RES23-137
Testimony

MISC. COMM. 362

COUNCIL

COUNCIL Meeting
Meeting Date: Jul 12, 2023 @ 10:00 AM
Support: 2
Oppose: 0
I wish to comment: 0

Name:	Email:	Zip:
Gerald Fujita	gifat902@aol.com	96816
Representing:	Position:	Submitted:
Inter	Support	Jul 9, 2023 @ 08:25 PM
Name:	Email:	Zip:
Cliff Laboy	clifflaboy@yahoo.com	96789
Representing:	Position:	Submitted:
International Express, Inc.	Support	Jul 9, 2023 @ 08:30 PM

July 9, 2023

Honorable Tommy Waters, Chair
Members of the Honolulu City Council
530 South King Street
Honolulu, HI 96813

Testimony in Support of:

(1) RESOLUTION 23-137 – SALE OF REAL PROPERTY TO INTERNATIONAL EXPRESS, INCORPORATED: Approving the sale of the real property purchased by the Honolulu Authority for Rapid Transportation located at 2613 Waiwai Loop, Honolulu, HI 96819, to International Express, Incorporated; and
(2) **RESOLUTION 23-138** – GRANT OF EASEMENT TO INTERNATIONAL EXPRESS, INCORPORATED: Approving the grant of a perpetual easement over Easement C located on the Lagoon Drive Station parcel at 515 Lagoon Drive, Honolulu, HI 96819, for access purposes to International Express, Incorporated.

City Council Hearing - Wednesday, July 12, 2023, 9:00 a.m., in Council Chambers

Chair Waters and Members of the City Council,

My name is Gerald Fujita. I am an attorney and have assisted International Express and Mr. Masao Mitsui during the period covering the corporation's involvement with HART and its rail project. IEX is a small and locally owned business that provides trucking and warehousing services.

I do not intend to recite the claims and factual allegations underlying the dispute between IEX and HART. I believe that others, including HART, have summarized the events, issues and the claims leading up to this settlement, and the Council has been well briefed about the unusual history of this former relocation account. The Resolutions (23-137 and 23-138) comprise the basis of the settlement.

We do, however, believe that the Council should take note of the fact that the protracted dispute with HART has had a disastrous effect on the financial aspects of IEX's business, which is of course, factored in to the settlement. IEX believes that the final negotiated terms of the settlement now before the Council, the basis of which is the sale of the property and exchange of easements as described in the Resolutions, is a fair and reasonable compromise of the contested issues.

The process has been very painful and expensive for IEX. This company is representative of the many small local businesses that have been detrimentally affected by the rail project. IEX hopes that the Council will agree that it is appropriate to conclude this controversy and allow IEX to get back to its core business. IEX urges the Council to approve the settlement and let the parties move forward.

Thank you for your anticipated positive review of the matter.

Gerald I. Fujita

July 6, 2023

Via Electronic Mail

The Honorable Tommy Waters, Chair
and Members of the Honolulu City Council
Honolulu City Council
530 South King Street
Honolulu, HI 96813

Testimony in Support of 1) RESOLUTION 23-137 – SALE OF REAL PROPERTY TO INTERNATIONAL EXPRESS, INCORPORATED (Approving the sale of the real property purchased by the Honolulu Authority for Rapid Transportation located at 2613 Waiwai Loop, Honolulu, HI 6819); and **2) RESOLUTION 23-138 – GRANT OF EASEMENT TO INTERNATIONAL EXPRESS, INCORPORATED** (Approving the grant of a perpetual easement over Easement C located on the Lagoon Drive Station parcel at 515 Lagoon Drive, Honolulu, HI 96819).

Honolulu City Council Hearing - Wednesday, July 12, 2023, 10:00 a.m., in Council Chambers

Aloha Chair Waters and Members of the Honolulu City Council,

On behalf of Mr. Masao Mitsui and his employees at International Express, I want to express our sincere appreciation for your consideration of these two resolutions before you today. It has been a long and stressful ordeal that began in 2010 when Mr. Mitsui was notified that his property on Waiwai Loop could be affected by the rail project. This was followed by years of confusing directions and redirections by contracted real estate agents of HART.

In 2016 the entire property was sold by International Express to HART with the promise of full relocation assistance from HART's then real estate agent, Paragon Partners. With no explanation, Paragon was subsequently terminated a year later, and HART assumed the relocation project. With uncertainty over FTA requirements, HART thereafter announced the relocation plan was to be nullified. In 2017, two settlement proposals were offered and subsequently withdrawn by HART. In 2018, a third proposal offered to sell the property back to International Express with adjustments. The buyback proposal has been under consideration since 2019. The proposed settlement will not completely compensate Mr. Mitsui for the hardships he and his company have experienced, but it will bring closure to many years of stressful and costly deliberations.

On June 14, 2023, HART's Executive Director and CEO, Ms. Lori Kahikina, transmitted a request for the Council's consideration of these two resolutions, a sound indication that the settlement has been thoroughly vetted, and is considered reasonable and fair. The City's Corporation Counsel has judiciously concurred. These resolutions were subsequently approved and reported out by your Budget Committee on June 20th for full Council approval, leading us to this final step in the conclusion of this matter and finalization of this settlement. Your adoption of these resolutions is respectfully requested today to bring long-awaited relief and closure to Mr. Mitsui and International Express after well more than a decade of deliberations.

Mahalo,

Cliff LaBoy
Special Projects Coordinator
International Express, Incorporated