

I (the undersigned petitioner) call the Mayor Peter Carlisle and the Council members of the City and County of Honolulu to abandon the joint city/corporate Kalakaua Avenue Streetscape Project immediately considering any or all of the following concerns:

BUDGET and COST

Phase one of re-tiling and landscaping the sidewalk will cost \$25 million. The total project could cost as much as \$100 million as well as open the city to expensive litigation. This project is a waste of public funds: more planter boxes along Kalakaua Avenue will narrow the sidewalk by 6 to 12 feet and dislocate an established asset to Waikiki, namely the street artists who are protected by laws governing PUBLIC FORUM.

PUBLIC HEARING and PROCESS

The Waikiki Neighbourhood Board, the street artist stakeholders, and the public did not ‘hear’ this project. It was approved as a budget line item during the close of the outgoing city Administration. The cost to taxpayers, and fundamental issues of public domain being taken over by private corporate interest demand full disclosure, media dialogue and public hearings. This project is unprecedented with significant democratic ramifications. IT IS NOT JUST a routine infrastructure project.

PUBLIC FORUM

PUBLIC FORUM is FREE SPEECH protected under United Nations law, USA First Amendment and Hawaiian law. The City will be liable for violations and “replacement” zone costs in maintaining established Public Forum. This happened in 2001 when the Ninth Circuit Court of Appeals ruled against Venetian Casino Resort, Las Vegas for taking away sidewalk Public Forum during hotel construction. (www.caselaw.findlaw.com/us-9th-circuit/1015032.html)

PUBLIC BENEFIT

The affected sidewalk in Honolulu is used for the benefit of local residents and visitors to Waikiki. This corridor of the sidewalk is a long established zone used by artists, musicians, healers, entertainers, churches and nonprofits, media, educators, politicians and issue advocates. This creates interest and originality that advances Waikiki as a world-class destination with little or no cost to government.

The peaceful and festive atmosphere can be favorably compared to regular block parties for which the city and Hawai`i Tourist Authority invest millions of dollars annually in marketing and operating and security needs. The artists provide good services that are remembered by visitors, many on repeat visits. The fundraising by street practitioners has no negative annual impact on shop business but rather stimulates economic traffic in Waikiki. >more..

Find this petition at **www.SaveWaikikiSidewalk.com**
 “Tell the Mayor” Phone: 808-768 4381 Email: mayor@honolulu.gov

MOTIVE

DISCRIMINATION (1 The sidewalk project seems to be an attempt to permanently SHUT DOWN public arts and voices in the area instead of fostering ALOHA and welcome. **Note:** a portion of the public marketing and infrastructure investment is justified in acknowledging and enhancing street artists' value to the community – harassment and discrimination against street artists MUST STOP IMMEDIATELY. Without this Public Forum many regular street practitioners are at risk of becoming depressed and/or homeless. Regional joblessness and economic hardship is a factor. The service from the street artists is a means of self-esteem and financial independence. Alternatively, they will move to another location bringing renewed Police attention and unwarranted confusion about sidewalk laws and the Public Forum.

DISCRIMINATION (2 While the project will eliminate artists and street practitioners private commercial interest currently on the sidewalk will be unaffected and actually advanced: **Rack stands** promoting commercial activities, **commercial newspaper vending machines**, employees handing out commercial **flyer and solicitation** will **remain** and appreciate in value by a multimillion dollar garden backdrop.

CORPORATE BUY-IN

The public sidewalk is not for sale. The city streetscape project is a joint venture with private Waikiki building developers that will tile the sidewalk, each with their own business choice of tile design. This will create a gradual public perception of permanent and private street ownership, thus encroaching, in a very dangerous and cunning way, on the sidewalk and Public Forum. The street has always been a public conduit of cultural and political interchange, used for example, to advance non-discrimination and worker rights. When developers pay for something they think they own it and in this case, that's not democratic.

The project is not driven by public interest but solely by private commercial interest groups: Waikiki Improvement Association and the Waikiki Business Improvement District.

The community group: Waikiki Neighborhood Board was only made aware of the project after the fact and has serious objections about the process. The public must not be subverted into paying for any project that is unconstitutional, hostile to the public benefit and compromises public intellectual property.