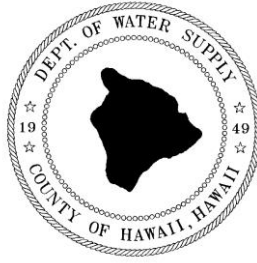


Stephen Kawena Lopez  
*Chairperson*  
Dist. 8

Michael Pono Kekela  
*Vice Chairperson*  
Dist. 4



Kea Keolanui, Dist. 1, Board Member  
James Kimo Lee, Dist. 2, Board Member  
Thomas Brown, Dist. 3, Board Member  
Emily Taaroa, Dist. 5, Board Member  
Keith Unger, Dist. 6, Board Member  
Michael Bell, Dist. 7, Board Member  
Benjamin Ney, Dist. 9, Board Member

**DEPARTMENT OF WATER SUPPLY  
COUNTY OF HAWAI'I  
WATER BOARD MEETING  
AGENDA**

**MEETING DATE:** November 26, 2024  
**TIME:** 10:00 a.m.  
**IN-PERSON LOCATION:** West Hawai'i Civic Center  
Building G, 74-5044 Ane Keohokālole Hwy., Kailua-Kona, Hawai'i

**REMOTE MEETING LINK:**  
[https://www.facebook.com/HawaiiDWS/live\\_videos/](https://www.facebook.com/HawaiiDWS/live_videos/)

**STATEMENTS FROM THE PUBLIC:**  
Public testimony may be done in person or in writing by email (dws@hawaiidws.org), fax (808-961-8657), or by mail: 345 Kekūānāō'a Street, Suite 20, Hilo, HI 96720. Please indicate agenda item submitting for. All testimony, regardless of time of receipt, will be part of the permanent record.

**Remote Oral Testimony:**  
Telephone testimony may be presented by calling 1(669) 254-5252 and entering meeting ID 160 439 7239. Please wait for the Chair to ask for testimony on the item you are interested in. The Chair will unmute testifiers who call in, one phone number at a time.

**Optional Alternative to Present Remote Oral Testimony:**  
If you would like to testify via an online video link, please email dws@hawaiidws.org at least 24 hours before the meeting to request the link. You may also email to pre-register to present telephone testimony if you wish to be called on by name or before those who have not pre-registered. Testifiers who wish to remain anonymous or have not pre-registered may still call the testimony phone number and follow the instructions listed above.

**ADDITIONAL INFORMATION:**  
Information about all the board's meetings is available [here](#). General information about the board is available at [About the Water Board](#).

In the event the online remote connection is interrupted during the Water Board meeting, the Board shall recess for up to 30 minutes to allow for reestablishing the online remote connections. If the online remote connection cannot be reestablished after 30 minutes the meeting shall be adjourned and then reconvene per the following contingency plans:

Board shall reconvene on: November 27, 2024, 10:00 a.m.  
Board shall reconvene at: DWS, Hilo Operations, 889 Leilani Street.

If you would like to testify via an online video link, please email dws@hawaiidws.org before the meeting to request the weblink or phone number to testify.

- 1) CALL TO ORDER – 10:00 a.m. (please turn cell phones off or set to silent)
- 2) STATEMENTS FROM THE PUBLIC – Pursuant to HRS §92-3, oral testimony may be provided entirely at the beginning of the meeting, or immediately preceding the agenda item.
- 3) APPROVAL OF MINUTES: Minutes of the October 22, 2024, Water Board Meeting
- 4) APPROVAL OF ADDENDUM AND/OR SUPPLEMENTAL AGENDA (if necessary)  
**(Note: Roll Call Required)**
- 5) CONTESTED CASE HEARING (NOTICED FOR 10:00 A.M.):

**Water Service Account No. 0824400-11**

The above Contested Case Hearing is to take place in accordance with Chapter 91 of the Hawai‘i Revised Statutes and Rule 2-5 of the Rules and Regulations of the Department of Water Supply.

The issues involved in the above-referenced hearing will be Annette Lillian Klieforth’s appeal of the proposed Shut-off Notice for Account No. 08024400-11 and the Department’s Findings of Fact, Conclusions of Law and Decision after the Administrative Hearing held on September 4, 2024.

This hearing is being set pursuant to Ms. Klieforth’s request on October 4, 2024, for the hearing to be held at the November 26, 2024, Water Board Meeting in Kailua-Kona.

- 6) POWER COST CHARGE:

*Chair: Is there any testimony for this item?*

Departmental power costs from all power sources decreased since the last Power Cost Charge rate was determined. The Department proposes to the Power Cost Charge from \$3.04 to \$2.32 per thousand gallons as a result of this decrease. Power cost charges over the past year were as follows:

<u>Effective</u>	<u>PCC</u>
September 1, 2024	\$3.04
May 1, 2024	\$2.77
February 1, 2024	\$2.37
September 1, 2023	\$2.64

Before the Power Cost Charge is changed, a Public Hearing shall be scheduled to accept public testimony.

RECOMMENDATION: It is recommended that the Board approve holding a Public Hearing on December 17, 2024, at 9:45 a.m., to receive testimony on decreasing the Power Cost Charge from \$3.04 to \$2.32, effective January 1, 2025.

- 7) MISCELLANEOUS:

A. MATERIAL BID NO. 2024-10, FURNISHING AND DELIVERING COMBINATION SHOWER AND EYE WASH STATIONS ISLANDWIDE:

*Chair: Is there any testimony for this item?*

This project generally consists of paying for all labor, materials, tools, taxes, and equipment necessary to furnish and deliver combination shower and eyewash stations as specified within the Special Provisions, to the Department of Water Supply’s Hilo Baseyard at 889 Leilani Street, Hilo, Hawai‘i.

Bids for this project were opened on November 14, 2024, at 2:30 p.m., and the following are the bid results:

	Fairnet Dynamic Services	Ferguson Enterprises LLC	GP Roadway Solutions Inc.	Safety Systems and Signs Hawaii, Inc.	DWS Engineering Evaluation
<b>Item 1:</b> (33 Ea.) Haws Model 8330 combination corrosion resistant (all stainless steel) emergency shower/eyewash stations, or equal by approval.	\$117,899.79	<b>\$61,149.33</b>	\$96,598.92	\$79,055.13	\$126,984.00

**RECOMMENDATION:** It is recommended that the Board award the contract for MATERIAL BID NO. 2024-10, FURNISHING AND DELIVERING COMBINATION SHOWER AND EYEWASH STATIONS, to the lowest responsible bidder, Ferguson Enterprises LLC, for their bid amount of \$61,149.33. It is further recommended that either the Chairperson or the Vice-Chairperson be authorized to sign the contract, subject to review as to form and legality by Corporation Counsel.

**B. JOB NO.2024-1250, RELOCATION OF WAIMEA DEEPWELL HECO TRANSFORMER:**

*Chair: Is there any testimony for this item?*

This project generally consists of furnishing all labor, materials, tools and equipment necessary for the relocation and installation of the HECO transformer and performance of all incidental work necessary to complete the project in accordance with the specifications.

Bids for this project were opened on November 14, 2024, at 1:30 p.m., and the following are the bid results:

Bidder	Bid Amount	DWS Engineering Estimate
No Bids Received	n/a	\$140,000.00

**RECOMMENDATION:** No bids were received. Staff will seek alternative procurement pursuant to HAR 3-122-35 to procure the required services.

**C. DISCUSSION ON PERMITTED INTERACTION GROUP (PIG) FINAL REPORT:**

*Chair: Is there any testimony for this item?*

For discussion and possible action.

D. ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON FOR 2025:

*Chair: Is there any testimony for this item?*

Board to elect Chairperson and Vice-Chairperson for the 2025 term.

For discussion and possible action.

E. 2025 WATER BOARD SCHEDULE:

*Chair: Is there any testimony for this item?*

For discussion and possible action.

F. DEPARTMENT OF WATER SUPPLY COLLECTION AND DELINQUENCY POLICIES:

*Chair: Is there any testimony for this item?*

Information will be provided to the Board on status updates on collection efforts due to delinquent balances for water service charges with information on current policies and procedures in place for collection and water shut-offs. Discussion will follow along with any recommendations that should be considered for future action.

G. MONTHLY PROGRESS REPORT:

*Chair: Is there any testimony for this item?*

Submission of Progress Report of Projects by the Department. Department personnel will be available to respond to questions by the Board regarding the status/progress of any project.

H. REVIEW OF MONTHLY FINANCIAL STATEMENTS:

*Chair: Is there any testimony for this item?*

Submission of financial statements and information relating to the financial status of the Department. Department personnel will be available to respond to questions by the Board relating to the financial status of the Department.

I. MANAGER-CHIEF ENGINEER'S REPORT:

The Manager-Chief Engineer to provide an update on the following:

1. North Kona Wells
2. Department of Water Supply Quarterly Energy Report

J. EXECUTIVE SESSION REGARDING OPEN LITIGATION FOR CIVIL NO. 3CCV-20-0000007, LĀLĀMILO WIND COMPANY, LLC:

The Board anticipates convening an executive meeting for the purposes of discussing the legal rights, duties and liabilities of the Board concerning open litigation against the Board, as authorized by Hawai'i County Charter Section 8-2 and Hawai'i Revised Statutes ("HRS"), Sections 92-4 and 92-5(a)(4). The Board wishes to have its attorney present, in order to consult with the Board's attorney on its questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS Section 92-5(a)(4). A two-thirds vote of the members present, pursuant

to HRS Section 92-4, is necessary to hold an executive meeting, provided the affirmative vote constitutes a majority of the Board.

K. EXECUTIVE SESSION: MANAGER-CHIEF ENGINEER AND DEPUTY EVALUATION FOR CALENDAR YEAR 2024:

The Board anticipates convening an executive meeting to consider the evaluations of the Manager-Chief Engineer and Deputy for its annual performance review, as authorized by Hawai'i County Charter Section 7-4.6(d) and Hawai'i Revised Statutes ("HRS"), Sections 92-4 and 92-5(a)(2). The Board wishes to have its attorney present, in order to consult with the Board's attorney on its questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to HRS Section 92-5(a)(4). A two-thirds vote of the members present, pursuant to HRS Section 92-4, is necessary to hold an executive meeting, provided that the affirmative vote constitutes a majority of the board.

L. MANAGER-CHIEF ENGINEER AND DEPUTY EVALUATION FOR CALENDAR YEAR 2024:

*Chair: Is there any testimony for this item?*

Discussion/action on Manager-Chief Engineer and Deputy evaluation and compensation.

M. CHAIRPERSON'S REPORT:

1. Chairperson to report on matters of interest to the Board
2. Report by Board Members who attended the 2024 Hawai'i Water Works Association Conference – Lihue, Kaua'i

8) ANNOUNCEMENTS:

- **Next Meeting** – December 17, 2024, 10:00 a.m., Department of Water Supply, Hilo Operations, 889 Leilani Street, Hilo, Hawai'i

9) ADJOURNMENT:

Anyone requiring an accommodation or auxiliary aid and/or services to participate in this meeting (i.e. sign language, interpreter, large print), please contact the Board Secretary, at (808) 961-8050 as soon as possible, but no later than five days before the scheduled meeting.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist. {Article 15, Section 2-91.3(b), Hawai'i County Code} A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, Hilo, Hawai'i.

Board Packet: Pursuant to Hawai'i Revised Statutes, Section 92-7.5, the board packet provided to members of the board for this meeting is available for public inspection during regular business hours at the Department of Water Supply office, 345 Kekūanaō'a Street, Suite 20, Hilo, Hawai'i.

"The Department of Water Supply is an Equal Opportunity provider and employer."