on their Projects: 1) Subdivision Y Cottages, S-2005-25, TMK: (4) 2-6-016:016 thru 088; and 2) Subdivision Y Custom Home Sites, S-2005-25; and 3) Subdivision M1/M4 Custom Home Sites, S-2005-21, Kukui'ula Development, Kukui'ula, Kaua'i, Hawaii**

Mr. Lindsay Crawford of Kukuiula Development was present at the Board Meeting.

*Kukuiula has submitted the attached monthly status update on their project. As part of their Approval of DOW Waiver, Release and Indemnity Agreement Request for: 1) Subdivision Y Cottages, S-2005-25, TMK: (4) 2-6-016:016 thru 088; and 2) Subdivision Y Custom Home Sites, S-2005-25; and 3) Subdivision M1/M4 Custom Home Sites, S-2005-21, Kukuiula Development, Kukuiula, Kaua'i, the Board requested monthly status updates on Kukuiula's project.*

### **Waiver, Release and Indemnity Agreements (WR&I)**

Instead of revising the remaining WR&I agreements to include language to clarify and confirm that they will maintain the circulation of water through their on-site water system and pay for the cost of the water used as proposed by the Kukuiula commission plan at the DOW established rates, Kukuiula has agreed to prepare a Memorandum of Agreement (MOA) which memorializes the requirements for circulating water through the subject development prior to the execution of any additional WR&I agreements by DOW for Subdivision Y and M1/M4. The MOA will be a separate document from the WR&I agreement. On May 7, 2009 Kukuiula did submit a letter that included the draft terms and requirements of the water circulation MOA for DOW review. The DOW staff is currently reviewing the draft terms of the MOA and will be working with Kukuiula to prepare the formal MOA document. Once the MOA is finalized and executed, DOW will approve the remainder of the WR&I Agreements and its related Building Permits.

### **Subdivision M1/M4 and Manuhonuhonu Tank Flushing Incident:**

On May 1, 2009 the DOW and Kukuiula conducted emergency flushing operations for the interior water lines for the M1/M4 subdivision and at the Manuhonuhonu Tank. Apparently Kukuiula discontinued their monitoring for residual chlorine in their waterlines and tank and allowed the chlorine residual to drop below acceptable levels which resulted in the build-up of elevated levels of back-ground bacteria counts that indicated stagnation within the waterlines. The DOW has since informed Kukuiula that prior to conveyance of the Kukuiula water improvements, KDC is responsible to operate and manage their water system improvements. Diligent monitoring and maintaining of the chlorine residual levels as well as proper flushing and circulation of the Kukuiula waterlines will help to avoid similar problem situations.

### **Piwai 0.1 MG Tank**

At the April, 2009 Board meeting the DOW verified that Kukuiula Development Company (KDC) and the DOW were able to reach a preliminary solution for the Piwai Tank.

The preliminary solution included the following:

1. KDC redesign and construct a altitude valve solution for Piwai Tank in order to maintain the current system pressure in the Lawai-'Oma'o System at 677'. DOW will review and approve the tank redesign.
2. KDC will provide the land necessary for the DOW new 05.MG 'Oma'o Tank that will be located adjacent to the Piwai Tank at no charge to DOW.

3. DOW will allow conveyance of the Piwai Tank project upon issuance of final inspection by DOW for the redesigned altitude valve solution.

The Board concurred with the preliminary solution and requested that the DOW and KDC prepare a formal agreement.

The Department and Kukuiula Development Company and A&B Properties met on April 24, 2009 at the DOW Lihue Office with the intent to resolve the Piwai Tank spillway elevation discrepancy. The group prepared a list of agreement terms and details regarding the tank redesign and the DOW 0.5 MG 'Oma'o Tank Site land issues. KDC is currently preparing an agreement outline that will be submitted for further review and development by both parties.

In early May the KDC engineering consultant started the preparation of preliminary design plans for the "altitude valve" redesign of Piwai Tank. Both DOW staff and KDC have reviewed and provided feedback regarding the preliminary redesign plan.

Discussion:

Mr. Lindsay Crawford stated that they are working on the Memorandum of Agreement (MOA) and worked out the circulation problem. DOW staff and Kukuiula's design engineers fine tuned and addressed the valves to install and solve the spill issue. He stated that they may not be calling it an altitude valve any more although it accomplishes the same thing. The sequences of valves that are more of a control valves, accomplishes the same outcome and it does it in the fashion that the staff wants. He also mentioned that Greg Fukumitsu (Tom Nance Water Resource Engineering) is working on the final version of the concept drawings, and he is going to come up with a preliminary process, which is the range that they think it should be. In addition, they still have the remaining issue of the reimbursement. He added that they still have some disagreement on the reimbursement; but Kukuiula desires to go forward and construct the control valve system; and if they do that, Kukuiula would like to be fully compensated for the reimbursement of the material differential, which is another item that they are working on.

Mr. Nishimura moved to accept the status report, seconded by Mr. Oyama; the motion was carried.

*Mr. Crawford left the meeting at about 10:26 a.m.*

**Re: Status Update on the Brydeswood Agricultural Subdivision, Phase II (S-93-50) and Phase III (S-2006-04), TMK: 2-4-007:002 & 020, Kalāheo, Koloa District, Island of Kaua'i**

**Recommendations:** N/A

**Status Update:**

At the April 16, 2009 Board meeting, the Board referred this agenda item to the DOW staff. The Board requested that a status report be submitted at the next Board meeting in May, 2009.

The DOW met with the subdivider on April 20, 2009 to discuss the DOW recommendations regarding the revisions of the Non-Interconnect, Indemnification, Waiver and Release Agreement for the Brydeswood Agricultural Subdivision, Phase II and Phase III. The purpose of the meeting was to discuss the original draft document and work toward a revised version that is satisfactory to both DOW and the subdivider. The subdivider and DOW listed applicable agreement terms and conditions that included (but is not limited to) the basis for the private water system design, modification of Water System Standards, private water company bi-laws subdivision bond conditions and various restrictive covenants relating to the private well water system. The subdivider agreed to use a draft agreement that was submitted for a similar-type project as a guide for the subject private water system Waiver, Release and Indemnity Agreement.

A copy of the letter from A&B Properties, dated May 4, 2009, which memorialized the April 20, 2009 meeting, was attached to the Board report. Once the issues, format and terms are resolved, the subdivider will prepare and submit a Private Water System Waiver, Release and Indemnity Agreement for DOW and County Attorney Office review.

The Department is also preparing a revised DOW subdivision report for the Planning Department that will include the Board's approval of the private water system conditions, as well as, previous DOW subdivision conditions for both subdivision applications.

**Background:**

In January 2008, the DOW submitted Revised Subdivision Report recommendations for Brydeswood Subdivision, Phase II (S-93-50) and Phase III (S-2006-04), which provided the subdivision applicant the option to serve the proposed subdivision from a private (non-County) water system, in lieu of satisfying the conditions to connect to the County water system. Condition 3.e.(3), of the DOW revised report stated that the subdivider shall be responsible for the construction, operation and maintenance of the private well water system which shall provide adequate domestic and fire protection capacity for existing and proposed water demands for the lots. The private well water system shall conform to the Rules and Regulations and the construction standards of the Department of Water, and be in compliance with all other governmental agency requirements.

A & B Properties submitted a letter dated July 31, 2008 to the Board and subsequent letter to the Department of Water dated October 23, 2008 stating that the water system will be privately owned and requested to deviate from compliance with the Department of Water (DOW) Water System Standards, 2002 for their proposed private subdivision water system. The letter included a list of areas, which the Brydeswood Private Water System will deviate from the Water System Standards for the State of Hawai'i.

At the November 13, 2008 Board meeting, the subdivision applicant and the Board agreed that restrictive covenants and/or an Ag Subdivision Agreement similar to other subdivision private well water systems, shall be submitted by A&B Properties to the Board for its review.

Also, at the November 13, 2008 Board meeting, the Board approved the applicant's request subject to review of the deed and any other agreements that staff deems necessary to accomplish their project.

By letter dated November 3, 2008, A & B Properties submitted a draft "Non-Interconnect, Indemnification, Waiver and Release Agreement for Brydeswood Subdivision to the Department for review.

The Non-interconnect, Indemnity, Waiver and Release draft was recently reviewed by the County Attorney Office in early March, 2009 and is currently under Department review. The purpose of the agreement is to clarify the private water system improvement's ownership and operation and the approved modification to the DOW Water System Standards for this subdivision as well as other items that relate to other subdivision private water systems.

At the April, 2009 Board meeting, the Board was requested to review and discuss the provisions of the original draft Non-Interconnect Waiver, Release and Indemnity Agreement. As a result, the Board instructed DOW and the subdivider to meet and resolve the issues and format of the private well water system agreement and to provide a status report back to the Board at its May, 2009 meeting.

The Department met with the subdivider on April 20, 2009 and is currently reviewing the proposed revisions to the draft agreement.

Discussion:

Tom Shigemoto stated that what Acting Manager Fujikawa reported was basically true, but there was one point of disagreement that deals with the size of the steel tank that they are proposing. He did not feel that this issue would be resolved even though they met numerous times, and he wondered if the Board was ready to decide today what they approved in November. He believed that was the direction from the Board; if they could not agree, they would go back to the Board and come to some kind of resolution. He stated that they pretty much agreed on everything else, and the revised agreement is being done in accordance with standard of the Private Water System Agreement.

On query by Mr. D. Fujimoto on what they are we actually approving since the Board already approved the exemptions from the standards, Mr. Kahawai replied that they are trying to put it in a more formal manner.

Mr. D. Fujimoto felt that the disagreement was on the quantity of the tank, and he felt that the redundancy issue has been addressed. A&B has agreed to build two tanks instead of one, but the Department's position is to build an extra redundancy tank for

the same volume. Their engineers are saying it should be sufficient, and this is a private water system where the Water Department is not really responsible for, which they are going to indemnify the Board. He wanted to make a motion, but he wasn't sure what they were trying to approve. He added that he just wanted to move this issue forward to the point where the developer can proceed with their agreement based on the engineer's recommendation.

Chair Kahawai added that the agreement has just been provided to the staff on May 19, 2009.

Mr. D. Fujimoto felt that the developer addressed the issues and the last point was a matter of philosophy since their engineer has a position and the Department's position is they want the redundancy since it is the water standard.

Ms. Esaki added that they could wait on doing any motion until they have the agreement before them or Board and staff have a chance to review it.

Mr. Nishimura moved to accept the status report, seconded by Mr. D. Fujimoto.

On query by Mr. Crowell on the discrepancy or disagreement between the tank size, Mr. D. Fujimoto replied that the issue is the Water Standard which causes a redundancy. He reminded them that this is a private system and they already came in for a variance and the variance is to submit the standards and not to build the redundancy, which he thought was approved. The other issue that was brought up was whether it would be one tank or two tanks, and they decided to build two tanks and that solved the maintenance issue on what happens when they work on one tank.

To clarify, Ms. Ushigome replied that the .25 MG tank is basically a domestic capacity, and they did not take care of the ag component of this ag subdivision.

On query by Mr. Crowell if this was a requirement, Ms. Ushigome replied that by their planning guidelines they would typically have a demand for consumption for calculation.

Mr. D. Fujimoto added that he thought the subsequent study addressed that issue, which showed that the ag was coming from somewhere else.

Ms. Ushigome stated that the developers are saying they do not have another ag source.

Mr. D. Fujimoto replied that the tank was sized sufficiently for what they felt would accommodate the ag source. He repeated that this is a private source and they still have to go through the planning process and prove it to the Planning Commission.

Ms. Ushigome asked if that is the Board's intent to defer it to the Planning Commission to require the ag component to the subdivision, then that would be the Board's decision.



Acting Manager Fujikawa added that from the last Board meeting, the intent for the status report was to come up with an agreement, and the way they were approaching this was really to document and clearly show what the basis of the Board's action were back in the November Board meeting and show the indemnification and restrictions in return for the Department to allow the modification to the private water system. He stated that his goal, when the agreement is finally revised and executed, would be the nucleus. He added that they just received a draft copy of the former agreement which they didn't have a chance to review, and he asked the Board to give them some time where they can review it and go back to the developer and refine it and get it to a form where they think the Board can look at it and get a clearer understanding or a written basis on how to conduct their final approval.

Mr. Shigemoto repeated that there still is a disagreement with staff and felt that the decision for the Board would be the size of the two tanks; and if they have to wait another month, they are not going to get an agreement and then they have to wait another month until the Board decides. He stated that their position has not changed from back in November, and their consultants still believe that the 250,000 gallon tanks are sufficient. He further pointed out that instead of that being done in one tank; they built two tanks, as suggested by staff; but not a total redundancy of two 250,000 gallon tanks. He added that is their position and that is what is included in the Engineering Report and part of that Engineering Report, although it wasn't on a separate form but on a plan that was submitted before the November meeting. It was part of the meeting and their understanding is that the Board did approve their request except there was a request to consider the redundancy. Therefore, if the staff's position isn't going to change, then ultimately it goes back to the Board to decide if there are two 250,000 gallon tanks or two tanks with the total capacity of 250,000 gallons.

Mr. D. Fujimoto added that the real issue is whether the 250,000 gallons is sufficient, not whether there are one or two tanks, because that issue was already passed. His understanding is that the Engineering Report was the basis for the prior approval for 250,000 gallons and the double tank was just initial maintenance not really quantity.

Chair Kahawai reminded the Board that on today's agenda item, there is no action item it is only a status report.

Mr. D. Fujimoto stated that their decision should be based on the staff either accepting or denying that the 250,000 gallons is adequate.

Acting Manager Fujikawa agreed with what was said earlier and recalled that the Board did approve their request back in November; however, A&B Properties did agree to consider providing backup storage. The Department considers backup storage as if you lose the tanks by it being destroyed, contaminated or repainted, then the backup storage would be another similar sized tank; if one tank goes down for awhile, there is another backup tank.

Mr. Shigemoto agreed that the perception was they would consider it, and they thought as backup was to maintain 250,000 gallons in total; but they were going to divide it up into two smaller tanks. That was how they viewed backup. If one small tank goes down, they would have a smaller tank to back it up, but that smaller tank would not constitute 250,000 gallons.

Mr. D. Fujimoto added that the developer was talking about a 50% redundancy rather than a 100% redundancy. He added that the issue is, if you are looking at redundancy, they did compromise; they said they would build two tanks and they addressed both maintenance as well as redundancy, but it doesn't give them 100%, it gives them 50% and this is a private system and they did come in for a variance to the standards.

To clarify, Acting Manager Fujikawa stated that the issue of the backup was really not included in the original modification. The developer agreed to consider providing a backup for the ag situation. At the meeting, they did not agree to it, they agreed to consider it.

Mr. D. Fujimoto stated that when you look at what was asked in previous situation, they relied heavily on the private engineer to justify the quantity and the source; and now they are stuck on the quantity. He said on part of the issue, they did not have to but they agreed to give the two tanks but not 100% redundancy.

Ms. Ushigome added that the Opaekaa Development Agreement required the developer to provide domestic, ag and fire protection so similarly the agreements are consistent as the Board requested. It would be more of a standardized item; those would be part of this agreement.

Mr. D. Fujimoto felt that they should move ahead with the agreement, which will be based on the Engineering Report that they have not seen. Mr. Fujikawa replied that the report was in the November packet.

Mr. D. Fujimoto also added that it has always been whether they would include the ag part or not, and ag could be addressed in many different ways; it doesn't have to go through a potable water source. In fact, they would recommend that it not be though potable source.

Ms. Ushigome agreed with that statement, and stated "if there is another potable source."

Mr. D. Fujimoto voiced his concern about not allowing the process to proceed. He felt that the Water Department would get a chance to re-evaluate the studies and come back with recommendation; but in the meantime, the developer can move forward and can actually formulate the agreement; at least at the next meeting, the issue will be resolved or they can take action before that to resolve the issue.

Mr. Shigemoto questioned the purpose of going back to the staff to discuss the issue of the 250,000 tank capacity, when there already is a disagreement.

Acting Manager Fujikawa added that there are other issues and that was the first draft that was submitted, which they will review and list the terms and conditions. They also agreed with the developer that both parties are not locked in the original agreement and both parties can further revise it; but they still needed time to look at the agreement.

Addressing the developer, Mr. D. Fujimoto strongly recommended that they address the ag issue, which would clarify a lot of the issues.

Acting Manager Fujikawa stated that he hoped that the agreement issue and other issues from the November meeting when the Board took action on the modification request would be clearly documented in this agreement to detail the justification and basis for why the Board approved the modification and show the clear outcome of what the restrictions are for a private water system.

The motion was carried.

*Mr. Shigemoto left at 10:52 a.m.*

**Re: Job No. 04-06, KW-05, KW-20, Waimea Well “A” Renovation and Kekaha (Waipao) Well ‘B’ Renovations, Waimea and Kekaha, Third Contract Amendment with Engineering Solutions, Inc.**

RECOMMENDATION: It is recommended that the Board approve the third contract amendment for Contract No. 462 with Engineering Solution, Inc, for additional time to complete the subject project.

**FUNDING:**

Not applicable.

**BACKGROUND:**

The project includes the design for:

Waimea Well “A” Renovations. Major items of work include:

- Replace existing line shaft pump with submersible pump.
- Replace existing motor control center.
- Replace gas chlorination system with sodium hypochlorite system.
- Replace existing control building wooden roof with new concrete roof. Add new supports as needed.
- Provide addition to control building to separate motor control center with chlorination equipment.
- Security improvements, including new steel doors, louvered windows, barb wire on top of the existing fencing, etc.
- Repaint building and piping.

- Replace existing propeller flow meter with new venturi tube flow meter and control valve piping.

Kekaha (Waipao) Well 'B' Renovations. Major items of work include:

- Provide new hydro-pneumatic system for existing deepwell line-shaft pre-lube.
- Evaluate the damaged areas of the existing roof and replace the affected Monier tile roofing.
- Security improvements, including new doors, louvered windows, barb wire on top of the existing fencing, etc.
- Repaint building and piping.
- Install new 8" gate valve on existing 8" AC main just outside of existing fenceline.
- Fill and compact eroded areas around the existing concrete swale. Provide pavement as needed to direct water into existing concrete swale.
- Provide new concrete swale with drain diversion wall on the southwest side of the access road. Repair eroded areas near the pump discharge outlet as necessary.

Kekaha (Waipao) Well 'B' Renovations will be advertised shortly, however Waimea Well "A" Renovations will be delayed due to a conflict with the State Highways easement.

The project consultant, Engineering Solutions, has requested additional time to complete the project due to the unforeseen problem with the State Highways approval, which is being held up pending their determination of the right of way. Additionally, the revised drawings required review by the County Public Works Department, which further delayed the project.

The State has not given a time frame for the resolution of the right of way so the additional time will be for a year. If the State has not made a determination by that time, we will need to renegotiate their contract to reflect the wages at that time.

Mr. D. Fujimoto moved to approve the third Contract Amendment for Contract No. 462 with Engineering Solution, Inc, for additional time to complete the subject project, seconded by Mr. Oyama; the motion was carried.

**Re: Job No. 02-15, WK-28, Wailua Houselots Main Replacement, Kauai, First Contract Amendment with R.M. Towill Corporation**

RECOMMENDATION: It is recommended that the Board approve the first contract amendment for Contract No. 403 with R.M. Towill Corporation, for updating and completing the work that was placed on hold in July 2007 for \$87,860.00. We further request that the Board allocate \$55,459.00 from Account 101b, CRP Reserve to fund the balance needed for the amendment and extend the contract completion date to February 1, 2010.

**FUNDING:**

Total Fund Budgeted..... \$252,260.00

Contract No. 403, R.M. Towill Corporation

Job No. 02-15, WK-28, Wailua Houselots

Main Replacement. ....<\$240,260.00>

Balance Remaining ..... \$12,000.00

Credit from RM Towill's Contract..... \$20,401.00

Balance Remaining ..... \$32,401.00

Amendment #1 .....<\$87,860.00>

Total Required Account No. 101b, CRP Reserve .....<\$55,459.00>

Total Project Budget..... \$307,719.00

**BACKGROUND:**

The project includes the design for:

- 1,650 Linear Feet of 8-Inch Ductile Iron Pipe along Eggerking Road
- 1,660 Linear Feet of 8-Inch Ductile Iron Pipe along Lanakila Road
- 1,650 Linear Feet of 8-Inch Ductile Iron Pipe along Hookipa Road
- 1,410 Linear Feet of 8-Inch Ductile Iron Pipe along Kamokila Road
- 1,420 Linear Feet of 8-Inch Ductile Iron Pipe along Makani Road
- 320 Linear Feet of 8-Inch Ductile Iron Pipe along Wailana Road
- 150 Linear Feet of 2½-Inch PVC Pipe along Wailana Road
- 390 Linear Feet of 8-Inch Ductile Iron Pipe along O'o Road
- 390 Linear Feet of 8-Inch Ductile Iron Pipe along Pua Road
- 1,150 Linear Feet of 8-Inch Ductile Iron Pipe along Kula Road

The Department would like to proceed with completing this project, which was placed on hold in July 2007. We have reviewed R.M. Towill Corporation, the project consultant's proposal of \$87,760.00 to complete the work, which appears reasonable. At the time the project was placed on hold, there was a balance of \$32,401.00 remaining for this contract, requiring an additional \$55,459.00 to complete the project.

Further, it is estimated that the consultant will need approximately 120 calendar days from the notice to proceed for the contract amendment to complete the project. The Department anticipates that the consultants should be able to complete the design by February 1, 2010 subject to timely reviews by the Department of Water and the County Public Works Department.

Mr. D. Fujimoto moved to approve the First Contract Amendment for Contract No. 403 with R.M. Towill Corporation, for updating and completing the work that was placed on hold in July 2007 for \$87,860.00 and that the Board allocate \$55,459.00 from Account 101b, CRP Reserve to fund the balance needed for the amendment and extend the contract completion date to February 1, 2010, seconded by Mr. Oyama; the motion was carried.

**Re: Job No. 06-01, KW-28, Amfac Shaft 11 (State Well No. 5842-02), Phase IB, Facility Testing, Evaluation and Reporting, Kekaha, Kauai, Contract Amendment No. 4.**

RECOMMENDATION: It is recommended that the Board approve the fourth contract amendment with Brown and Caldwell, consultants for this project to clean, seal and assist with collection or the water quality testing of the well. We further request that the Board allocate \$108,162.00 from Account 101b, CRP Reserve to fund the balance needed for the amendment and extend the contract completion date to August 31, 2009.

**FUNDING:**

Total Fund Available..... \$591,106.00

Contract No. 466, Brown and Caldwell  
Job No. KW-28, Amfac Shaft 11 (State  
Well No. 5842-02), Phase IB, Facility  
Testing, Evaluation and Reporting,  
Kekaha, Kauai.  
\$572,431.00  
Amendment #2 ..... \$ 12,852.00  
Amendment #3 ..... \$ 0.00  
Amendment #4 ..... \$113,985.00

Total Required..... <\$699,268.00>  
Balance Required Account No. 101b, CRP..... <\$108,162.00>

**BACKGROUND:**

This amendment was previously submitted to the Board at its April 16, 2009 meeting, however was mislabeled as the third contract amendment. The Board approved the third contract amendment at its October 9, 2008 meeting to extend the contract performance date.

Brown and Caldwell has completed the water quality testing and the results are uncertain as to whether the well water is under the influence of a nearby drainage pond or due to the well shaft being open and unsecured. Therefore, we would like to remove all debris including any insects, rodents, toads, etc, which may be contributing to the water quality. Once that is completed, cleaned and water chlorinated; shaft sealed from any influences which may contribute to the well water quality, the water quality will be re-evaluated and they will revise the preliminary engineering report as necessary.

Brown and Caldwell submitted a proposal of \$113,985.00 for the work involved, which we feel is reasonable.

Mr. Nishimura moved to approve the Fourth Contract Amendment with Brown and Caldwell, consultants for this project, to clean, seal and assist with collection or the water quality testing of the well and to allocate \$108,162.00 from Account 101b, CRP

Reserve to fund the balance needed for the amendment and extend the contract completion date to August 31, 2009, seconded by Mr. Oyama; the motion was carried.

**Re: Discussion and/or Action by the Board on the DOW's Hiring of the Waterworks Legal Advisor**

This matter was deferred from the April 2<sup>nd</sup> Special Board Meeting and will be further discussed at the Thursday, April 16, 2009 Board Meeting.

Chair Kahawai stated that this issued will be deferred until the next board meeting to allow this to be the responsibility of the new Manager and Chief Engineer to look at hiring of Waterworks Legal Advisor.

Mr. Oyama moved to defer action until the next board meeting, seconded by Mr. Crowell; the motion was carried.

**NEW BUSINESS:**

**Re: License Easement No. 674, Pi'ilani Mai Ke Kai Subdivision, Phase I, Anahola, Kaua'i, Hawai'i**

Recommendation:

That the Board approve License Easement No. 674, between the State of Hawai'i, Department of Hawaiian Home Lands and the County of Kaua'i, Department of Water.

Funding: Not Applicable.

Background:

By law, the State Department of Hawaiian Home Lands (DHHL) is precluded from conveying to the Department of Water (DOW) water facilities which DHHL constructs for its developments. Because of this restriction, a License Easement between DHHL and the DOW must be executed for water facilities installed by DHHL for DHHL's Mai Ke Kai Subdivision, Phase I, Anahola, Kaua'i, Hawai'i.

The License Easement grants and conveys unto the Department of Water, and its successors and assigns, a perpetual right and privilege to excavate for, install, repair, replace, maintain, alter, operate and use the waterlines and water mains and related appurtenances in, into, upon, over, across, under and through the land shown in Exhibit A of License Easement No. 674, and incorporated herein by reference (the "Easement Area"), including the right of entry upon the easement area and adjoining land of the DHHL for the construction, repair, maintenance alteration, operation and replacement of the waterlines and appurtenances over, across and under the easement area.

Further, Board approval is requested for the following indemnification provision within the License Easement.

*The Department of Water shall, to the extent permitted by law, indemnify and hold harmless the Department of Hawaiian Home Lands (DHHL) from any and all claims and demands against the DHHL for any loss or damage or injury or death to persons or property that shall or may arise by reason of the negligent construction, maintenance, operation, renewal and removal of the appliances, equipment, and improvements not caused by the negligence of the DHHL, its agents, servants or employees acting within the scope of their employment, and from and against all damages, costs, counsel fees, expenses or liabilities incurred or resulting from any such claim or demand or any action or proceeding brought thereon.*

Mr. Nishimura moved to approve the License Easement No. 674, between the State of Hawai'i, Department of Hawaiian Home Lands and the County of Kaua'i, Department of Water, seconded by Mr. Oyama; the motion was carried.

**Re: Conveyance of Water Facility from Ethel L. Farias, Joanne F. Coates, George R. Coates, Elroy J. Farias, Darlene M. Ruiz Farias, Eugene J. Farias and Jodi Ann Y. Matsumoto Farias, TMK: (4) 2-3-01:019 and 049, Lauoho Road, Lawai, Kauai, Hawaii**

It is recommended that the Conveyance of Water Facility document be approved; whereby Ethel L. Farias, Joanne F. Coates, George R. Coates, Elroy J. Farias, Darlene M. Ruiz Farias, Eugene J. Farias and Jodi Ann Y. Matsumoto Farias transfers unto the Board of Water Supply, County of Kauai, all of is right, title and interest to a double service connection for 5/8" water meters, in place complete, in accordance with the as-built construction drawings for water service connection for Mr. & Mrs. George Coates (Unit 1), and Mr. And Mrs. Eugene Farias (Unit 2) 3291-C Lauoho Road Kalaheo, Hawaii 96741, Tax Map Key: (4) 2-3-1:49 and Mr. Joseph Farias c/o Mr. and Mrs. Elroy Farias (Unit B) 3299-B Lauoho Road, Kalaheo, Hawaii 96741, Tax Map Key: (4) 2-3-1:19, Prepared by Fred Reyes, P.E.

A Grant of Easement is not required.

Mr. Nishimura moved to approve the Conveyance of Water Facility from Ethel L. Farias, Joanne F. Coates, George R. Coates, Elroy J. Farias, Darlene M. Ruiz Farias, Eugene J. Farias and Jodi Ann Y. Matsumoto Farias, seconded by Mr. Crowell; the motion was carried.

**Re: Conveyance of Water Facility from James C. Seitzzahl, Trustee of the Seitzzahl Family Trust dated August 26, 1999 and Cherrie g. Seitzzahl, Trustee of the Seitzzahl Family Trust dated August 26, 1999, TMK: (4) 4-6-15:089, I'iwi Road, Kapaa, Kauai, Hawaii**

It is recommended that the Conveyance of Water Facility document be approved; whereby James C. Seitzzahl, Trustee of the Seitzzahl Family Trust dated August 26, 1999 and Cherrie G. Seitzzahl, Trustee of the Seitzzahl Family Trust dated August 26, 1999 transfers unto the Board of Water Supply, County of Kauai, all of is right, title and interest to a single service connection for 5/8" water meter, in place complete, in



accordance with the as-built construction drawings for 2<sup>nd</sup> Domestic Service Connection for TMK: (4) 4-6-015:089 (Lot 3-B) I'iwi Road, Kapaa Houselots, Kapaa, Hawaii, prepared by Peter Taylor Engineer & Land Surveyor, Inc.

A Grant of Easement is not required.

Mr. Nishimura moved to approve the Conveyance of Water Facility from James C. Seitzzahl, Trustee of the Seitzzahl Family Trust dated August 26, 1999 and Cherrie g. Seitzzahl, Trustee of the Seitzzahl Family Trust dated August 26, 1999, seconded by Mr. Crowell; the motion was carried.

**Re: Grant of Easement from Michael B. Kaplan and Linda G. Kaplan, Co-Trustees of the 1994 Michael and Linda Kaplan Trust under Unrecorded Declaration of Trust dated May 4, 1994, and Lawai Cannery Row, LLC, for On-Site Water Facilities for the Construction Plans for New Waterline Servicing Mini-Warehouse Facility at Lauoho Road, Z-IV-2003-26, TMK: (4) 2-5-04:005, Koloa, Kauai, Hawaii**

It is recommended that the Board approve the grant of easement whereby Michael B. Kaplan and Linda G. Kaplan, Co-Trustees of the 1994 Michael and Linda Kaplan Trust under Unrecorded Declaration of Trust dated May 4, 1994, and Lawai Cannery Row, LLC, grant to the Board of Water Supply, County of Kauai, a perpetual easement on, over and under that certain parcel of land located in TMK: (4) 2-5-04:005, Koloa District, Kauai, Hawaii, for the construction, installation, reinstallation, maintenance, repair and removal of potable water pipelines, related meters, valves, and other associated waterworks facility improvements and appurtenances, together with the right of ingress and egress at any time to, from, and through the easement area, with or without vehicles or equipment, as the Department of Water shall deem necessary for the proper operation of its water system for the New Waterline Servicing Mini-Warehouse Facility at Lauoho Road, Z-IV-2003-26, TMK: (4) 2-5-04:005, Koloa, Kauai, Hawaii.

Further, Board approval is specifically requested of the indemnification provision in this agreement, wherein the Board agrees to indemnify and hold harmless the Grantee from property damage and injuries to person (including death), when such damages and injuries are caused by the Department's negligence while using the area.

Mr. Nishimura moved to approve the Grant of Easement from Michael B. Kaplan and Linda G. Kaplan and Lawai Cannery Row, LLC, for on-site water facilities for the construction plans for a new waterline servicing a mini-warehouse facility at Lauoho Road, seconded by Mr. Crowell; the motion was carried.

**Re: Conveyance of Water Facility from Michael B. Kaplan and Linda G. Kaplan, Co-Trustees of the 1994 Michael and Linda Kaplan Trust under Unrecorded Declaration of Trust dated May 4, 1994, and Lawai Cannery Row, LLC, for on-site water facilities for the construction plans for New Waterline Servicing Mini-Warehouse Facility at Lauoho Road, Z-IV-2003-26, TMK: (4) 2-5-04:005, Koloa, Kauai, Hawaii**

It is recommended that the Conveyance of Water Facility document be approved; whereby Michael B. Kaplan and Linda G. Kaplan, Co-Trustees of the 1994 Michael and Linda Kaplan Trust under Unrecorded Declaration of Trust dated May 4, 1994, and Lawai Cannery Row, LLC, transfers unto the Board of Water Supply, County of Kauai, all of its right, title and interest to the following item:

Waterline:

252	L.F.	12" Ductile Iron Waterline, in place complete.
1028	L.F.	8" Ductile Iron Waterline, in place complete.
15	L.F.	2 - 1/2" Copper Waterline, in place complete.
48	L.F.	2" Copper Iron Waterline, in place complete.
4	EA.	12" Gate Valve, Including C.I. Valve Box and Cover
8	EA.	8" Gate Valve, Including C.I. Valve Box and Cover
3	EA.	6" Gate Valve, Including C.I. Valve Box and Cover
1	EA.	1-Inch Copper Air Relief Valve Assembly, in place complete
2	EA.	2 -1/2" Cleanout, in place complete
1	EA.	1-Inch Copper Single Service Lateral for 5/8-inch Water Meter, in place complete
1	EA.	1-Inch Copper Single Service Lateral for 3/4-inch Water Meter, in place complete

Fire Hydrants:

3	EA.	Fire Hydrant Assembly with 1 - 4 1/2" and 1 - 2 1/2" Outlet, in place complete.
3	EA.	6" Gate Valve, Including C.I. Valve Box and Cover for Fire Hydrant

Detector Check Meter:

1	EA.	6" Ductile Iron Lateral for 6" Detector Check, in place complete.
1	EA.	6" Gate Valve, including C.I. Valve Box and Cover for 6" Detector Check Lateral.

in place complete, in accordance with the as-built construction drawings for construction plans for new waterline servicing mini-warehouse facility at Lauoho Road prepared by Esaki Surveying and Mapping, Inc., Poipu, Kauai, Hawaii.

Mr. Nishimura moved to approve the Conveyance of Water Facility from Michael B. Kaplan and Linda G. Kaplan and Lawai Cannery Row, LLC, for on-site water facilities

for the construction plans for a new waterline servicing a mini-warehouse facility at Lauoho Road, by Mr. Crowell; the motion was carried.

**Re: Resolution No. 10, (08/09), Congratulations Keith “Keitsu” Fujimoto, DOW’s Employee of the Year**

It is requested that the Board approve Resolution No. 10, (08/09), Congratulations Keith “Keitsu” Fujimoto, DOW’s Employee of the Year.

Mr. Nishimura moved to approve Resolution No. 10, (08/09), for Keith “Keitsu” Fujimoto, DOW’s Employee of the Year, seconded by Mr. Oyama; the motion was carried.

**REPORTS**

**Re: Statement of Kaua’i County Water Department’s Revenues and Expenditures**

Mr. Nishimura moved to receive the Statement of Kaua’i County Water Department’s Revenues and Expenditures report and placed it on file, seconded by Mr. Oyama; the motion was carried.

**Re: Public Relations Specialist’s Monthly Update Regarding DOW Public Relation Activities**

Public Relations Specialist Faith Shiramizu gave the following report:

**Re: Public Relations Update**

**Kapa’a Elementary School:** Presented the importance of water conservation and water conservation suggestions to two second grade classes at Kapa’a Elementary School. It was very refreshing to find that many of the students and their families are in fact practicing water conservation in their homes.

**SRF/Stimulus:** Stable Tank final loan agreement will be in place by the end of June, 2009. Reimbursement requests may be submitted prior to that, but will not be paid until July or August.

Interim and Final Loan Agreements are being processed simultaneously for both Kaumuali’i Highway 12-inch Main Replacement, Elepaio Road to Huakai Road and Waha, Wawae, and Niho Roads Main Replacement. The agreements will be dated for July as DOH is closing out their fiscal year and will not be focusing on processing loan agreements during this time.

The two ARRA projects are nearly ready to bid, as we work with DOH to finalize acceptable wording for the additional requirements necessary for this grant funding. Thanks to Keith, Dustin and Wynne for working through this complex process as it is being clarified with their input as we go.

**Other Grant Opportunities:** An opportunity to seek funding for a Water Infrastructure Project through the FY10 EPA appropriations, using State and Tribal Assistance Grant funds was offered from Senator Inouye's office via Gary Heu, Administrative Assistant to the Mayor. This grant would be for 55% of a project, with a 45% match of which the Department can use the State portion of SRF funds. The Haena Steel Tank and Wainiha Booster Pump Renovation projects were submitted to Gary Heu.

USDA Rural Development ARRA funds are also available, however, after Wynne met with the group, it was determined that funds available to the Department would only be in loan form as we do not qualify for grant monies. The loan rates offered by USDA Rural Development are higher than the rates we currently receive through SRF loans. However, this could still be an option should SRF funds be depleted.

**Water Outage Notice:** Prepared water outage notice communications for the Kapa'a Homesteads 0.5 MG Tank and Connecting Pipeline project. Because this outage would affect a very large area, it would not be possible for individual notification by Operations staff as is the normal practice. It was decided to attempt reaching all of the affected customers by using several avenues of communications as follows: postcard mail-out to all billing addresses in the affected area, convert all current radio ads to inform people of the outage (referring them to the DOW website to view a detailed map), press release to all media, newspaper ads, posting the information and map on the DOW website, and placing three banners in strategic locations.

In addition, contact was made by phone to Kapa'a Elementary, Middle and High School, St. Catherine's School, Mahelona Hospital and ARC. The inspector for the project will have a contact name and phone number to call for these entities if the project will need to go beyond the projected 4:00am completion time.

**Project WET:** Taking into account the request for cut backs on travel and given the fact that I haven't had enough time to dedicate toward growing Project WET on Kauai, much less statewide, I decided to forego attending the Annual Project WET Conference which is being held in Orlando, Florida, the first week of June.

A write up and photos about Project WET and our Annual Make a Splash Water Festival, were submitted to the East & West Kauai Soil & Water Conservation Districts so it can be included in their Annual Report. The hope is that there is a possible opportunity here, to partner with them in the future at having Project WET become a more active organization statewide.

**Agricultural and Environmental Awareness Day:** The 13<sup>th</sup> Annual Kauai Agricultural & Environmental Awareness Day was held on Thursday, May 14<sup>th</sup> at the U.H. Kaua'i Agricultural Research Center in Wailua Homesteads. The event was hosted by the Kaua'i County Farm Bureau and U.H. CTAHR. There were eight mini lectures and sixteen exhibitors. The Department participated as an exhibitor, displaying the Water System Model, sharing with curious and not so curious 5<sup>th</sup> graders from schools around the island, how water is delivered to their faucets.

Thanks to Russell Coyaso and Darren Galas from Operations for assisting with set up the day before the event and delivering and picking up the model for this event. The Farm Bureau staff was extremely appreciative for Russell and Darren's assistance, as they arrived bright and early, representing the Department very well with their hard work and great attitude. Thanks also to Keith Fujimoto and Carl Arume who tag teamed in assisting me with the students.

Mr. Nishimura moved to receive the Public Relations Update and placed it on file, seconded by Mr. Oyama; the motion was carried.

**Re: Acting Chief of Operations' Summary Report on the Monthly Operational Maintenance Report**

Mr. Eddy reported that there will be a water outage scheduled for next week Thursday, which involved connections of waterline, top end of our water system, in Kapahi that shuts down the entire water system.

Ms. Ushigome added that residents received water outage post cards; and Ms. Shiramizu added that it was such a big area they put up banners by the roadway; and if it proves successful, they could also use them in the future. Water tankers were also made available.

On query by Mr. Crowell if there would be other outages, Mr. Eddy said there will be a small one in the future.

Mr. Oyama noted that there was a big drop in overtime and congratulated Mr. Eddy for the good job and to keep it up.

Mr. Oyama moved to receive the Monthly Operational Maintenance Report and placed it on file, seconded by Mr. Nishimura; the motion was carried.

**Re: Acting Manager's Update for April, 2009 to May, 2009**

Acting Manager Fujikawa expressed his appreciation to Ms. Ushigome for helping him and the entire Department during the transitional period.

Another issue that Acting Manager Fujikawa brought up was the violation of May 5, 2009 by Department of Health relating to the Grove Farm SWTP, which has to do with contact time. Basically, this is a combination of chlorine residual for disinfection which is added in the water and the time needed to keep it in there to kill the germs. According to Aqua Engineers, when they submitted the report to the Department of Health, it did indicate a violation; however, the operator of the plant, who is contracted by Grove Farm/Aqua Engineers, realized the real cause may not have occurred but it may be the result of a reporting error. He explained that the reports are generated automatically and digitally with a spreadsheet; but Aqua Engineers was able to put the violation on hold which canceled out the Department's efforts to notify 8,000 consumers by mailing notices and sending out a press release to state what happen and what is being done to resolve the situation. Because Department of Health agreed that maybe a violation did

not occur but it was a technical violation instead, they agreed to rescind the violation after we submit to them formal information.

Mr. Nishimura commended Acting Manager Fujikawa for his efforts to help the Department get through the violation and that he is real good example of someone who gets things done through networking with everyone involved. He also thanked the staff.

Acting Manager Fujikawa also reported on the following:

CONTRACTS AWARDED BY THE MANAGER: None.

PUMP INSTALLATION PERMITS SIGNED BY MANAGER: None.

WAIVER, RELEASE AND INDEMNITY AGREEMENTS SIGNED BY THE MANAGER:  
None.

### **Affordable Housing Update:**

Affordable Housing Task Force (AHTF) meeting was held on Monday, April 13, 2009 at Pi'ikoi Conference Room A.

Updates on AHTF Projects:

1. DHHL – Anahola Residence Lots Unit 6, “Pi'ilani O Kekai, This project **will be deleted** from the AHTF list as of this meeting. Agency review of the Phase 2, construction plans are being conducted by the government agencies currently.
2. Habitat - Eleele I Luna Subdivision Phase 2: Habitat is processing the CDBG funding requirements with the Housing Agency for sewer line improvements
3. Kauai Lagoons – Courtyard at Waipouli: Mr. Hugh Showe, project manager, informed the group of the project's status. Nine of ten buildings are complete, curb and gutter improvements along the County Roadways should be complete by first week in May. Final water inspection should be completed once the curb and gutter work is done. The developer is aware of the DOW post-construction requirements for the water meter and fire hydrant improvements and plans to submit the conveyance documents to the Water Board at the May 2009 meeting. The housing agreement with the County state that the deadline to complete and occupy the project is June 18, 2009.
4. Kauai Lagoons – Kapule Project: The B.P. application was issued by the Building Division two weeks ago. Site grading is complete. Underground utility work is 70% done and construction has begun on the first building and will be issued shortly.
5. Kukui'ula Employee Housing- “Gap” Housing subdivision and zoning permit: Amended water master plan was returned to the developer for revisions on January 28, 2008. The developer has resubmitted the revised WMP to DOW in February.

6. Kohea Loa (Hanamaulu Triangle): DOW completed its review of the revised December 22, 2008 draft version of the Grove Farm Amfac/JMB Lihue Hanamaulu Potable Water Master Plan and submitted comments to the consultant, Kodani and Association. A meeting with the Developer was conducted on April 22, 2009 to resolve the DOW comments and recommendations. The developer will be considering its options to resolve several remaining issues.
7. Paanau Village, Phase 2: The Housing Agency will depend on the engineering design to determine the access to the project site.

DOW Employee of the Year Selection:

The Department's 2009 Employee of the Year is Keith "Keitsu" Fujimoto. Congratulations Keitsu!! This year's selection was chosen by a committee of DOW employees that represented each of the Department's divisions. The outstanding DOW employee will be honored along with retirees and worker service awards at the County's Awards Banquet on May 26, 2009 at the Kaua'i War Memorial Convention Hall.

Department of Water's Deputy Manager-Engineer:

Effective May 1, 2009, Wynne Ushigome continues to hold the position of Deputy Manager-Engineer until such time as a new Manager and Chief Engineer is appointed and starts work at the Department of Water. Her experience at the Deputy Manager position as well as her ability to assess and direct responses to normal as well as emergency situations will be invaluable to the Department during this interim phase. I hope to utilize her knowledge and management skills in conducting the operations of the Department.

AWWA Hawai'i Section Conference:

The 35<sup>th</sup> annual conference will be held at the Sheraton Waikiki in Honolulu. The theme was titled "Stimulating Hawai'i's Economy with Water, Today and in the Future". The Pre-Conference session was held on Tuesday, May 12, 2009 and the main conference continued through Friday, May 15. The conference events included the annual Top Ops Contest and the Ono Water Contest. The Kaua'i DOW Women's tapping team will participate in the 23<sup>rd</sup> annual Pipe Tapping Contest. In addition the County Water Manager's Meeting was held at the Honolulu Board of Water Supply on Tuesday, May 12. Conferees will be Keith Konishi, Bruce Inouye, Edward Doi, Corey Silva and I, along with Board Members Leland Kahawai, Roy Oyama and Randy Nishimura.

Mr. Nishimura moved to receive the Manager's Update and place it on file, seconded by Mr. Oyama; the motion was carried.

**Re: Report of the Finance Committee of the Kaua'i County Board of Water Supply**

Mr. Nishimura moved to approve the payment of the claims for the Department of Water, seconded by Mr. Oyama; the motion was carried.

**Re: Report of the Rules Committee of the Kaua'i County Board of Water Supply**

Mr. Crowell reported that action was deferred on the Rules Amendment until the new Manager and Legal Advisor have a chance to review the report.

Mr. Crowell moved to accept the report, seconded by Mr. Nishimura; the motion was carried.

**Re: Report of the Sub-Committee of the Whole Committee of the Kaua'i County Board of Water Supply**

No report.

**STRATEGIC AND BUSINESS PLAN AND NEEDS ASSESSMENT:**

**Re: Updates on the Kaua'i Water Department's Strategic and Business Plan and Water Plan 2020 Program Sustainability Services**

Ms. Shiramizu reported on the following:

Updates of Strategic Goals and Implementation Status Report from the Issues Champion:

**Re: Report from Issue Champions**

**Issue No. 1, Morale:**

1) Fun Committee Events:

- a) Upcoming Event: Family Picnic at Anini Beach Park on Saturday, June 20, 2009. Official time 8:00 am to 1:00 pm. We have the 3<sup>rd</sup> Pavilion (located farthest north of 3 Pavilions) reserved from 8:00 am to 10:00 pm.
- b) Proposed crabbing outing and a cookout for the quarter was cancelled due to- NO BOAT.

- 2) Facilities Plan: Discussed at meeting; will include a consultant for the DOW Facilities Plan for the upcoming Professional Services Qualifying list for fiscal year 2009-2010.

**Issue No. 2, Strong and Qualified Workforce:**

Recruitment

- 1) Accountant I – DPS creating list of eligible applicants.
- 2) Welder – DPS has list of eligibles. DOW requesting for the list to begin interviews.
- 3) Pipefitter Helper – D.O.W. submitting request to recruit and fill for the position.
- 4) Water Service Supervisor III – Position Description Minimum Qualifications to be updated and submitted to DPS for approval.
- 5) Operations Re-Organization – Pending.



## Training

1. National Rural Water Association continues to provide free monthly training until September 2009.
2. Plans being made to have Ray Ohta provide training for the Front Office personnel.

## **Issue No. 3, Water Quality:**

1. Sample site work order for Kuamoo Rd. submitted in September, but no work yet. Operations requested a different site be selected.
2. New sites chosen for routine sampling to replace sites that were hard to access or have been removed
3. Main break monitoring on hold, pending finalizing procedures and follow up between both the Lab and Operations
4. New Issue #3 champion or co-champion should be from Operations.
5. Decided to go with Triggered Monitoring Plan for the new GWR.
6. Sampling sources to see if any will present problems with fecal indicators if triggered monitoring is required. So far only Garlinghouse Tunnel seems to be problematic.

## PROJECTS UNDER DESIGN:

- 1) Job 02-03, KW-14, KW-15, 12" Waterline along Kaumualii Highway and Waimea Canyon Drive (Consultant: Park Engineering) – Returned the reviewed pre-final plans and specifications to the consultant for corrections.
- 2) Job 04-06, KW-05, KW-20, Waimea Well A and Kekaha Well B Renovations (Consultant: Engineering Solutions) – Completed the final plans and specifications.
- 3) Job 04-04, PLH-09, Pipeline Replacement for Lihue Town (Consultant: Akinaka & Associates)
  - a. Plans are fully approved.
  - b. Finalizing the specifications.
- 4) Job 03-02, HW-03, (Phase II), Wainiha Booster and Haena Tank Renovations (Consultant: Brown & Caldwell) – Consultant preparing the revised plans and specifications to address the DOW's review comments.
- 5) Job 05-01, KW-16, KW-23, Waimea Town Waterline (Consultant: Hawaii Pacific Engineers) – Reviewed plans sent to consultant for corrections.
- 6) Job 02-18 WK-32 Phase II, Kaehulua Road Waterline (Consultant: Fukunaga & Associates) – Received Board approval and additional funding to proceed with the Phase II design.
- 7) Job 04-02, WK-14 Phase II, Apopo Road Waterline (Consultant: Fukunaga & Associates) – Received Board approval and additional funding to proceed with the Phase II design.
- 8) Job KW-28 Amfac Shaft (Consultant: Brown & Caldwell)
  - a. Received the MPA results, which indicates that the well water is not affected by the surface (pond) water.
  - b. Forwarded to consultant to finalize reports.
  - c. Contract amendment to clean and seal the shaft from any external influence sent to the Board for approval.

- 9) Job 02-06, WKK-15 Kilauea Tank #2 (Consultant: Kodani & Associates) – Negotiating with landowners of the proposed tank site.
- 10) Job 05-02, H-8 Drill and Test Hanalei Well #2 (Consultant: Kodani & Associates) – Negotiating with landowners of the proposed well site.
- 11) Job 05-02, HW-12 Drill and Test Wainiha Well #4 (Consultant: Kodani & Associates) – Consultant preparing the Environmental Assessment.
- 12) Job 02-14, Kapahi (Ornellas) Tank (Consultant: Belt Collins)
  - a. Negotiating with landowners adjacent to the existing Ornellas Tank site.
  - b. Also investigating a potential new tank site.
- 13) Job 05-03, KW-25, Kapilimao 0.5 M.G. Tank – State Department of Health reviewing the National Pollution Discharge Elimination System (NPDES) permit prior the DOW issuing the Notice to Proceed for construction.
- 14) Job WK-39 Kapaa Homesteads Well #4 (Consultant: Hawaii Pacific Engineers) – Negotiating with landowner for an alternate well site.
- 15) Job No. 02-24, WK-02 Renovate Akulikuli Tunnel, Phase 2 (Consultant: SSFM International)
  - a. Negotiating additional work with the consultant.
  - b. Waiting for the Army Corps of Engineers approval of the wetlands delineation.

#### PROJECTS UNDER CONSTRUCTION:

- 1) Job 94-3, K-10, Kalaheo 0.5MG Reservoir, Booster Pumps and Connecting Pipelines (Consultant: Paren, Inc.) (Contractor: Kauai Builders)
  - a. Gave final approval on May 1, 2009.
  - b. Waiting for documents from the contractor for final payment.
- 2) Job A-11, Anahola Well 3 (Consultant: Akinaka and Associates) (Contractor: TOMCO) – Project 89% complete.
- 3) Job 03-02, A-04, KW-06, (Phase I), Anahola 0.15 MG Tank and Kekaha Shaft Renovations (Consultant: Brown and Caldwell) (Contractor: TOMCO) – Project is 100% complete. Releasing final payment.
- 4) Job 05-03, KW-25, 03-03, KW-24, Kapilimao 0.5MG Tank and 03-03 Generator Shelter (Consultants: Brown and Caldwell, Kodani & Associates)(Contractor: Kauai Builders)
  - a. Bid opening held.
  - b. Kauai Builders is the apparent low bidder.
- 5) Job 03-01, KW-03, Elepaio Road 8" Waterline (Consultant: Engineering Solutions) (Contractor: Cushnie Construction) – Project is 100% complete. Releasing final payment.
- 6) Job 02-14, WK-08, 03-03, WK-15, Kapaa Homesteads 0.5 MG Tank and Makaleha Generator Shelter (Consultants: Belt Collins, Kodani & Associates, Contractor: Kauai Builders) – Project is 30% complete.
- 7) Job WK-42 Phase I, 1 MG Stable Tank and Control Valves (Consultant: Tom Nance Water Resource Engineering, Contractor: Kauai Builders) – Project is 27% complete.

- 8) Job WK-42 Phase II, Kaapuni Road Waterline for Stable Tank (Consultant: Hawaii Pacific Engineers, Contractor: Earthworks Pacific, Inc.) – Project is 12% complete.
- 9) Job 02-18, WK-32, 04-02, WK-14, Phase I, Kaehulua & Apopo Roads Waterlines (Consultant: Fukunaga & Associates, Contractor: Earthworks Pacific, Inc.) – Project is 75% complete.
- 10) Job 97-10, WKK-14 Kilauea Booster Pump Station (Consultant: Austin Tsutsumi, Contractor: Oceanic Companies) – Project is 96% complete.
- 11) Job No. 05-04, KW-27, 12-Inch Waterline along Kaumualii Highway, Elepaio Road to Huakai Road, Kekaha (Consultant: Fukunaga & Associates, Contractor: Earthworks Pacific)
  - a. Held the pre-construction meeting on March 5, 2009.
  - b. Notice to proceed date is April 6, 2009.
- 12) Job No. 05-07, K-07, Waha, Wawae, and Niho Road Main Replacement, Kalaheo (Consultant: Akinaka & Associates, Contractor: Koga Engineering & Construction, Inc.) – Notice to proceed date is April 27, 2009.
- 13) Job No. 02-05, HE-10A & PLH-41 12-Inch Waterline along Ulaula & Uliuli Roads, Eleele and 8-Inch Pressure Reducing Valve, 400 GPM Booster Pump & 6" Connecting Main, Nawiliwili (Consultant: Kodani & Associates, Contractor: Earthworks Pacific) – Project is 98% complete.

#### **Issue No. 4, Workplace Efficiencies:**

##### Ongoing:

- a) For the AMR Program, installation of all meters is completed; however, the consultant (PMI) is still repairing broken installations. The DOW is also waiting for the closing contract amendment from PMI to make final payment.
- b) Jeff Mendez continues to work to broaden our information base for our Geographic Information System

##### Upcoming:

- a) The Issue Champions Committee requested to work on the implementation of the DOW Contract Management System to monitor progress of the DOW's contracts.
  - 1) Project engineers to update the status of their projects
  - 2) Trial period to implement DOW Contract Management System will be July 1, 2009 to December 31, 2009.
  - 3) Once system works, documentation of the process would be included in the DOW's work process manual.
- b) Envision a department-wide work process manual to be compiled with documentation of any type of divisional work processes to assist with succession planning and internal and external customer service
  - 1) Processes need to be reviewed and updated.
  - 2) Will be documented using Microsoft Visio software.
  - 3) Will setup internal meetings.
- c) The Issue Champions Committee requested the DOW employee's vacation/sick leave status into a computerized monthly statement. Payroll

**Issue No. 5, Accountability:**

- a) Cell phone policy is being re-routed to committee members for finalization.
- b) Request to the Manager to assign a co-champion for Issue No. 5

At a previous Issue Champions meeting, it was suggested that the opportunity to participate as an Issue Champion should be shared with other employees for renewed energy. It was also suggested to have each division head look for volunteers from their division and if none, they should designate a minimum of one person to serve as an issue champion. Each division needs to be represented.

Discussion:

On query by Mr. Nishimura on the purpose of the request for a Co-Champion, Ms. Shiramizu explained that all of the issues have two Co-Champions except for No. 5; and since that issue is in a stalled position, they felt that a Co-Champion would get things going with additional energy. She felt that this is a really important issue because if the accountability issue is resolved, the morale issue should be resolved.

Mr. Nishimura moved to receive the report and place it on file, seconded by Mr. Oyama; the motion was carried.

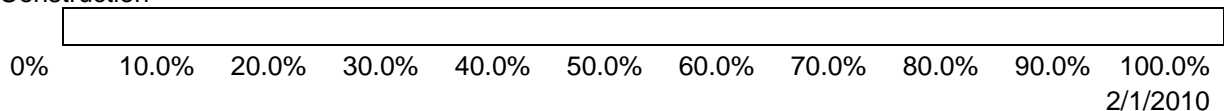
Re: Affordable Housing Projects – Summary Status April 2009 (formerly prepared by RW Beck)

This report is a summary of progress on the Affordable Housing Projects.

**Job No. 05-03, KW-25, Kapilimao 0.5 million gallon tank:**

- A. Awaiting NPDES review from the Department of Health before issuing notice to proceed.

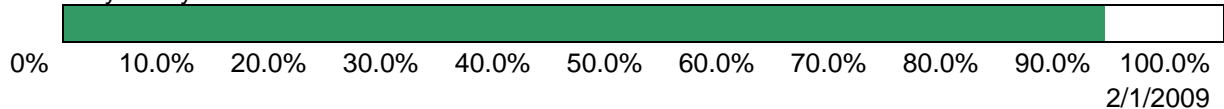
Construction



**Job No. KW-28, Amfac Shaft:**

- A. Awaiting Board’s approval (scheduled for this meeting) of the contract amendment to clean and seal the shaft from any external influences.

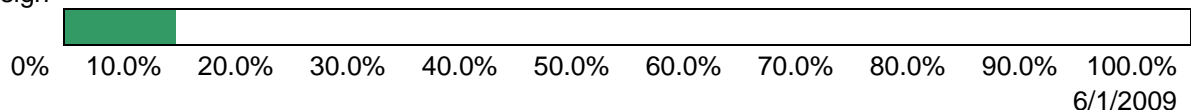
Feasibility Study



**Job No. 02-14, WK-08, Kapahi 1.0 million gallon tank:**

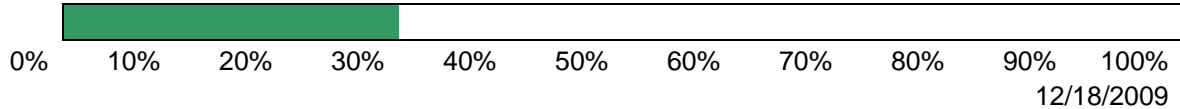
- A. Negotiating with landowner (Al Alamodin) for alternate site.

Design



**Job No. 02-14, WK-09, Kapaa Homesteads 0.5 million gallon tank:**

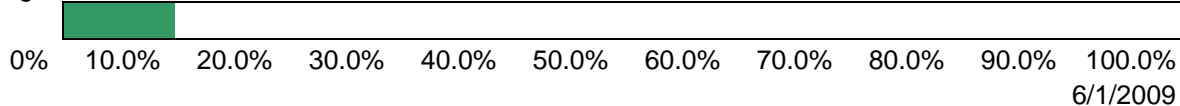
A. Under construction.



**Job No. WK-39, Kapaa Homestead Well #4:**

A. Negotiating with landowner (Al Alamodin) for alternate site.

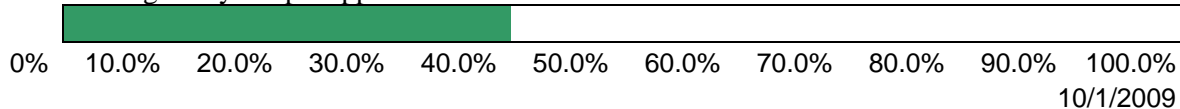
Design



**Job No. 02-24, WK-02, Akulikuli Tunnel:**

A. Negotiating additional work with SSFM, project consultants.

B. Awaiting Army Corps' approval of the wetlands delineation.



On query by Mr. Nishimura on why the Anahola Project was taken out of affordable housing, Acting Manager Fujikawa explained that the Affordable Housing Task Force is made out of the County agencies that are led by Housing Department. It started out when the Mayor (Baptist) listed it as his critical list of projects, and housing was one of them. The Housing Task Force was created to facilitate plan review and coordinate with the developer and County. They also take the projects off the list when they feel it no longer needs their assistance. For the Anahola project, he explained that the Board accepted the license for the distribution system and water has been taken care of. Since then, the project has been completed and they were removed from the list.

Mr. Nishimura moved to accept the Affordable Housing report and placed it on file, seconded by Mr. Oyama; the motion was carried.

*Mr. D. Fujimoto left the meeting at 11:25 a.m.*

**EXECUTIVE SESSION:**

***Pursuant to H.R.S. §92-7(a), the Commission 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 H.R.S. §92-4 and shall be limited to those items described in H.R.S. §92-5(a).***

**REVIEW OF EXECUTIVE SESSION MINUTES:**

Special Meeting: Thursday, April 2, 2009

Regular Meeting: Thursday, April 16, 2009

Special Meeting: Friday, May 8, 2009

Mr. Nishimura move to defer the Executive Session minutes, seconded by Mr. Crowell; the motion was carried.

**ADJOURNMENT:**

There being no further business, Mr. Oyama moved to adjourn the meeting at 11:25 a.m., seconded by Mr. Crowell; the motion was carried.

Respectfully submitted,

Emi Tanihiro, Secretary

APPROVED:

Gregg Fujikawa  
Acting Manager and Chief Engineer