

**Resolution 20-261
Testimony**

MISC. COM. 696

PITS

From: CLK Council Info
Sent: Thursday, October 15, 2020 8:25 AM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Cory
Phone 8083842555
Email corykot@hotmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item RES20-261
Your position on the matter Support
Representing Organization Self

Written Testimony

I support Res. 20-261 My wife and I are in an impacted home that is currently shifting and has great and significant damage. The sewer lines and storm drains and water lines utilities continue to break behind our home on Kuahea causing Waiomao to decay to a dangerous state of disrepair. Please help our us and our neighbors that are struggling to make these repairs. We've asked that the city DDC, Env., BWS, and DFacilityMaintenance re-examine the earth movement scope of the slide area as its expanding to more homes around us clearly by visual impacts. We would like a meeting. The sewerline on Waiomao, just 50ft away from our home on our side of the street is broken as it was recently discovered with underground city camera crew, blocked somewhere prior to its unfixed band-aid sewer pump blocking the sidewalk. It's only getting worse. Thank you for your time. Cory Kot
2317 Waiomao road

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Friday, October 16, 2020 11:10 AM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Winona Holmes
Phone 8087355014
Email nonaholmes@hotmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item Resolution 20-261
Your position on the matter Support
Representing Organization Self

Written Testimony This neighborhood needs help. Trying to travel on Waiomao Road is ridiculous, just short of a roller coaster ride The homes that are currently impacted have unlivable conditions which I find dangerous, unsafe, and should be condemned. The City should mediate with property owners that are impacted to acquire such properties for the safety and welfare of the owners as well as neighboring homes as well.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, October 18, 2020 3:24 PM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Jacquelin Carroll
Phone 808-737-5657
Email carroll2@hawaiiantel.net
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item Resolution 20-261
Your position on the matter Support
Representing Organization Self

Written Testimony

I support helping homeowners in the Waiomao area who have experienced devastating damage to their properties over the last few years. I have lived just off Waiomao Road for the last 40 years, and I have watched in horror as a number of houses, as well as the road, began to slide downhill several years ago. I believe that the City Administration should move ahead with mediation with interested homeowners so that their properties can be acquired by the City without the need for lawsuits. The properties not needed for emergency repairs in stabilization can be used for public gardens, especially for growing food, which benefits the entire community.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, October 18, 2020 2:18 PM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Laurie Chivers
Phone 8087223437
Email lchivers808@gmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item Resolution 20-261
Your position on the matter Support
Representing Organization Self

Written Testimony

My husband and I have resided at 2306 Kuahea St. (originally known as 2287 Waiomao) since November 2001. We are the second owners of this house, having purchased from the original owners who built our house in 1953. Unfortunately for our neighborhood, what was once a great place to live has turned into a nightmare of water leaking up from the streets, bumpy roads, sinkholes, broken sewer lines, broken water lines, broken gas lines, heaving sidewalks, houses sliding off foundations, carports heaving up, inaccessible driveways, rock walls tumbling down, and more. We have witnessed 5 homes of neighbors being demolished and one more more by the end of this month. All due to the negligence of the City to maintain the infrastructure beneath Kuahea St. These neighbors also had to endure the cost and emotional trauma of suing the City in order to get a fair compensation for the loss of their home, some of which still had mortgages to pay on them. In the end the City lost those suits and paid. There are still 5 more homeowners in various stages of suing the City. All of these homeowners had to suffer and endure financial hardship and stress while the City dragged their feet and put up obstacles for a swift resolution, including counter suits and frivolous citations. There was no courtesy what so ever extended to our neighbors who saw their life savings sliding away.

However, one "favored" resident got preferential treatment courtesy of Res. 20-145, for his lawsuit to go to immediate mediation, even though he purchased his property with the knowledge of being in a land slide zone AND had signed a covenant indemnifying the City from any damage or loss from the earth movement.

The current homeowners, and likely more in the future, deserve to be treated in this same manner. Mediation in good faith should be the first course of action taken. It is what my neighbors deserve in this horrendous situation. Why make them suffer needless financial and emotional harm? Please Vote Yes for Resolution 20-261. Mahalo

Testimony Attachment

From: CLK Council Info
Sent: Monday, October 19, 2020 3:11 AM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name David Lassner
Phone 8087342452
Email dlassner@gmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item 20-261
Your position on the matter Comment
Representing Self
Organization

GEOLABS INC. appears to be performing annual monitoring in this area. What was described in 2015 as their "annual Monitoring Progress Report No. 28" under their CONTRACT NO. 60578, AMENDMENT NO. 14 with the C&C is available through the Municipal Reference/Records Center. But no subsequent reports are available there.

As a Pālolo resident of over 25 years, I found that Report No. 28 provided invaluable information about the stability of my own home. Since the movement has been most dramatic and damaging since then, I have been deeply interested in subsequent reports.

Written
Testimony

I have informally, and then formally under UIPA, requested all reports subsequent to 2015. It seems that by now GEOLABS should have submitted at least four Annual Reports for each of 2016-2019. And given the intensity of recent activity, there may be interim reports submitted since the last available annual report.

My UIPA request was declined with the explanation that: "Agency does not possess the records. The latest finalized Monitoring Progress Report is No.28. When additional reports are finalized, they will be posted on the Municipal Reference Center website."

As a potentially affected nearby resident, I can't tell you how frustrating it is to find that the C&C is paying for data but those reports are not finalized or available. It is even possible that the contractor is being directed to not finalize the reports in order to protect them from disclosure to those whose homes may be at risk from all the movement that has occurred since 2015.

It would be appreciated if the Council could ensure that citizens are provided all the available

information that the City & Council has been paying for, beginning with all annual and interim GEOLABS reports and/or working papers since Monitoring Report No. 28 in 2015.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

TESTIMONY IN SUPPORT OF RESOLUTION 20-261

From Julie A. Iezzi and Joshua E. Barnes
2340 Kuahea St.
Honolulu, HI 96816
808-469-7173

As long-time, but now unfortunately former residents of 2340 Kuahea Street, we write to express **STRONG SUPPORT** for Resolution 20-261. The Resolution itself says the pertinent facts:

1. We are one of the “certain property owners **with properties damaged** along with, or **by the damaged City infrastructure.**” We “are interested in negotiating with the City for the City’s acquisition” of our property through mediation.
2. Indeed, “halting the continued damage to public infrastructure is critical and the failure to do so will pose a threat to public health, welfare, and safety, as well as threaten access to the Waiomao area, including access by essential emergency services (police, fire, and emergency medical services) for approximately 1,200 residents.” **THIS IS NO EXAGGERATION.** Please heed these warnings.
3. And **YES**, the “City is responsible for the maintenance and repair of City-owned infrastructure, such as roads, sewer and water pipes, and drainage systems, as well as for the safety and welfare of the public affected by infrastructure issues.”

In order for the response to be of a scope and scale that will actually address the situation **AS IT IS NOW**, it is imperative that the city mediate with the homeowners listed in the resolution. I find it important to point out that prior to this proposed resolution, all homeowners whose properties were acquired by the city in its stated duty to “maintain infrastructure” were acquired only after the property owners litigated against the city, enduring great expense and extended hardship for two or even three years before the city ultimately lost each suit and was forced to purchase. There is ONE exception to this. ONE homeowner, of 2301 Waiomao Rd, was afforded mediation as a result of the recently passed Resolution 20-145. The unnecessary and time-consuming process of litigation on all the other properties without a doubt exacerbated the problem. It is admirable that the city passed Resolution 20-145, enabling that homeowner to avoid the litigation process. I urge all council members to not only think about what is fair, but what is prudent. This situation will likely not even be resolved in the next decade if properties are not soon acquired. Waiting two or three more years for individuals to be tortured in long drawn out litigation process will, ultimately, result in even more cases, as the slide continues to expand. Please, we ask that you truly protect city infrastructure and the larger community in the Waiomao area, mediate with these homeowners, and expand the slide mediation efforts.

We would like to address to our particular situation at 2340 Kuahea St., as the current mitigation construction butts up right up to the edge of our carport. Our home is located just above the storm drain that was filled in with cement on June 25, 2018, marking an abrupt turnaround of promised construction to repair drainage in the area. Beginning in January 2018, storm drains were repaired and replaced on Waiomao Rd., from 10th Ave. to the bottom of Kuahea St. Repairs were supposed to continue up Kuahea St. to Kuahea Place. Instead, however, repairs were abruptly halted in June, the section of Kuahea St. just above Helo Pl. to Kuahea Pl. was closed, and the storm drain filled with cement. That infrastructure was never fixed. Drainage in this

important area is even now non-existent, and repeated questions to former DDC Director Kroning, as well as current Director Yonamine about the LACK of drainage in this key area have never been appropriately addressed. If the city is concerned with protecting and maintaining infrastructure (as it should be) then the repair of that section of storm drainage on Kuahea St., more than 2 years ago as planned, may have done a great deal to prevent the widening devastation. Closing that section of Kuahea, just below our home, did not stop the water that flowed down Kuahea Place and had nowhere to drain, but rather pooled in the sink hole that had formed immediately next to our driveway, soaked into the ground, and seeped out from the retaining walls of homes below on Waiomao, causing walls to fall, the entire road to move, and many more homes to be affected. This area on Kuahea, with no drainage, is an area which, as stated on page 6 of the [2015 Geolabs report](#), issued to DDC Director Kroning on Sept. 9, 2015, required:

Continued monitoring and maintenance of the utility infrastructure is important to reduce sources of water infiltrating into the subsurface, which can accelerate movements. High volume discharges in the storm drains have potential to scour and create voids where line offsets or breaks occur. Utilities such as water supply, wastewater, and drainage should be notified of the active earth movement condition and the need to promptly detect and correct possible continued utility damage as a result of the ongoing earth movements. Prompt action to detect and correct leaks is recommended. CCTV video survey of existing drain and wastewater lines in the Kuahea Street and Waiomao Road vicinity should be undertaken periodically in an effort to detect possible line breaks and the undesired discharges that could adversely impact the active earth movements.

Furthermore, our home is located directly across from the **broken sewer line** at the base of Kuahea Pl, which is also city infrastructure that was not maintained. This sewer line was finally rerouted early in the current slide mitigation phase of construction, in Feb. 2020, and now runs above ground directly alongside our carport.

Indeed, the city needs to maintain important infrastructure. Resolution 2020-984 will finally enable a full and effective response to the slide, caused by neglected repair to said infrastructure. This will also alleviate further suffering, stress, and economic catastrophe to the homeowners severely affected in the area, and bring peace of mind to the 1200 more homeowners further up the valley as mitigation efforts of sufficient scope and scale get underway.

We were forced to move from our home in July of 2019, after enduring several months of waking on a daily basis to new and widening cracks; months of attending Palolo Neighborhood Board meetings and requesting information but getting none from former director Kroning about plans for mitigation work; being lied to by Director Kroning about the cancelled drainage construction of June 2018; living with Board of Water Supply trucks a nightly fixture as they repaired pipes outside our bedroom windows all night long (For example, from Feb. 10 to Mar. 10 of 2019, water main breaks resulted in us not having water for 15 of the 30 day period), and combating constant stress and fear as a result.

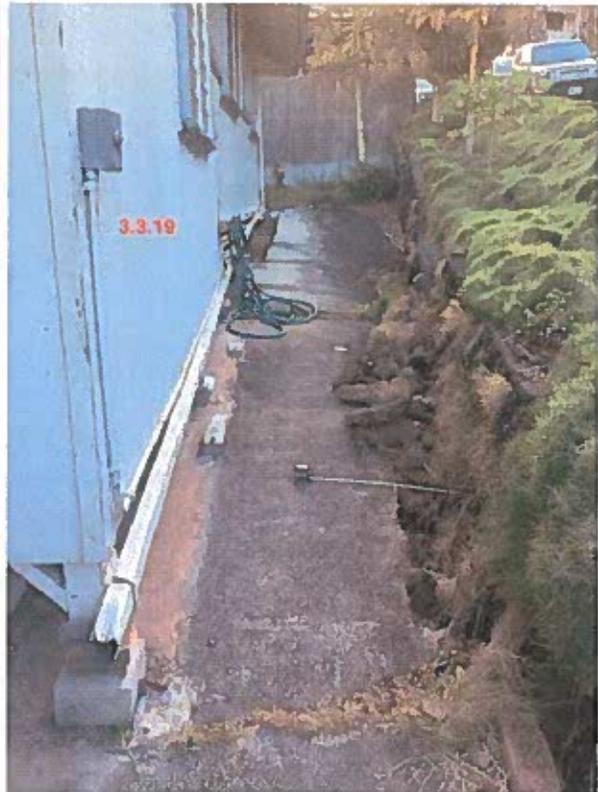
We urge you to pass Resolution 20-261. Do the job that needs to be done. Provide some closure, hope, and respect for the residents of the area and enable an expedited plan to maintain and

protect the city's infrastructure—and its citizens' dignity—properly. Waiting for each of the current property owners affected to go through a litigation process, will only result in further litigation, as more and more homes will be affected by the spread of the unmitigated slide area.

Please reference the following photos, which illustrate the close proximity of our home to the current phase of construction on Kuahea St., and illustrate of the effects of the slide and the construction work on the ground underneath and around our beloved former home.



MARCH 2018



March 2019

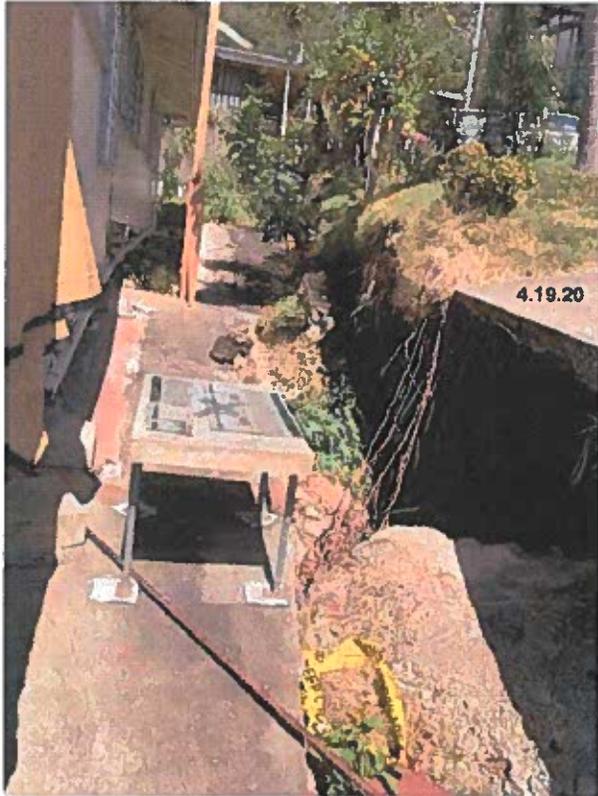
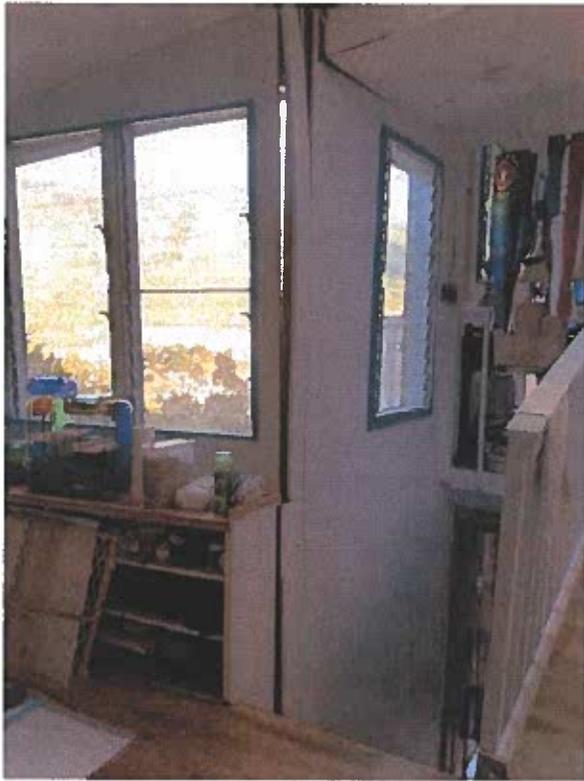
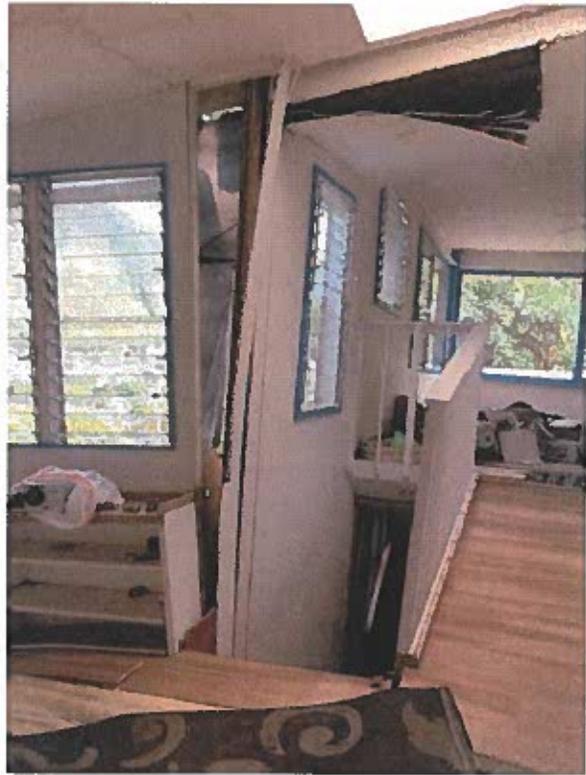


Photo left is front of house in Apr. 2020. Photo below is June 2020, two months later. Ramp in foreground sits on the driveway which only 18 months prior was AT THE SAME LEVEL as the carport floor, where the ladder sits, FIVE FEET BELOW

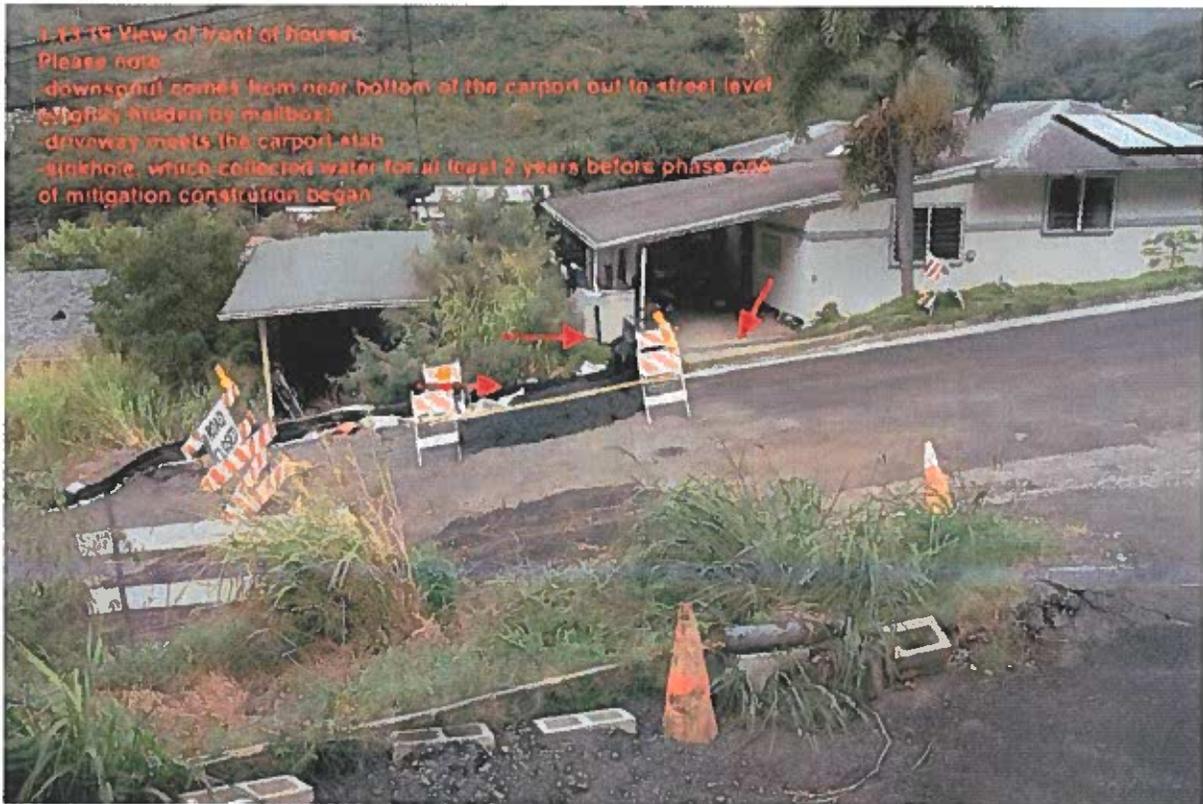




March 2019



June 2020



1-13-19 View of front of house.

Please note

- downspout comes from near bottom of the carport out to street level (slightly hidden by mailbox)
- driveway meets the carport slab
- sinkhole, which collected water for at least 2 years before phase one of mitigation construction began

6/14/20



Sidney Lynch
2450 Makaulii Pl
Hon. HI 96189
808 841 8282
silkenjoinc@hawaii.rr.com

BROKEN SEWER & STORM DRAINS

The Department of Design and Construction (DDC) position is that the cause of this slide is a new enormous source of water into this area. Their plan does not include water removal or diversion, rather it only attempts to anchor the top level of ground thru the use of tieback to the rock layer. This supposed new stream of water will continue to move the middle layers of soils and then the top layers rendering any tiebacks individual houses put in useless unless the water is removed, diverted or stopped.

Residents assert that due to the lack of timely remediation of the issues of broken sewer and storm drain systems in the Kuahea Street and Place areas beginning in about 2013, the natural slide of 1" per year was gravely exacerbated by this extra water causing sliding on an area that has been stable since the 1970's. It is likely that the 2006 40 days of rain started to undermine the city infrastructure of sewer and storm drains. Residents began noticing frequent BOWS water breaks in 2011 and started to contact the city.

Department of Design and Construction (DDC) Director Yonamine, in his presentation to the city council last month regarding Res. 20-145, cited 1" per year of ground movement pre-2016. From 2016 – 2019 he cited 15"- 20" of movement. This ties in exactly with what area residents have been saying about the lack of attention to their calls for attention to these issues which by 2015 was causing upheaval of some of the houses. Initially DDC stated that Kuahea Place was a private road so not DDC kuleana and DDC ignored the matter and calls from residents in the area. However, it was later shown that the lower part of Kuahea Place is the responsibility of the city.

From 2017 to 2019 DDC stopped and started various projects in the area. The confusion and lack of a plan by DDC under Director Robert Kroning is documented by the residents on the website <https://www.waiomaokuaheaslide.com/>

It was not until Nov. 2019 when a resident had the lower part of Kuahea Place (city property) dug up at their own expense and called the city to see the broken sewer pipe with water gushing out – the other end was nowhere in sight - that DDC, under Director Yonamine, finally took action in Feb. 2020. Residents have video of the broken sewer pipe. The sewer bypass was scheduled for Sept 2019 and did not happen until April 2020. That is another eight months of sewage just going into the ground and it also means DDC was aware of the sewer issues in the area. When Schnabel, the company hired by DDC to do the work, finally came to start the remediation work in Feb 2020 the workers wore white hazmat suits for the first few weeks.

The storm drains on Kuahea Street were filled in by the city in 2018 – residents have video. In an online meeting on Sept 24, 2020 with area residents, when questioned about this, Geolabs head Robin Lim said they felt the storm water would flow over ground. It did indeed, right into the houses below Kuahea Street on Waiomao Road causing them to slide as well as affecting houses across Waiomao Road.

LACK OF TRANSPARENCY

Director Yonamine and Mr. Lim also said that the reason that Geolabs has not filed any reports since 2015 is because of lack of money. From when Geolabs started work for the city in this area in 2000, there have been regular annual or semi-annual reports like clockwork until 2015 (please see the website). Initially residents were told that information could not be released because the city was in lawsuits. Now we are told it is because of funding. It seems more like unwillingness to let the public see the water documentation.

SCOPE OF THE PROJECT

In the DDC drawing last month on the presentation to the city council on Res. 20-145, Director Yonamine omitted a house, 2311 Waiomao Rd, that the city had already bought as including that house would have shown the city council that the scope of the slide is larger, yet another case of misdirection. On the website <https://www.waiomaokuaheaslide.com/> there is a comparison between DDC's slide area and the actual affected area of the slide. DDC should broaden the scope of its remediation plan to encompass the reality of the destruction. Area residents have said once the sewer bypass was installed they noticed less leakage on Kuahea Street. It is to be hoped that if the city can maintain its sewer, storm and water infrastructure the slide will stop and ongoing DDC/the city will be more responsive to resident complaints.

ONGOING ISSUES

There are still issues with storm, sewer and water lines in the area. The ground has been super saturated by the years of unchecked extra water. The city, BOWS, EVS crews were out again last week several times repairing their lines on Waiomao.

The remediation work begun in Feb. 2020 also affected several houses that were already damaged by the slide. One house, 2340 Kuahea St. from the beginning of the slide work in Feb 2020 slid 5' by April 2020 as the sewer bypass line and the digging of the area goes directly next to their carport. Another house, 2296 Waiomao which is directly across from the storm drain formerly outside 2301 Waiomao (the house resolution 20-145 addressed last month) became uninhabitable from March to May 2020 due to the increased pressure from the work on the job site.

The 'toe of the slide' has now moved across Waiomao Road causing Waiomao Road to push the houses abutting Waiomao Road down the hill. City counsel is not answering our questions about what is the responsibility of the city when it's infrastructure affects private property. We are told that the city only takes action when private property impacts city infrastructure.

CONCLUSION

DDC, under Director Kroning, ignored the initial calls from area residents in the Kuahea Place area stating that it was a private road. When decisive action was finally taken, the damage to these houses and houses on Kuahea Street was already done. There are only 2 scenarios – one – a new source of water which the DDC plan does not address or – two – broken sewer & storm drains left unrepaired and unchecked for a period of about 6 years caused the damage. Though the city will be out of pocket for these houses, in actuality it is better if it is the infrastructure as it can be fixed and the slide stopped. If it is a new, natural source of water then the slide will continue. Please ask yourselves, which do you believe? And what is the right thing to do?

These people have their life savings in their houses. Some are no longer inhabitable, others can be repaired if the slide is stopped. Please pass this resolution asking DDC to mediate with these 5 destroyed houses and talk with other affected ones.

Mahalo,
Sidney Lynch

From: CLK Council Info
Sent: Monday, October 19, 2020 1:19 PM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Jo Ann Souza
Phone 808-734-1317
Email kealohag001@hawaii.rr.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item Waiomao / Kuahea slide
Your position on the matter Support
Representing Organization Self

Dear City Council:

I am the owner of 2343 Kuahea Street, Honolulu, Hawaii, 96816 ("Property") which is on the slope of the mountain. My Property is included in Resolution 20-261.

The landslide and non-maintenance of the infrastructure (water, sewer, and drainage systems, and road etc.) in the area continues to worsen the condition and foundation of the Property and the house and walls at the Property.

Written Testimony I support Resolution 20-261.

Thank you.

Jo Ann Souza
2343 Kuahea Street
Honolulu, Hawaii 96816

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, October 19, 2020 12:47 PM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Kimberly De Souza
Phone 542-8279
Email kimskiln808@gmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item 20-261
Your position on the matter Support
Representing Organization Self

Written Testimony

Over the past two years I have had to live with an ever changing waiomao road everyday on my drive out and home. At times the hump in the road would get so severe I worried for my older car. All the houses along this area were very obviously affected and I can't imagine what the owners must be going through. I feel that these other houses (other than 2301) should be condemned as well. The slide has made them unsafe to inhabit. They should be included in this resolution instead of being forced to sue the city. This would save tax payers money and time

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, October 19, 2020 12:32 PM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Stacie Robinson
Phone 608-630-0541
Email stacie.j.robinson@gmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item RES 20-261
Your position on the matter Support
Representing Organization Self

Written
Testimony

Please support RES20-261! As a member of the Palolo community, I have watched as my neighbors documented failures in the road and associated infrastructure, as they begged the city to help and fix the shifting road before their homes were ruined. While repair work has lagged, several neighbors have already lost their homes. Several remain with homes damaged and unlivable, and some have been lingering in lawsuits with the city. The city should absolutely step up to help these community members, and should move swiftly to mediation to determine the best reconciliation with each land owner.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, October 19, 2020 2:41 PM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Drew Matsumoto
Phone 8088648587
Email dtmats88@gmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item 20-261
Your position on the matter Support
Representing Self
Organization

Written Testimony

For the past several years I have seen BOWS and EVS working on Waiomao Road on a frequent basis. They seem to be always digging up in the same area around the bump and I watched them install the sewer bypass and just 2 weeks ago watched them fix the bypass which wasn't working correctly. I have also seen the great increase in the sliding of the houses since the work began up on Kuahea Street earlier this year. It is obvious that the work was begun way too late. The city should accept responsibility and learn from this experience to listen to resident concerns and take action early. Please pass this resolutions

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, October 19, 2020 3:11 PM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Devon Geis
Phone 808 265-2515
Email djusctuzin@gmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item 20-261
Your position on the matter Support
Representing Self
Organization

Written Testimony It's imperative, and only fair to it's Citizens that The City recognize and remediate the true scope of the Waiamao/Kuahea St./Pl. landslide area which goes up to 2217 Kuahea Pl and further along Waiamao than shown on The Current City Map.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Hello, my name is Scott Kawahara. I am the son of Marjory Kawahara who resides at 2348 Kuahea Street.

Aloha and good afternoon.

I am speaking on behalf of my mother who has worked so hard to have a home that she could retire in and live the rest of her of her life in. She has been living there for nearly 60 years.

Since September 2018, my mother's home has shifted so much that I am very worried about her living there. I estimate a 5-foot drop on the lower side of the house. Three posts have no contact with the ground. So, at this point the City & County of Honolulu should mediate with my mother since she cannot afford to litigate. She cannot afford to buy another home since she lives on a fixed income.

A neighbor below my mother's home on Waiomao Road will mediate his case while others have had to sue the City & County of Honolulu to receive lower than appropriate settlements and lose their life savings. The neighbor in question bought the property for \$385,000 with a disclosure that the property was in a slide area. Now he is asking for more than \$1,000,000 for his property. Therefore, it is so upsetting that he is in mediation with the City & County of Honolulu when others did not receive that special consideration, because he is well connected.

In closing I am asking the City Council to pass Resolution 20-261 and allow the residents of the Kuahea Street and Waiomao Road lawsuits to enter mediation with the City & County of Honolulu so they can receive fair settlement. I would like my mother to be able to relocate to a location close to her current home so she will not be far away from her friends and family.

Mahalo City Council for allowing me to testify on behalf of my mother.

October 19, 2020

TO: Honolulu City Council

FROM: William & Rose Chismar
2200 Kuahea Pl
Honolulu, HI 96816

RE: Support of Resolution 20-261

We strongly support the resolution urging the City administration to undertake mediation with property owners whose houses have been severely damaged by the landslides in Palolo Valley along Kuahea Street, Kuahea Place and Waiomao Road.

We have been residing on Kuahea Place for 27 years. While we noticed Kuahea Street and Kuahea place beginning to shift as early as 2006, the movement accelerated to a frightening pace starting in 2017. The water in the neighborhood was regularly turned off, sometimes on a daily basis, to repair leaks, electrical power was off for an extended period of time when a utility pole fell down, phone and cable lines have fallen down and are hanging loose, the US Postal Service quit delivering mail to the residents of Kuahea Place and the road has been completely unusable since 2018.

We are very grateful to the City for finally beginning the work to secure the hillside. And we are very fortunate that the slide has only destroyed our road and has not impacted our house. Many of our neighbors have not been so fortunate. Their houses have been severely damaged, some to the point where they have had to abandon their homes.

We have been monitoring the movement of the hillside and roads on a daily basis over the past 15 years. While the early movement coincided with heavy rains, later rapid movement seems to coincide with broken water and sewage lines. Kuahea Street was constantly wet with water and sewage even after extended spells of no rain.

The extend time it took the City to begin repairs—the upgrade of the storm drain system on lower Waiamao Rd. did nothing to address the problems on Kuahea Street and Place—left home owners with no recourse. They spent thousands of dollars in futile attempts to save their houses. As long as the roads and hillsides continued to slide, nothing would save their houses.

The most important role of the City is to protect its citizens. Because of the delays in addressing the problems, the City has failed it citizens. Entering into mediation with the citizens whose homes are clearly in the slide area is the right thing to do.

Mahalo for your attention to this matter.

From: CLK Council Info
Sent: Tuesday, October 20, 2020 7:07 AM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name George M. O. &race Lee Lee
Phone 8087354550
Email georgelee2468@gmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item 20-261
Your position on the matter Support
Representing Self
Organization

Written Testimony Our family has lived at 2468 Lamaku Place since 1978 and Waiomao Rd. is our only access to our street.
We are strongly in favor of this resolution as it will guarantee access to our street for the future.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

10/20/2020

James A. Conant Jr.
2296 Waiomao Road
Honolulu, HI. 96816

Mailing Address:
62067 N. Military Road
Pearl River, LA. 70452
(808) 927-2527

Re: Res20261 Testimony

My name is James A. Conant Jr. --- my house is located at 2296 Waiomao Road. In January 2003, upon the purchase of our house I obtained a soil report which made reference to Geolabs report dated March 1999 which stated that there was only ¼ inch of movement per year, which also was not located in the “Waiomao Slide Zone”. Presently our house is located directly in front of the “Waiomao Hump in the road” which is at the toe of the slide.

On Dec. 22, 2017, is when the significant movement of my residence was noticed and was advised by Abel Aiona from the Board of Water Supply, who also took pictures of my residence and the sidewalk buckling, along with Representative Calvin Say to submit the (RISR) report.

Since 2017-2020 there have been over 30 water main breaks directly in front of my house which has brought sloughs of sewer mud and water pouring into our house, which we now know are from the broken steel and clay pipes which have been installed over 65 years ago and improperly maintained by the city. The foundation of our house has moved over 4 feet from 2017-present. The road has now presently curved and encroached onto our property. In the summer of 2018, I have to utilize over \$300,000. from my retirement fund in order to keep the house from collapsing. To no avail it is deemed uninhabitable and unsafe forcing my family and I to immediately vacate the property as of April of 2020.

James A. Conant Jr.

10/20/2020

James A. Conant Jr.
2296 Waiomao Road
Honolulu, HI. 96816

Mailing Address:
62067 N. Military Road
Pearl River, LA. 70452
(808) 927-2527

Re: Res20261 Testimony

My house is located at 2296 Waiomao Road. In January 2003, upon the purchase of our house I obtained a soil report which made reference to Geolabs report dated March 1999 which stated that there was only ¼ inch of movement per year, also our house was not located in the “Waiomao Slide Zone”. Presently our house is located directly in front of the “Waiomao Hump in the road” which is at the toe of the slide.

Our house is opposite 2301 Waiomao, Peter Fong’s house, for which the city council passed resolution 20-145 a few weeks ago. My house has been rendered uninhabitable by the past few years because of unchecked sewer and storm drain run-off. I have countless photos of the water main breaks in front of my house being dug up, sometimes on a weekly basis by BOWS, EVS and the city. Since 2017-2020 there have been over 30 water main breaks directly in front of my house. My neighbors report that two weeks ago DDC found a sewer line break in front of 2301 and had EVS there for over a week, 24/7, fixing the problem. Where has that sewage been going for these past months, years?

When the remediation work began on Kuahea St in Feb. 2020, the pumping of grout into the area to secure the tiebacks made the earth movement even more exacerbated the movement of my house from March 2020 to May 2020. The foundation of our house has moved over 4 feet from 2017-present. The road is now presently curved and encroached onto our property by at least 8 ft. I had to return to work after retiring and utilize over \$300,000. from my retirement fund in order to keep the house from collapsing along with legal fees. To no avail it is deemed uninhabitable and unsafe forcing my family and I to immediately vacate the property as of April of 2020. Please, make DDC and city counsel take the correct course of action and mediate with us on our houses.

James A. Conant Jr.

From: CLK Council Info
Sent: Tuesday, October 20, 2020 1:08 AM
To:
Cc: muras@hawaiiintel.net;
Subject: Council/Public Hearing Speaker Registration/Testimony

Speaker Registration/Testimony

Name	Iris Murakami
Phone	8084876157
Email	muras@hawaiiintel.net
Meeting Date	10-21-2020
Council/PH Committee	Council
Agenda Item	RES 20-261
Your position on the matter	Support
Representing Organization	Self

Aloha Council Members,

I am in support of RES20-261. The City Administration must undertake mediation for the acquisition of properties that have been damaged by the slow-moving landslides occurring in Palolo Valley along Waiomao Road, Kuahea Street and Kuahea Place.

Written
Testimony

My family owns 2314 and 2314A Waiomao Road and our property is located on the mauka side of 2296 Waiomao Road. The owner of 2296 Waiomao Road is Mr. James Conant, Jr. Mr. Conant's house is vacant because it is in disrepair due to the land movement. Glass has popped out of the window frames and glass has shattered onto our property. The house has separated from the cement blocks supporting the house.

We are grateful that the Planning and Permitting Department sent an investigator to inspect Mr. Conant's property on 6/18/2020. He found the house to be extensively damaged with an unstable foundation (footing). A Notice of Violation (NOV#2020/Nov-06-100) was subsequently issued on 6/19/2020. This is a hazardous and dangerous situation -- the house could shift greatly and even collapse.

We would like to take this opportunity to inform the City that there are land movement problems on both sides of Waiomao Road. The ground on the

makai side of our house is always wet and slushy. According to our property map there is a storm drain that runs from the easement, down the length of the makai side of our property, to the Waiomao Stream. I'd like to again ask that someone from the City come to inspect the storm drain. Is there a leak in the storm drain that is causing the ground to be wet and soggy? (1st request: RISR Request #2020-1303 dated 6/8/2020).

The sidewalk fronting our property on Waiomao Road is being uplifted. You can see that the sidewalk is uneven at the opening of the catch basin fronting our property. It seems as if Waiomao Road is moving toward our property. The road now curves when it used to be straight.

My reason for submitting a written testimony is two-fold: I would like to see the house situated on 2296 Waiomao Road be condemned for safety reasons and I would like for someone from the City to check the storm drain that runs from the easement, down the length of the makai side of our property to the Waiomao Stream.

Mahalo!
Iris Murakami

Testimony
Attachment
Accept Terms
and Agreement 1

From: CLK Council Info
Sent: Tuesday, October 20, 2020 10:19 AM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name WILLIAM F BOW
Phone 8083710676
Email willfbow@gmail.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item 20-261
Your position on the matter Support
Representing Organization Self

I am a resident and owner of the property at 2318 Waiomao Road, Unit 4. We have reached out to the City numerous times through Councilwoman Ann Kobayashi and have also expressed our concerns to Scott Ishikawa. Our home was built in 2019 and has experienced severe movement from December 2019 through April 2020. I have documented retaining walls and our common driveway to have moved downhill more than 2.5 feet in this brief period of time.

Written
Testimony

A geotechnical engineer has assessed our property and has determined that our home's foundation (slab-on-grade) has not moved, but the surrounding land and hillside is moving into (and around) our property. This suggests that our home may be a "new toe" of the slide. I strongly urge the City to come and walk the site of homes at 2318 Waiomao. I have pictures that show that the entire hill (road, sidewalk, common driveway, and 3 homes above mine) have moved as a "single unit" down the hill with my property serving as the toe to support the hill. Our home and retaining walls were not designed for this movement or stress. Our property is more than 200 ft on the lower side of Waiomao Road. The toe described in recent meetings is on or above Waiomao Road; this assessment must be incorrect due to the movement observed and documented by our geotechnical engineer.

I understand that ongoing investigations are being performed in the area, however, all evidence suggests that the area of movement and "landslide" has shifted down to our property.

My home was designed in 2015 based on the most updated Geolabs report available at the time. We had to modify the plans in 2017 and began construction in 2018. Nothing that may have indicated accelerated movement in our area was brought to our attention and no new reports were available during this redesign period. This leads me to conclude that the scope

of ongoing landslide investigations do not include the areas surrounding our home.

Stabilization of our property may stabilize the entire hillside above and save the surrounding homes of City infrastructure. I urge the City to set up a time for me to show them this movement and begin investigating this area as a new slide area and new slide toe.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

Mary Mitsuda
contact@marymitsuda.com
Tel (808) 739-9806
www.marymitsuda.com
2448 Halelaau Place • Honolulu, HI 96816
P.O. Box 235135 • Honolulu, HI 96823-3502

October 21, 2020

TO: City Council of Honolulu
Committee: Public Infrastructure

RE: Resolution 20-261/ YES

*URGING THE CITY ADMINISTRATION TO UNDERTAKE MEDIATION WITH INTERESTED
PROPERTY OWNERS FOR THE ACQUISITION OF THEIR PROPERTIES FOR PUBLIC USE AND
EMERGENCY REPAIRS TO ADDRESS ISSUES AND INFRASTRUCTURE DAMAGE RELATED TO
SLOW-MOVING LANDSLIDES OCCURRING IN PALOLO VALLEY ALONG WAIOMAO ROAD,
KUAHEA STREET, AND KUAHEA PLACE*

TESTIMONY:

Aloha Council Members,

I do not think government should always provide a bailout for every problem. But the City needs to examine its responsibility — and culpability — in this Palolo land movement issue. It also needs to reshape its future land use policies and procedures.

The City allowed the developer to create this subdivision, to sell the lots. Over the years there have been real estate sales and some speculation — more revenue from “turning over” the property. And for decades the City has received property taxes as well as fees from building permits. Which is ironic because building permits are all about safety, stability and sound infrastructure.

So the money keeps flowing as long as the land keeps changing hands. But the people paying the real price are the long time homeowners in the area, the people who did indeed buy, not to turn it around for a profit but to make a home, Their situation deserves mediation.

Please vote YES on Resolution 20-261.

Thank you.

Mary Mitsuda

From: CLK Council Info
Sent: Tuesday, October 20, 2020 12:21 PM
Subject: Public Infrastructure, Technology and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name James Barry
Phone 8082652870
Email jb_oahu@yahoo.com
Meeting Date 10-21-2020
Council/PH Committee PITS
Agenda Item reso20-261
Your position on the matter Support
Representing Self
Organization

Written Testimony

I am an area resident. The landslide problems in this area are long-standing and on-going. The available data indicate that a rapid acceleration in ground movement was caused by failure of City and County infrastructure. It is my opinion that drainage issues on this hillside have not been properly addressed. This resolution is a step in the right direction to provide affected homeowners relief.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

Written Testimony re Resolution 20-261

Aloha. My name is Kehaulani Otsuka. I am testifying on behalf of my 83-year-old mother, Marjory Kawahara. My parents built their home on Kuahea Street in 1962. Due to the negligent actions of the City and Board of Water Supply, her home is now too dangerous to live in. My mother lives on a fixed income and her home has been mortgage-free for decades. It is impossible for my mother to afford rental payments without the aid of her family. Knowing she NEEDS to move out has caused her stress and much sadness. Everyday I see all the unnecessary anxiety and stress she is dealing with.

On September 2018, our family discovered a crack in the foundation. We have sought the advice of a soil expert and a structural foundation repair company. They both reported we would not be able to repair the damaged foundation until the city fixed their right-of-way. The April 2019 repair estimate was \$600,000.

On July 29, 2019, our family filed a civil complaint.

On May 29, 2019, the City sent a letter to the residents of Kuahea Place informing them they will be discontinuing maintenance of Kuahea Place.

In September-November of 2019, a Kuahea Place private owner hired a company to locate a sewer leak on their roadway. The resident found a five to six foot missing sewer line.

When the city became aware of the extensive sewer line damage, the city issued an email dated November 5, 2019 to the residents of Kuahea Place informing them the city would fix and relocate the damaged sewer line on their "jointly owned" roadway.

Perhaps, just perhaps, if this five to six foot missing sewer line was attended to years ago, it would have saved our homes from irreparable damage **AND** the city millions of dollars.

In closing, I would like the City and Board of Water Supply to enter into good faith mediation with us.

City Council: please know my mother is now forced to move out of her home of 58 years because of the dangerous conditions she now lives in. We respectfully request you pass Resolution 20-261.

Thank you very much.