CITY OF HUNTINGTON BEACH
SUPPLEMENTAL COMMUNICATION
Joan L. Flynn, City Clerk
Office of the City Clerk

TO: Honorable Mayor and City Council

FROM: Joan L. Flynn, City Clerk

DATE: April 16, 2012

SUBJECT: **SUPPLEMENTAL COMMUNICATION FOR THE APRIL 16, 2012, REGULAR CITY COUNCIL/PFA MEETING AND THE SPECIAL MEETING OF THE HUNTINGTON BEACH SUCCESSOR AGENCY**

Attached is the Supplemental Communication to the City Council (received after distribution of the Agenda Packet):

Study Session
PowerPoint communication received from Bob Hall, Deputy City Manager dated April 16, 2012, entitled *Economic Development: What's Next? Life After February 1, 2012.*

Public Hearing
#15. Communications received regarding the Subsequent Environmental Impact Report No. 07-002, General Plan Amendment No. 11-004, and Conditional Use Permit No. 07-039(R) for the Huntington Beach Senior Center Project:

Mary Jo Baretich
Teri Simonis
Joann K. Buhler
Thomas Point
Rosemary Robinson
Harret Shulman
Helen Yules
Bob Schwanz
Margaret A. Adams
Joanne Goudge
Mary DeSloover
Sonny Shubert
Arthur & Marilyn Morgan
James P. & Helen Barker
Margaret M. Mahoney
Marilyn Potes
Regina Selvin
Norma M. Tolin
Sharon Bowers
Bill Morris
Gloria Baca
Linda Gray
Lenora Sanchez
Karen Topolewski
Margaret Kay LaBelle
Muriel Beynon
Norma Jeanne Mignacca
Beverly J. Rieber
Carol Settimo
Julia R. Van Loan
Mark C. Allen, III
John Miles
Lorraine L. Contorelli
Sally Richards
Shar Shubert
(1) Unable to read

Ordinances for Introduction
#17. Communications received regarding Ordinance No. 3938 prohibiting the commercial sale and/or resale of cats and dogs in the City (Animal Protection Ordinance):

So. Calif. Veterinary Medical Assn.
Animal Protection and Rescue League
Diane Scioli
Beth Janich
Gary Rodriguez
Amy Klein
Kevin Chong,owner of Animal Kingdom
Ronnie Steinau
Dora (last name not given)
Susan Johnson
Bob Johnson
Kathy Mesch

#17. Ordinances for Introduction (Animal Protection Ordinance CONTINUED FROM PG 1)

Lance Whitmier
Patelli Paschal
Irma Guevara
Karen Malley
Karen Hauenstein
Melissa Penfield
Janet Rico
Lawrence Machtinger
Doug Poindexter, President, World Pet Assn.
Chris Chauncey
Geneva Coats, Secretary, Calif. Federation of Dog Clubs
Linda Vernot
Sandra Genis
Claudia M. Crupi
Shereen Hawkins
Gerald & Marilyn Lipson
Christine (last name not given)
Leslie Thaxton
R. Grounds
Cheryl Zweber
Michael Pinder
Lynn Schwagle
David Wheelock
Niko Babic
Yvonne Wojtaszek

Economic Development: What's Next?

Life after February 1, 2012

April 16, 2012

What we did to prepare

- The Economic Development Department was reduced by 6 full-time staff in FY 11-12, saving more than 54% in personnel costs
- Adjusting duties of the Deputy City Manager
- Current staff includes: Deputy Director, 2 Project Managers, Housing Services Aide and part-time Administrative Secretary

Fiscal Year	Positions	Budget
2007/08	16	$1,551,027
2008/09	15	$1,778,127
2009/10	14.5	$1,835,756
2010/11	12	$1,765,506
2011/12	5.5*	$808,511

* Currently one vacancy – only 4.5 positions filled

What we did

The Economic Development Department enhances economic development by administering for both the City and Redevelopment Agency:

- **Economic Development**
- **Real Estate**
- **Housing**
- **CBDG/HOME**
- **Redevelopment**

We achieve these goals through:

- **Business attraction, expansion and retention**
- Assisting in developing a **tourist destination-based local economy**, and
- **Enhancing the City's stock of affordable housing** using redevelopment and other resources.

What we ~~did~~ STILL do

The Economic Development Department enhances economic development by administering for b~~oth~~ the City and ~~Redevelopment Agency~~:

- **Economic Development**
- **Real Estate**
- **Housing**
- **CBDG/HOME**
- ~~**Redevelopment**~~ **Successor Agency**

**The primary objective does not change, the funding changes – we need to be more creative and flexible in our services*

We achieve these goals through:

- **Business attraction, expansion and retention**
- Assisting in developing a **tourist destination-based local economy**, and
- **Enhancing the City's stock of affordable housing** using ~~redevelopment and~~ other resources.*

Current Status

- Oversight Board of the Successor Agency held their first two meetings on March 26 and April 5 to start the "wind down" process
- All previously approved DDA's, OPA's and Agreements remain in effect
- City will continue to report on Redevelopment Activities, Redevelopment Plan, and Affordable Housing Requirement
- Essentially, only the tax increment (money) and ability to fund new projects were eliminated

Impact

Without the Redevelopment Agency's tax increment financing, these projects may not be developed, be downsized or take additional years prior to construction:

- Pacific City
- Beach/Edinger Specific Plan Implementation
- Downtown Specific Plan Implementation
- Inclusionary Housing

Economic Development is still vital to Huntington Beach

What are we doing?

ECONOMIC DEVELOPMENT

- Ten Point Plan Implementation
- Meeting with Developers
- Meeting with Retailers to attract new business
- Meeting with Shopping Center owners/managers to fill vacancies
- Creating marketing materials
- Working with the BIDS and MVB
- Corporate Sponsorship
- Working with the Chamber of Commerce
- Summer/Wednesday Night Free Shuttle Program

What are we doing?

REAL ESTATE

- Oversee over 700 City-owned public land and facilities
- Manage 90 leases on City-owned land
  - Revenue of over $3.3 million annually
- Acquire real property needed for public right of way for Public Works projects for infrastructure
- Surplus property when no longer required for maximum value
- Administer new Pipeline Franchise for additional revenue
  - Next Franchise will net an additional $125,000 annually
- Administer 13 cell tower leases
- Work with Public Works for easement, title and land ownership related issues
- Oversee appraisals and related title issues
- Work on Street widening projects that may involve relocation
  - Including Atlanta Street Widening Projects

What are we doing?

HOUSING

- Monitor over 30 affordable housing projects
  - Includes both physical/on-site monitoring and financial/residual receipts monitoring
- Oversee City Inclusionary Housing Project
  - Including re-finances, subordination requests and sales
- Manage Housing Rehabilitation CDBG Program
- Manage Oceanview Estates, including on-going maintenance
- Monitor all housing convenants

What are we doing?

CDBG/HOME

- Oversee the CDBG program
  - HUD reports and financial draw-downs,
  - Sub-recipient monitoring
  - CPAB board process
- Work with Affordable Housing Developers for HOME related housing projects
- Monitor HPRP Program – final year
- Monitor CDBG-R public works projects
- Monitor NSP State grant program

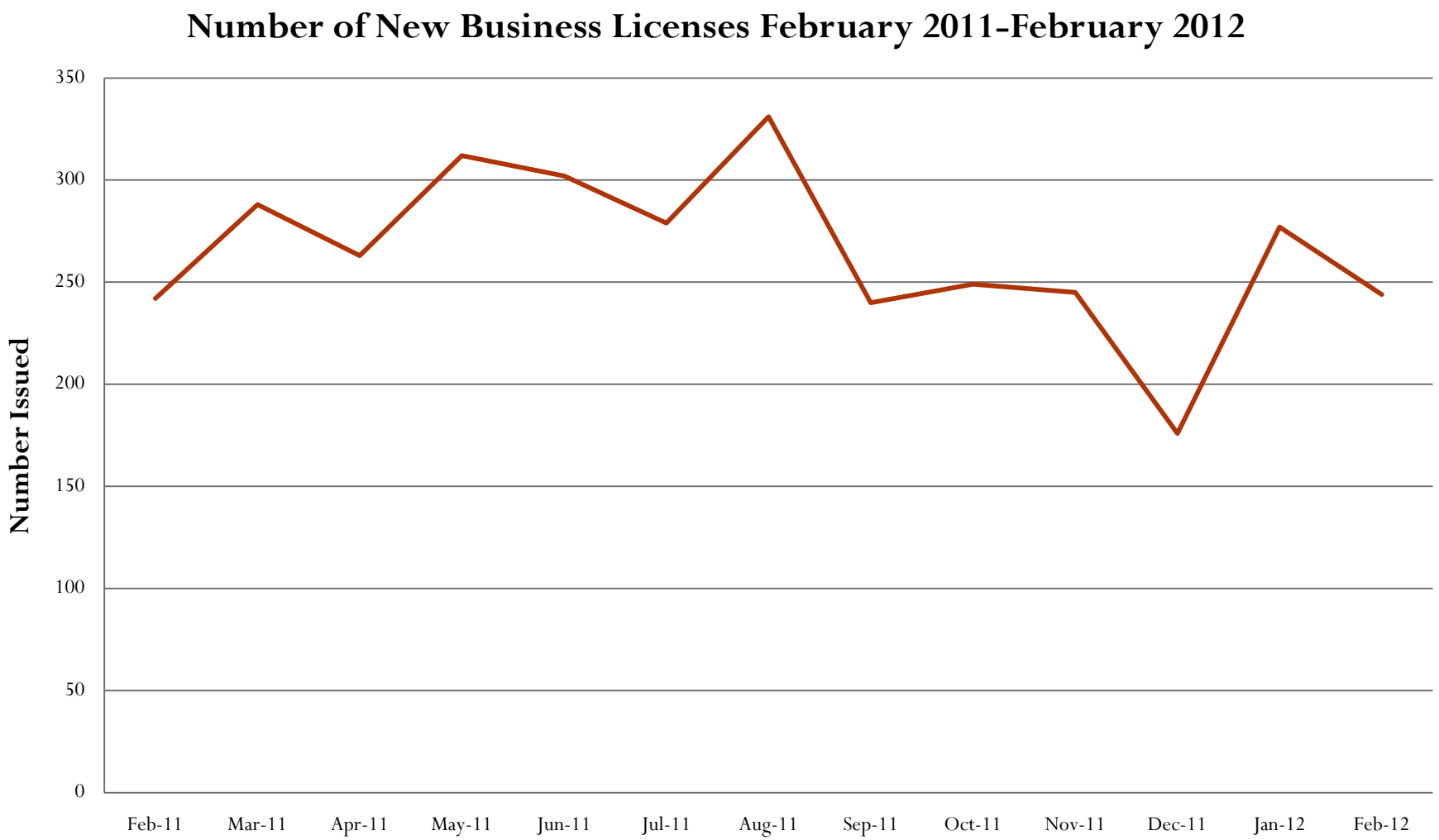
What are we doing?

SUCCESSOR AGENCY

- Monitoring on-going obligations (OPA's/DDA's)
- Work with Finance regarding EOPS/ROPS
- Respond to State Department of Finance, State Auditor-Controller and County Auditor-Controller regarding Redevelopment related items
- Continue to implement Waterfront DDA/leases; Bella Terra II AHA; Pacific City; Pierside Pavillion and other development projects in process
- Staff Oversight Board

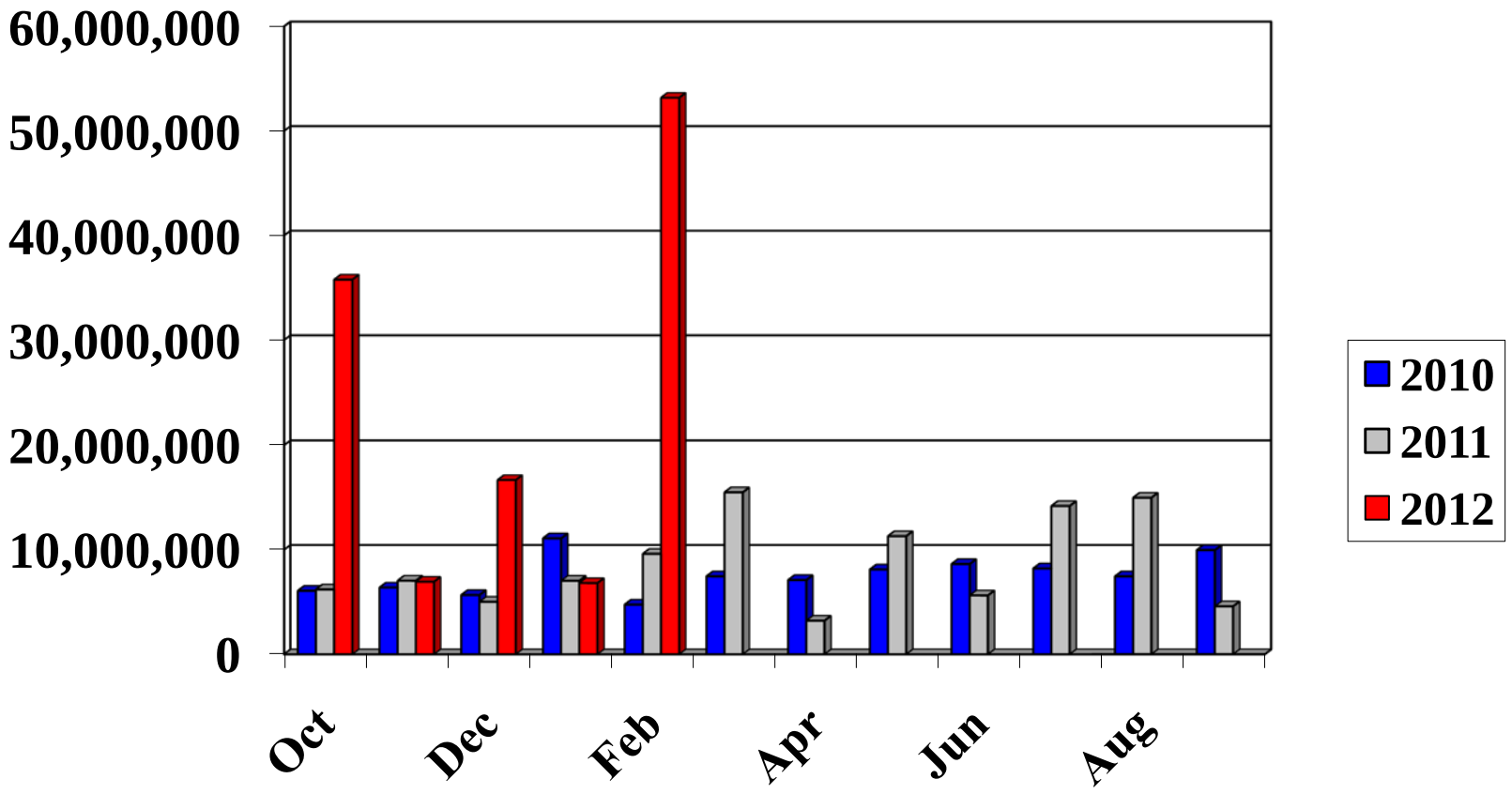
Outlook for Business and Development

Business License Trends



Construction Valuation ($)

Residential, Commercial & Industrial



Key 10 Point Plan Accomplishments

- Awarded OCBC Inaugural "Turning Red Tape into Red Carpet" award in the Business Retention and Expansion category for creating and implementing the Ten Point Plan for Local Business

- Conducted cross-training among development-related departments to educate staff about processes such as: Certificates of Occupancy; Water Quality Issues/Requirements; Fire Codes & Inspections; Building/Green Codes; Processing CUPs with Alcohol/Entertainment

- Increased local vendor preference from 1% to 5% and established a highly-efficient, and effective, online bidding system

- Enhanced the film program through a partnership with the Marketing and Visitors Bureau, including a new website and an online local business directory for production companies to access

2012-13 Goals

- Implement items in the updated 10 Point Plan
- Market Huntington Beach as the "destination of choice" for business and commercial activities
- Monitor compliance with CDBG and Housing Covenants
- Implement Home Funded Projects
- Ensure all leases remain compliant and renew existing leases and franchise agreements as appropriate
- Implement Successor Agency wind down activities

Experience HB Now

April 11, 2012

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 15

Jennifer Villaseñor, Associate Planner
City of Huntington Beach
Department of Planning
2000 Main Street
Huntington Beach, CA 92648

Re: Huntington Beach Senior Center Project Draft Subsequent EIR (DSEIR) No. 07-002

Dear Ms Villasenor,

This letter addresses several significant environmental impacts directly related to the placement of a Senior Center in the original proposed location in Central Park.

My comments below address disastrous impacts on our local wildlife and neighborhood, referring to noise and lights, and other issues. There are many negatives associated with the proposed site, including a serious elevation difference between where the new senior center is proposed and Goldenwest Street - approximately 15 feet. Seniors will have a hard time walking up that slope. Those with wheelchairs and walkers, and of course anyone needing oxygen tanks, cannot take a leisurely walk to the Library (as publicized), let alone having time to cross the street. Also, designing only 227 parking spaces does not make sense when the existing senior center has around 160 spaces already, plus ample street parking. Re-designing Rodgers Senior Center with underground parking and possibly in a Mediterranean motif to blend with the surround homes is the best choice.

Section 4.3-18 Wildlife . As proposed in the Central Park location, this Senior Center project will have significant environmental impacts on the migratory and resident birds, and raptors, which use Central Park as their nesting and foraging grounds, and on the neighboring homeowners. These impact were not adequately addressed with facts in the Draft Environmental Impact Report.

The burrowing owl, a State Species of Concern, was identified as potentially occurring within the project site. Given the regional rarity of this species, direct or indirect impacts to this species would constitute a substantial adverse impact to species that meets the definition of Sections 15380 (b), (c), or (d) of the CEQA guidelines, which is considered a significant impact. **This project could result in the direct loss of a sensitive species**, the permanent habitat loss including loss of foraging, nesting, or refuge, impair essential behavioral activities, such as breeding, feeding, or shelter/refuge, displacement of wildlife by construction activities, and displacement of wildlife by construction activities.

MM4.3-1 and MM4.3-2, and project requirement PR4.3-1. The drastic mitigation measures suggested and outlined by the DSEIR are designed to intimidate and eliminate any Burrowing Owls , raptors, and migratory birds **prior to and during construction**. The mitigation measures posing intimidating survey monitoring tactics of the nests, and other scare tactics to keep the resident Owls from nesting and discourage them from returning to their nests, is inhumane and against the MBTA, CDFG and USWFS regulations. The DSEIR is implying that it is okay to destroy their nests and use any means to discourage them to return. If this is the case, then the DSEIR is also in favor of discouraging all other birds from being nearby. Does that include destroying nests in trees and discouraging nesting too close to the proposed center? **Implementation of the proposed mitigation measures MM4.3-1 and MM4.3-2, and project requirement PR4.3-1, would eliminate the birds and animals in close proximity to the proposed Senior Center project, in direct violation to the MBTA, and not ensure the protection of these species and their natural habitats.**

Construction Noise and Vibration. "Migratory avian species that may use portions of the site (or the large trees immediately adjacent to it) for nesting during breeding season are protected under the Migratory Bird Treaty Act (MBTA). Project implementation and construction-related activities including, but not limited to, grading, materials laydown, facilities construction, vegetation removal, and construction vehicle traffic **will result in significant environmental impact with disturbance of nesting species protected by the MBTA.** Studies have shown that loud construction noises can cause the mother birds to panic and fly from

their nests. Sudden escape often ejects eggs from the nest and leaves the nest open to predation and neglect in the mothers' absence.

Ground-Borne Vibration caused by the construction activities can be a significant environmental impact up to 500 feet or less from the source.

Operational Noise. As proposed in the Central Park location, this Senior Center project will have significant environmental impacts caused by Noise and excessive lighting from the Center. Since the Senior Center in Central Park is proposed to be open to group events, including parties and weddings with amplified music, up to 12:00 PM on Friday and Saturday evenings, there will be a significant impact upon the migratory and resident birds that nest in Central Park. **Night foraging birds and animals will be affected significantly.** Ambient sounds travel further at night and are amplified by the water in the lake. The neighboring human residents would also be impacted by more amplified decibels in the evening than the DSEIR implies.

While the DEIR attempted to quantify existing ambient noise levels, it never attempted to obtain the current ambient noise levels at night. The DSEIR failed to compare and contrast the difference between the current ambient noise at night and proposed project noise levels at night. A 5 dBA change is readily noticeable. In terms of human response to noise, a sound 10 dBA higher then another is judged to be twice as loud, and a 20 dBA higher four times as loud.

Any increase in ambient noise and frequencies can significantly affect the local wildlife. Two key metrics for measuring the effects of noise on animals are as follows:

The first, "alerting distance," is the distance at which sounds can be heard. These may be sounds made by a species to alert others to danger, or sounds made by predators (which the prey animals want to hear, so as to take cover).

The second, is "listening area," the full area around an animal in which it can hear other animals' calls, footsteps, and wing beats. A key insight offered by this approach is that even moderate increases in background noise can drastically reduce an animal's listening area.

For example, at night an owl needs to be able to acutely hear a mouse burrowing under the grasses. Birds, bats and small creatures communicating in the vicinity of the proposed project in Central Park in the evening may be unable to communicate distress or mating calls effectively. Bats, relying totally on echo location, are unable to find food when interference is produced by natural or mechanical means. Where the park in the evening is now a passive, quite place, if this project as proposed is built, the evenings will cause significant negative environmental impacts on the night creatures.

Although it is recognized that noise can affect humans psychologically and be physically injurious, little attention has been paid to the potential effects that noise may have on individual animals and populations within an area. This ignorance of the potential harm that could be caused by our own actions and the inertia with which research and concern about the issue has grown is symptomatic of the anthropocentric way in which we value and view the world. Wanting to reduce the human-produced din in natural areas for the sake of our solitude is not unjust, but failure to consider the effects on other life within those areas epitomizes the arrogance and egocentrism with which we typically approach and subsequently degrade the environment. Physiological responses to noise include an increased heart rate, and altering of metabolism and hormone balance. Behavioral reactions consist of head raising, body shifting, trotting short distances, flapping of wings (birds), and panic and escape behavior. Studies have shown that these effects has the potential to cause bodily injury, energy loss, a decrease in food intake, habitat avoidance and abandonment, and reproductive losses. In escaping the noise the birds are forced into less secure roosting areas. In addition, is the possibility of habitat avoidance and abandonment which could jeopardize the future stability and success of the population.

4.8 LAND USE/PLANNING

This DSEIR section analyzes the potential for adverse impacts on the existing land use characteristics of the

project site and adjacent areas resulting from implementation of the proposed project.

Visual Impact - Impacts and Mitigation Measures ***Effects of Project Implementation*** Additionally, the permitted height limit for the project site is 45 feet, with an additional 10 feet permitted for architectural projections. The overall height of the new structure would be approximately 30 feet, with architectural projections reaching up to 46 feet. Therefore, the project would not be consistent with the permitted building heights for the site as established by Section 213.08 (Open Space District: Development Standards) of the City's Zoning Code. The DEIR did not address the **distracting significant visual impact of the huge building design**. As configured, it does not blend well with the surroundings. A more Mediterranean-style would be warmer and more inviting. Also, there is a huge unnecessary cost impact since this Center is purported as being a one-story building, and yet the DEIR states that the building is to be 30 feet to 45 feet high. These are the heights of two and three story buildings. Why were there no alternative building designs submitted?

Why, if the building is to be located in Central Park, was it not designed as an addition to the Library?

Section 4.8.1 Environmental Settings - Existing General Plan/Zoning Designations. This section states that "Recreation and Community Services Element requires the development of system wide parks and recreation master plan. Under the Central Park Master Plan, the project site is currently identified as the future location of a low intensity recreation use. Project elements were not solidified at the time of preparation of the Central Park Master Plan; however, it was assumed that general elements/activities might include barbeque and picnic amenities, restrooms, tot lot, and an open turf area. Implementation of the proposed project would result in a more intensive land use and would be considered a high intensity recreation use. A GPA would be required to incorporate the Central Park Master Plan into the Recreation and Community Services Element and update it to reflect the senior center site as a high-intensity recreation area."

Impact 4.9-1 Construction and Operation of the Senior Center will cause an increased significant environmental impact. According to Impact 4.9-1, **in order to exceed the construction and operational noise standards established in Huntington Beach, a GPA would be required to be implemented to re-designate the use of the project from low-intensity to high intensity**, to accommodate the development of the proposed senior center on the project site. This would legally allow the increase of noise from the construction and operation of the center to exceed the current noise allowance.

4.12.2 Regulatory Framework - Federal - Americans with Disabilities (ADA) Act of 1990.

A significant environmental impact related to the placement of the project Senior Center proposed for Central Park is **the failure to address the steep incline from the project location to Goldenwest Street**. Seniors, and especially those using wheelchairs and walkers would not be able to go up the hill to catch a bus or walk across the street to Central Library. The elevation change is approximately 12 to 15 feet from the proposed parking lot to Goldenwest Street.

SUMMARY

Although, for some reason, the redesign of the existing Rodgers Senior Center was not included in the SEIR, it is my first choice for location. It is already situated on park land and the land is flat.

Based upon the abundance of significant environmental impacts associated with the proposed project in Central Park, and no significant environmental impacts associated with Alternative sites 4 and 5, my second recommendation would be Alternative 5 first because of its more central location, then Alternative 4.

Alternative site 4, Kettler is in close proximity to the largest concentration of seniors in the city, adjacent to a park, and is on flat land. This site is located close to the highest concentration of senior citizens. Also, the cost of the school, according to the School Board, is $8 million dollars (plus $3 million dollars of improvements already done).

Alternative 5, Park View School, is larger, and next door to Murdy Park. This site is more centrally located in the city and is on flat ground. Goldenwest is only one block away.

The school sites would have less impact on the surrounding neighborhoods than a school-full of active children.

Spending less money for the redesign of the Rodgers Senior Center, or the purchase or lease of the alternate school sites makes more sense that building the proposed Senior Center. This would leave money left over for renovations, and funds for improving our 18 city parks. We citizens deserve parkland that is safe and sanitary. We need to employ patrols (rangers), and reconstruct and expand the many restrooms and other infrastructure in disrepair....without raising taxes to do it. The in lieu fees for parkland could go far to help these situations.

Mary Jo Baretich
21752 Pacific Coast Highway #23A
Huntington Beach, CA 92646

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Thursday, April 12, 2012 2:00 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10898 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Arthur morgan
Description: Arthur & Marilyn Morgan
16222 Monterey Lane #86
Huntington Beach, Ca 92649
April 12th - 2012
In the upcoming Monday meeting(April 16th) of the HB City Council, the revised Environmental Impact Report(EIR) will be discussed.
It is our opinion that the lives of the Senior Citizens of this community are far more important than the lives of the Raptor habitat around this area. These raptors spend most of their time searching the missile sites of the U.S. Navy Net Depot where many of the coyotes are also finding plenty of prey.
We are wholeheartedly in favor of the building of the new senior center in central park, and expect to see you vote in favor of this project.!
Thank you in advance,
Arthur Morgan - Age 77
Marilyn Morgan - Age 71
Expected Close Date: 04/13/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 15

Esparza, Patty

From: Flynn, Joan
Sent: Thursday, April 12, 2012 12:06 PM
To: Esparza, Patty
Subject: FW: Senior center

From: kaylabelle @dslextreme.com [mailto:kaylabelle@dslextreme.com]
Sent: Thursday, April 12, 2012 11:15 AM
To: Flynn, Joan
Subject: Senior center

04/19/2012

ATTN City Clerk:

It is time for the new senior center to be built in Central Park. Ratify the environmental impact report and get the ball rolling!
Save our senior center now!!! We have been waiting for 6 years now!

Sincerely

Margaret Kay LaBelle
18202 Parktree Circle #108
Huntington Beach, CA 92648

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 15

Esparza, Patty

From: Flynn, Joan
Sent: Thursday, April 12, 2012 12:57 PM
To: Esparza, Patty
Subject: Fw: New Senior Center

Joan L. Flynn, CMC
Huntington Beach City Clerk

From: Teri Simonis [mailto:tlsimonis@gmail.com]
Sent: Thursday, April 12, 2012 12:55 PM
To: connieboardman@surfcity-hb.org <connieboardman@surfcity-hb.org>; Fikes, Cathy; kbohr@surfcity-hg.org <kbohr@surfcity-hg.org>; Carchio, Joe; Dwyer, Devin; Hansen, Don; mathew.harper@surfcity-hb.org <mathew.harper@surfcity-hb.org>; Shaw, Joe
Cc: Flynn, Joan; Kurt Ruhland <kurt_ruhland@yahoo.com>
Subject: New Senior Center

On Monday 4/16, my husband, Kurt Ruhland, and I would like you to pass the EIR on for the new senior center to be built in Central Park.

Thank you,
Teri Simonis
17231 Chapparal Lane
Huntington Beach, CA 92649

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 15

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 8:11 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10954 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Sharon Bowers
Description: PLEASE APPROVE THE EIR FOR LOCATING THE SENIOR CENTER IN CENTRAL PARK.
SHARON BOWERS
Expected Close Date: 04/17/2012

Click here to access the request

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 15

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATEMENTS:

- I SUPPORT A NEW SENIOR CENTER
- I SUPPORT THE ENVIRONMENTAL IMPACT REPORT (EIR)
- I SUPPORT A SENIOR CENTER AT THE GOLDENWEST AND TALBERT LOCATION VOTED ON BY THE CITIZENS OF HUNTINGTON BEACH

James P. Barker 4-9-12

SIGNATURE Helen Barker DATE

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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SIGNATURE Muriel Bergman DATE 04/06-2012

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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SIGNATURE [illegible] DATE 4/8/12

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SIGNATURE Margaret M. Mahoney DATE 4-9-12

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SIGNATURE Norma Jean Myrein DATE 4-6-12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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RECEIVED
2012 APR 12 PM 2:48
CITY OF
HUNTINGTON BEACH

SIGNATURE Thomas [illegible] DATE 4-9-12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATEMENTS:

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RECEIVED
2012 APR 12 PM 2:48
CITY OF HUNTINGTON BEACH

SIGNATURE Marilyn Potter DATE 4-10-12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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RECEIVED
2012 APR 12 PM 2:48
CITY OF HUNTINGTON BEACH

SIGNATURE [illegible] DATE 4-10-12

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SIGNATURE [illegible] DATE 04-07-12

I can't believe this is taking so long to build!

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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- I SUPPORT A SENIOR CENTER AT THE GOLDENWEST AND TALBERT LOCATION VOTED ON BY THE CITIZENS OF HUNTINGTON BEACH

SIGNATURE Regina Selvin DATE 4/9/12

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I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATEMENTS:

- I SUPPORT A NEW SENIOR CENTER
- I SUPPORT THE ENVIRONMENTAL IMPACT REPORT (EIR)
- I SUPPORT A SENIOR CENTER AT THE GOLDENWEST AND TALBERT LOCATION VOTED ON BY THE CITIZENS OF HUNTINGTON BEACH

SIGNATURE Carol Settimo DATE 4-9-12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATEMENTS:

- I SUPPORT A NEW SENIOR CENTER
- I SUPPORT THE ENVIRONMENTAL IMPACT REPORT (EIR)
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2012 APR 12 PM 2:18
CITY CLERK
HUNTINGTON BEACH

SIGNATURE Harriet Shulman DATE 4-10-12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATEMENTS:

- I SUPPORT A NEW SENIOR CENTER
- I SUPPORT THE ENVIRONMENTAL IMPACT REPORT (EIR)
- I SUPPORT A SENIOR CENTER AT THE GOLDENWEST AND TALBERT LOCATION VOTED ON BY THE CITIZENS OF HUNTINGTON BEACH and when are we going to get it! Get busy!!
- Don't have mtgs for Seniors at night - you are still driving them.

SIGNATURE Norma Tolin DATE Easter - Apr 8 '12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATEMENTS:

- I strongly SUPPORT A NEW SENIOR CENTER
- I strongly SUPPORT THE ENVIRONMENTAL IMPACT REPORT (EIR)
- I strongly SUPPORT A SENIOR CENTER AT THE GOLDENWEST AND TALBERT LOCATION VOTED ON BY THE CITIZENS OF HUNTINGTON BEACH

SIGNATURE Julia R. Van Loan DATE 4/9/12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATEMENTS:

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- I SUPPORT THE ENVIRONMENTAL IMPACT REPORT (EIR)
- I SUPPORT A SENIOR CENTER AT THE GOLDENWEST AND TALBERT LOCATION VOTED ON BY THE CITIZENS OF HUNTINGTON BEACH

SIGNATURE Helen Yuler DATE 4-10-12

Esparza, Patty

From: Villasenor, Jennifer
Sent: Monday, April 16, 2012 9:29 AM
To: Flynn, Joan; Esparza, Patty; Lugar, Robin
Subject: FW: HB City Council Meeting 16 April 2012; Item 15; Senior Center EIR

Comment for senior center item

From: mark@mcallen3.com [mailto:mark@mcallen3.com] **On Behalf Of** Mark Allen
Sent: Monday, April 16, 2012 8:35 AM
To: Villasenor, Jennifer
Subject: HB City Council Meeting 16 April 2012; Item 15; Senior Center EIR

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 15

Dear Ms. Villasenor:

This correspondence will follow up on our prior letters regarding the above-referenced project. I'm sending this via email so as to make it easier to provide our comments to the council members prior to the hearing.

We had hoped that the staff report provided to the Council might address some of the difficulties pointed out in our prior correspondence and in the presentations of others at the planning commission. Unfortunately, it does not. To avoid having this email become unnecessarily prolix, we will merely reference our prior comments on the EIR and our prior comments before the planning commission. We do not believe that any of our concerns have been adequately addressed. Moreover, concerns raised by others, for example Mark Bixby, have also not been addressed in the staff report.

We are particularly disheartened that the City has failed to consider any alternative other than building a huge acre sized building. We have looked in vain for any sign of an effort by the City to explore the alternative of using existing buildings to provide services to seniors. It appears that the City has determined that it is more important to build a big building than it is to actually provide the services needed. This approach both violates CEQA, and is wasteful of public funds and resources. We strongly urge the City to reconsider. Both proper stewardship and California environmental law require the City to do better in its evaluation of this project.

Let me mention in passing what I believe to be a conceptual block that is causing the City to make this mistake. The City seems to assume that it needs to own the site the Senior Center is located on. Nothing in the EIR, the staff report or anything else indicates that this is a necessity, yet it is treated as an overriding assumption.

The original justification for building a Senior Center in its current form was so that developers of the Pacific City Project could pay it for. This is now highly doubtful. Moreover, even if it were feasible have a single

development pay for the project, it would be very unwise. The EIR fails to show how badly this would impact other park projects. We believe the impact would be significant. Assigning over $20 million to a single project that produces no new open space, no new parks and provides no recreational opportunities for younger people is irresponsible. In short, the proposed Senior Center will not accomplish the goal of providing senior services. Instead, it will hamstring the City financially for years. We add that this is one of the issues that the court specifically directed the City to address. We do not see that it is been addressed in this record.

We turn now to the question of the City's implementation of its own land-use regulations. As we have mentioned in prior comments, there's nothing in the staff report discussing the need for a vote under the City Charter once the environmental review is complete. Similarly lacking is justification for issuing a conditional use permit for uses that clearly do not fall within the zoning classification. These issues need to be addressed as well.

We return next to the question of raptor habitat. We do not see that this issue has been properly addressed. It appears to us that the City has once again decided to defer important decisions regarding this mitigation measure and to rely on out of date (or wrong) information. Not only is this a violation of CEQA, it creates a risky situation for the development. Before the City makes any commitment to build the Senior Center, it should make sure that this mitigation measure could be achieved at a reasonable cost. An approval on this record would jeopardize not only the Senior Center, but all other developments in the park.

For good order, we add that we agree with and incorporate the comments of many other public-spirited citizens who protested this decision at the planning commission. We hope that the City will take these comments and use them as a basis for reconsidering this project.

Thank you,

Mark C. Allen III

--
Mark C. Allen III
Law Offices of Mark C. Allen APC
mark@mcallen3.com
(714) 343-6171 - Mobile
562-219-4134 - Work
562-733-0114 - Work Fax
13950 Cerritos Corporate Dr., Ste. A
Cerritos, CA 90703
The information contained in this email message is confidential and may be legally privileged and is intended only for the use of the individual or entity named above. If you are not an intended recipient or if you have received this message in error, you are hereby notified that any dissemination, distribution or copy of

this email is strictly prohibited. If you have received this email in error, please immediately notify us by return email or telephone if the sender's phone number is listed above, then promptly and permanently delete this message. Thank you for your cooperation and consideration.

PLD COMMENTS

PROPOSED CENTRAL PARK SITE
SENIOR CENTER
16 APRIL 2012

5 ERRORS

- The "project" is a building.
- We approved this once before.
- We can figure it out later.
- Park land is "free."
- This fixes the zoning and land use issues.

The “project” is a building.

- The purpose is to provide senior services.
- No reason the functions cannot be performed in an existing leased building.
- Fewer impact and are cheaper.
- Failing to look at alternatives violates CEQA.

We approved this once before.

- Prior approval “vacated”.
- Charter changed.
- Senior Center is clearly bigger than 5 AC.
- General Plan change never considered by voters

We can figure it out later.

- Money will not be there.
- Not one judge agreed with the idea that Quimby can be used to eliminate open space.
- Can’t make required findings for CUP.

Park land is “free.”

- Parks should not be treated like dirt.
- Biased analysis.
- Violates CEQA.
- Can’t make required land use findings.

This fixes the zoning.

- Can't make the required findings.
- Bad data: See comments at Planning Commission.
- Use still not compatible.
- Need to show economic viability to show feasibility, validity.

Comments on FSEIR 07-002 Based on FMEIR 99-1

BAR-2, pg 10-66, FSEIR 07-002: proposed to use FMEIR 99-1 grassland mitigation areas

FMEIR 99-1 assigned all grasslands mitigation acreage in Project/Program areas in 1999

Before Senior Center construction MM 4.3-2 needs 5 acres:
- Purchase and enhance private property to provide new mitigation area
  - 3.5 acres encyclopedia lots and small pump lease area
  - 4.0 acres Brindle/Thomas lease

- Remove overflow parking for Equestrian Center (55 utility posts)
  - 2.9 acres next to southeast corner of Center

Suggested corrections to MM 4.3-2 and pgs 4.3-22 and 4.3-23; identified errors in Table 3.7-3

CLG-20, pg10-57, FSEIR 07-002: proposed fig 3.9, pg 3-21 as Central Park land use plan

Fig 3.9 (fig 1.0-4, FMEIR 99-1) substantially out of date (1997-1998)
and never corrected to reflect FMEIR 99-1 changes to Plan specified in 1999

Suggested corrections to figure 3.9 and identified factually incorrect words on fig 3.9

41.2 Acres Non-Native Grass Area Required

Midden Area/Urban Forest/Trailhead (26 acres)

Semi-active Recreation Area (1.6 acres)

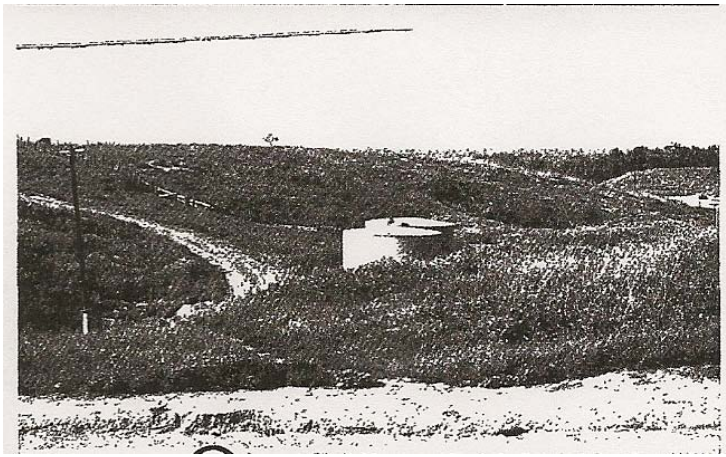
Sully Miller Lake Group Area (5.8 Acres)

Low Intensity Recreation Area (7.8 Acres)

(41.2 Acres)

FMEIR 99-1 Mitigation Plan defines non-native grass and Urban Forest area to replace acres taken by ball fields. Final result might look like the 1981 picture to the right, with interspersed Urban Forest trees.

This natural park area is heavily used by equestrians, bicyclists, hikers and other park goers.



Circa 1981 from EIR 81-5

Non-native Grasslands Identified in FMEIR 99-1

Aerial Photo, 1June 1994; Table 3.7-3

MM 4.3-2 Requires 5 Acres Non-native Grassland

One-half a Quarter section is 80 Acres

Equestrian Center	25.0 acres
Brindle/Thomas	3.8 acres
Encyclopedia lots and small oil lease	3.5 acres
Midden Area/Urban Forest/Trailhead	43.2 acres
Semi-active Recreation	
Non-native grassland	1.6 acres
Developed (Equestrian Center parking)	2.9 acres
Total	**80.0 acres**

Specifications from Table 3.7-3 0f FMEIR 99-1

FMEIR 99-1 Area	Total Acres	Non-Native Grassland Acres	Developed Land Acres	Landscaped Acres	Lake Water Acres
Low-intensity	19.2	7.8	0.0	11.4	0.0
Midden	26.0	26.0	0.0	0.0	0.0
Semi-active*	8.0*	1.6	5.1*	1.9	0.0
corrected*	4.5*	1.6	2.9*	0.0	
Sully Miller**	19.2	5.8	4.8**	8.6**	0.0
corrected**	19.2	5.8	0.0**	2.4**	11.0

41.2 acres non-native grassland required

* **Neglected to account for private/lease property in Midden Area:**
Encyclopedia lots +oil lease = 3.5 acres

** **Neglected to account for Sully Miller Lake 11 acres water area:**
Retain "11.7 disturbed reparian areas ('8+ vertical acres')" and delete "landscaped" area to support small birds: endangered, state-listed and sensitive

Sully Miller Lake Group Facility from FMEIR 99-1

Google Maps, 17Jan2012

Lake Banks
- 80-120 feet high
- Trees slide/fall into water
- 8.6 "vertical acres" disturbed reparian?

FMEIR 99-1 Central Park Land Use Plan- Natural Park

Aerial Photo 3/1/2008 , pgs 3.7-44 and 3.7-45, Final Master Environmental Impact Report 99-1

Comments on FSEIR 07-002 Based on FMEIR 99-1

BAR-2, pg 10-66, FSEIR 07-002: proposed to use FMEIR 99-1 grassland mitigation areas

FMEIR 99-1 assigned all grasslands mitigation acreage in Project/Program areas in 1999

Before Senior Center construction MM 4.3-2 needs 5 new acres, leaving 2.8 acres:
- Purchase and enhance private property to provide new mitigation area
  - 3.5 acres encyclopedia lots and small pump lease area
  - 4.0 acres Brindle/Thomas lease

- Remove overflow parking for Equestrian Center (55 utility posts)
  - 2.9 acres next to southeast corner of Center

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and never corrected to reflect FMEIR 99-1 changes to Plan specified in 1999

Suggested corrections to figure 3.9 and identified factually incorrect words on fig 3.9

Result of City Mitigation Efforts in FMEIR 99-1

Aerial Photo 3/1/2008

FMEIR 99-1 Noted Errors in Fig 3-9 of FSEIR 07-002

Incorrect descriptions from FMEIR 99-1
- **7.8 acres non-native grass**
- **11.4 acres landscaped**

FMEIR 99-1 specifies a natural park without development

Incorrect Equestrian Center boundaries

Incorrect facilities description

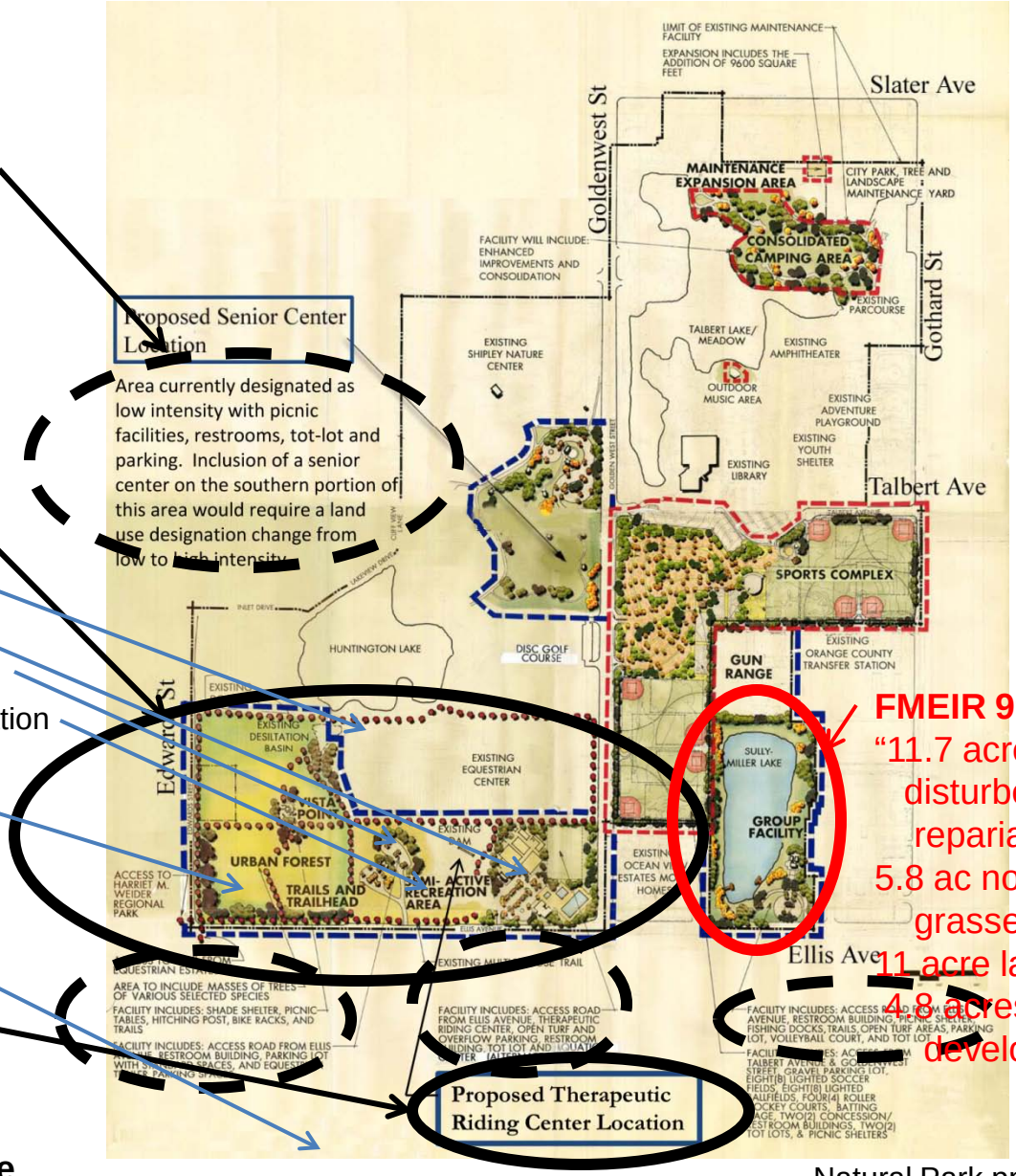
Trailhead planned on top of CDFG stream

Mislabeling of Semi-active Recreation location

Private property rights ignored
- Petroleum leases
- Encyclopedia lots

Improper reference date for figure application

Not the subject of FSEIR 07-002
Not specified in FMEIR 99-1
Different figure on Community Services website
Requires Charter Section 612 vote



FMEIR 99-1
"11.7 acres disturbed reparian"
5.8 ac non-native grasses
11 acre lake
4.8 acres developed

Please Take the Time to do FSEIR 07-002 Correctly

and Avoid Future Controversy

Appendix

FMEIR 99-1 Carefully Defined Natural Park Lands

pg 3.7-43, FMEIR 99-1

Natural Park

17.2 acres
Urban Forest

41.2 acres
Non-native grasslands
Midden Areas
Low Intensity recreation
Semi-active recreation
Sully Miller
containing
Multiuse trails
Raptors and other
conserved wildlife
Enhancements,
no development

TABLE 3.7-3
IMPACTS TO EXISTING BIOTIC COMMUNITIES FROM MASTER PLAN IMPROVEMENTS
HUNTINGTON CENTRAL PARK, CITY OF HUNTINGTON BEACH

BIOTIC COMMUNITY	Existing	Impacts		
	Pre-construction (Acres)	Preserved (Acres)	Project Impacts (Acres)	Post-construction (Acres)
Landscaped	80	64.5	-0.24 (2) -13 (3) -0.24 (4) -1.7 (8)[2]	64.5 +9.6 (3) +~~15.4~~11.4 (5)[2] ~~+4.8 (6)[2]~~ +1.9 (7)[2] +~~14.4~~8.6 (8)[2]
Urban Forest	20	20.2	–	20.2 +~~19.2~~17.2 (6)[2]
Non-native Grassland	72	~~3.8~~7.8 26.0 1.6	~~-15.4~~11.4 (5)[2] ~~-43.2~~17.2 (6)[2] ~~-9.6~~8.0 (7)[2]	~~3.8~~7.8 (5)[2] +~~14.4~~26.0 (6)[2] 1.6 (7)[2] 5.8 (8)[2]
Disturbed Riparian	34	21.9	-11.7 (8)[2]	21.9
Ruderal/Bare	55	5.8	-43.2 (1) -5.8 (8)[2]	~~5.8~~
Water Features	21	21.1	–	21.1
Developed[1]	74	69.1	-4.8 (9)[2]	69.1 +43.2 (1) +0.24 (2) +3.4 (3) +0.24 (4) ~~+4.8 (6)[2]~~ +~~7.7~~5.1 (7)[2] +4.8 (8)[2] +4.8 (9)[2]
Total	**356**	**~~206.4~~236.0**	**~~-148.9~~107.3**	**355.3**

Project Level Elements:
(1) Sports Field Complex
(2) Park, Tree and Landscape Maintenance Yard expansion
(3) Consolidated Camping Area
(4) Outdoor Music Area

Program Level Elements:
(5) Low-Intensity Recreation Area
(6) Midden Area/Urban Forest/Trailhead
(7) Semi-Active Recreation Area Use Area
(8) Sully Miller Lake Group Facility
(9) Police/Civilian Gun Range[3]

[1] Developed acreage includes 6.3 acres of paved trails throughout the park
[2] Impacts from Program Level elements are estimated based on existing design plans. A more detailed analysis of impacts is required when the projects move forward as capital improvements.
[3] The Police/Civilian Gun Range will result in 4.8 acres of impact to existing developed property.

"English Park"

94.1 acres
Heavily manicured
and landscaped
Picnic areas
Play areas
Paved paths

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 15

Jennifer Villasenor, Senior Planner

City of Huntington Beach Planning Department

2000 Main Street, Third Floor

Huntington Beach, CA 92648

Subject: Comments on SEIR 07-002, Material to be presented on 4-16-2012 to City Council

The City Council will be unable to make the correct land use findings due to what seems to be factual errors and conceptual misunderstandings of the City's prior approvals. Since many of these issues arose after the comment period for the Senior Center EIR, I would hope that the City would take the time to correct the record. An approval on this record would not only be illegal, but could jeopardize other projects and improvements in Central Park. (Attached are the slides I presented to the Planning Commission for reference.) Here are the issues:

Staff briefing by Jennifer Villasenor (15 charts):

Chart 3: the record is contradictory on the project size. The project size is not 45000 sq-ft; that is the size of the building footprint only. We are discussing a project nearly 10 times in size at 392000 sq-ft (9 acres), plus another 45000 sq-ft for the TRC not authorized by Measure T.

Chart 6: The present mitigation plan on biological issues is not feasible and opens the door for challenge without some documents from the Planning Department showing they honored their FMEIR 99-1 mitigation commitments over the last 12 years. Do such documents exist for public review?

Chart 8: The "Central Park Master Plan" is a totally incorrect depiction of Central Park as described in FMEIR 99-1 and needs to be corrected as noted in previous public comments. To allow the incorrect portrayal of the park and its long term/permanent development restrictions could be interpreted as an attempt to circumvent City Charter Section 612.

Chart 9: This is an incorrect plat representation of the project. The plat map should show a 9 acre project area, not a 5 acre area. The 5 acre plat map is missing 4 additional acres of driveway entrance and supplemental landscaping around the 5 acres.

Chart 13: Staff needs to re-read the letters from the US Interior Department Fish and Wildlife Service (Service) and from the CA Dept of Fish and Game (CDFG) in Section 12 of FMEIR 99-1. The City's response to meet Service and CDFG comments are also found in sections 12 and 13. The ball parks would not have been built without a commitment to biological mitigation within the Low Intensity, Sully-Miller, Midden/Urban Forest and Semi-Active Areas for raptor foraging. The biological mitigation the City committed to provide in FMEIR 99-1 was an acknowledgement by the City that the Service and CDFG were correct in stating there was severe destruction of 68 acres of raptor forage and other habitat by the ball parks and "amenities" of the Sports Center.

Chart 15: The Equestrian Center land survey may make the SEIR 07-002 for the Senior Center incomplete. The land survey shows that in order for the City to perform the Senior Center biological mitigation, private property and leases in the 1/8 section containing the Equestrian Centermay need to be purchased. No plan is presented in SEIR 07-002 that indicates where the funds are reserved within the City budget. No plan is mentioned to condemn the properties in an area already over-committed to a biological mitigation plan under FMEIR 99-1. Is the staff proposing to remove 7.8 acres from the Equestrian Center lease for the purpose of biological mitigation for the Senior Center? As noted in a letter from US District Attorney Patterson referenced in FMEIR 99-1 Section

12, biological mitigation plans had to be believably stated before the Service or CDFG could approve plans for the construction of the Sports Complex.

To City Council: Staff may have become confused over the years promoting this development project. The Council needs to protect the other users of the park, the voters and property owners of Huntington Beach from possible multi-cause legal actions and challenges, while addressing senior issues via a more focused plan with fewer moving parts.

Letter to Council by Scott Hess (13 pages):

Page 1: How can a 30-40 ft building be "1 story tall"? This is misleading for the Council's understanding of the drawings of the Senior Center.

Page 2-3: The Senior Center project is unfunded and could obligate the City to a large expenditure in the future if approved by Council. SEIR 07-002 seems incomplete.

Page 3: SEIR 07-002 describes a project 10 times larger than stated here, more like 437000 sq-ft than 45000 sq-ft.

Page 4: The Central Park Master Plan proposed was created in 1997-1998 and does not reflect the changes required in FMEIR 99-1 that Council voted to accept in August 1999 to satisfy US Department of Interior and CA Fish and Game concerns. Does Council really want to inject the TRC into this decision when it was not approved in Measure T? The project description becomes unstable because it now includes new elements such as the TRC the voters did not approve in 2006.

Page 5: The hours of operation should not exceed normal park hours. Allowing operation to midnight on Fridays and Saturdays is unnecessary and contemptible to neighbors and park users.

Page 6: The City's recognition of the radical change in the low intensity area's usage from "passive" to "active" and the described Senior Center "business" activity reinforces the need to replace the entire 7.8 acre raptor foraging area being taken in the Low Intensity Area with some new land in a biologically suitable location.

Page 7:The letter fails to read plat maps and calculate simple percentages:(9acres/14 acres)x100=64%! The impact on the local area is not "less than 10%" but 64% if you count the entire project including parking, driveways and supplemental landscaping.

Page 7: Here the letter tells the Council that a 9 acre landscaped strip-mall-like building has no biological impact on the local area. Has staff done any observation and studies to show that this is true anywhere else in the City or anywherefor a 9 acre strip-mall-like building? Has a credentialed biologist approved this statement? The biologist's approval and the observation data are not in the documents staff provided the public and Council.

Page 7: A mitigation list is worthless when the staff's performance in mitigation activities on FMEIR 99-1 and other past EIR's seem to lack documentation. Has anyone in the Council seen a Biological Mitigation Monitoring report from staff showing that a plan a Council approved is being followed?

Page 10: This interpretation of the FMIR 99-1 sounds like the version without Sections12 and 13. In Sections 12 and 13 the staff recognized and modified DEIR 99-1 to meet the US Interior Dept and CA Fish and Game Department concerns before the City Council would approve FMEIR 99-1 in August 1999. The mitigation of the Midden/Urban Forest, Low-intensity Area, Sully-Miller Area and Semi-Active Area for non-native grassland and urban Forest are clearly stated in FMEIR 99-1 on modified pages 12-15, 3.7-43, II-17, 3.7-44, 3.7-45 and 3.7-46. The statements in the letter are in direct conflict with FMEIR 99-1, the Master Environmental Impact Report for this area of Central Park. For instance, the staff forgot to include the 26 acre midden area of non-native grasses

noted in FMEIR 99-1. Note the staff again considers Talbert Lake Meadow as non-native grassland (which is under water when raptors are present!). The Service and CDFG specifically pointed out the error to staff in 1999 and requested the map used by staff be redrawn correctly for the Talbert Lake area.

Page 11: The staff states the Sports Complex was not considered raptor foraging habitat in 1999. It is as if the staff did not read the Master FMEIR 99-1 before planning and writing SEIR 07-002. Please refer to page 12-15 in FMEIR 99-1, where staff and the City acknowledge that the ball parks did take 42 acres of ruderal vegetation foraging areas for raptors and other species. Also please refer to Section 4.3-2, pages 4.3-21, 22 and 23 in DEIR 07-002 where the biology expert hired by the staff explicitly states ruderal habitat supports raptor foraging and thus its destruction by the proposed 5 acre [really 9 acre] Senior Center needs to be mitigated. By what logic can staff contradict its and City Council's observation in 1999 and also ignore the 2007 pronouncements of its staff-selected biology expert? Also please recognize that the Sports Complex took more than 42 acres for the ball fields; "parking and other amenities," destroyed an additional 30 acres approximately of ruderal foraging and trees which were only partially mitigated in FMEIR 99-1 (see letters from Service and CDFG noted previously and scaled area from fig 8 in attach A of Section 13 of FMER 99-1).

Page 11: The Equestrian Center boundaries were clearly shown and stated in the original 1982 lease to Milligan. The City initially recognized the US National Public Land Survey boundaries on the 10 acre stable property purchased by the City in 1974 from Curtis/Clark/ et al. I believe this 10 acre stable was operated by the City until 1982 when the original stable was leased to Ed Milligan of Better Built Enterprises to operate and improve with 15 acres of land between the east side of the City's stable and the centerline on Golden West Street. The recent new "usage boundary" survey for the Equestrian Center establishing its "correct 1982 lease boundary" show its current boundary probably enclosed private property in the western boundary area. If the usage survey of the lease area is correct, the City and/or its lessee could owe a substantial sum of money to the property owners dating back to 1974, which could also include penalties for illegal land seizure by the City and/or the lessee. This information on private property ownership dates to July 2011 property tax records held by the County of Orange. If the City and/or lessee purchased this private property for the Equestrian Center since then, they may only owe rent and penalties from 1974 to 2011 to the original private owners.

To sum up: SEIR 07-002 is no longer factually supported in the letter. In fact, the letter incorrectly states facts and, ignores other parts of the public record. In fact, it ignores common sense. Staff seems to be intent on forcing an unfunded hodgepodge EIR and planning document into a legal environment which will be hostile to the City's objectives for seniors. The letter shows staff has little understanding of past planning decisions in FMEIR 99-1, approved by public comment and votes and Council actions. Recommend disapproval of the proposed SEIR 07-002 and associated documents.

Sincerely,

/s/

Bob Schwanz

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 9:49 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10957 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Bill Morris
Description: As a 37 year resident of Huntington Beach and a senior citizen, I am asking you to vote in favor of the EIR for the new senior center. Seniors need to be put before birds. Birds will always be there and this building will not cause them to go to other places.
Thank you for your time.

Bill Morris
bmorris@socal.rr.com

Expected Close Date: 04/17/2012

Click here to access the request

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 15

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 9:50 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10958 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: John Miles
Description: From: J D Miles [mailto:jdmiles@socal.rr.com]
Sent: Monday, April 16, 2012 9:07 AM
To: Shaw, Joe
Cc: Stephenson, Johanna
Subject: EIR FOR THE NEW SENIOR CENTER

Dear Council Member,

Please vote to pass the EIR for the new Senior Center at tonight's council meeting.

John Miles
19316 Wingedfoot
Huntington Beach

Expected Close Date: 04/17/2012

Click here to access the request

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 15

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATE MENTS:

- I SUPPORT A NEW SENIOR CENTER
- I SUPPORT THE ENVIRONMENTAL IMPACT REPORT (EIR)
- I SUPPORT A SENIOR CENTER AT THE GOLDENWEST AND TALBERT LOCATION VOTED ON BY THE CITIZENS OF HUNTINGTON BEACH

SIGNATURE Margaret A. Adams DATE 4/13/12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATI MENTS:

- I SUPPORT A NEW SENIOR CENTER
- I SUPPORT THE ENVIRONMENTAL IMPACT REPORT (EIR)
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SIGNATURE [illegible] DATE 4.11.12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATI MENTS:

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SIGNATURE Luciano Controelli DATE 4-12-2012

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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SIGNATURE Joanne Goudge DATE 4-13-12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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SIGNATURE Linda Gray DATE 4-12-12

AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATEMENTS:

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SIGNATURE [illegible] DATE 4/12/2012

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SIGNATURE Mary D. Sloomer DATE 4/13/12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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SIGNATURE Lenora Sanchez DATE 04/09/2012

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

I AM A RESIDENT OF THE CITY OF HUNTINGTON BEACH AND I AGREE WITH THE FOLLOWING STATEMENTS:

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SIGNATURE Shar Schubert DATE 4/11/12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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SIGNATURE Sonny Schuber DATE 4-11-12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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SIGNATURE [illegible] DATE 4.12.12

TO ALL OF THE HUNTINGTON BEACH CITY COUNCIL MEMBERS

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SIGNATURE [illegible] DATE 4-12-12

SOUTHERN
CALIFORNIA
VETERINARY
MEDICAL
ASSOCIATION

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

Members of the City Council
City of Huntington Beach

April 2, 2011

Esteemed City Leaders:

The SCVMA is this nation's largest regional professional association for veterinarians numbering over 1500 members in both Los Angeles and Orange Counties. Our members work very hard as both healthcare professionals and small business owners within their communities.

In the City of Huntington Beach, there are numerous veterinary hospitals taking care of the multitude of pets. Each of them is an advocate for the pets and for responsible pet ownership. And each of them is a tax paying, business licensed small business within your community.

The ordinance that Huntington Beach is considering under the guise of animal welfare has an impact on the pets, the pet owners and the small businesses in your community. The SCVMA cannot support efforts to regulate the issue under consideration when education is a much more effective way to increase pet owner awareness.

We base our concerns based upon the following facts:

1. Over the last 20 years, animal welfare groups and the media have launched an effective campaign to expose animal abuse in commercial breeding facilities across the country. As a result, 6 states have passed 'puppy mill' legislation mandating commercial breeding operating standards thus improving the care of companion animal pets at breeding facilities. Protecting abuse of puppies and kittens in commercial kennels and among breeders is a worthy endeavor and we recognize and support the efforts of animal welfare groups in their efforts.

   However, we do not agree that eliminating the sale of pets in retail pet stores in Huntington Beach would result in serving the interests of your city's pet's owners and the pets they wish to bring into their families. The State of California enacted the Pet Animal Protection Act also known as the Lockyer-Polanco-Farr Pet Protection Act. The act is the most powerful state law ever enacted in America to mandate quality care guidelines within all animal care facilities to include animal shelters and in particular pet store environments. The Act provides for pet retailer penalties and remedies for consumers that purchase pets with medical problems. These penalties require retailers to pay up to 2.5 times the purchase price of a pet should it become ill or require veterinary care. More

5576 Corporate Avenue • Cypress, CA 90630 • Tel: (714) 821-7493 • Fax: (714) 821- 7213 • scvmainfo@scvma.org

globally, the USDA oversees the so called puppy mills or large commercial breeders. Information about puppy mills that are cited by the USDA is readily available.

In contrast smaller 'hobbyist' or backyard breeders, AKC breeders, and breeders or parties that offer pets for sale over the internet or in the newspaper are **not** regulated by this act. A consumer purchasing a pet from a retail pet store is protected to a much greater degree than a consumer answering an ad for puppies in a newspaper or from a local breeder. A pet sold in a pet store has the greatest chance of receiving the highest quality veterinary care should it become ill within the first year of life as a result of this California law. The city of Huntington Beach may further control standards of care in pet stores through business licensing applications issued annually. Finally, the Animal Control division of the Police Department is responsible for quick response to complaints of animal abuse or cruelty within city limits and have jurisdiction at the pet stores.

2. It is reported that there is a consumer demand for 8,000,000 puppies and kittens in America each year. The AKC, representing over 2,000 breeders nationwide, has stated that it cannot keep up with consumer demand for puppies in the United States. In 2009 over 300,000 dogs were brought into the United States from Mexico for sale. We strongly support the adoption of pets through community shelters and through rescue/adoption organizations. However, consumers do not look to rescue or shelter adoption for puppy and kitten acquisition. We are very concerned that by eliminating consumer choice through banning puppy and kitten sales in reputable pet stores that consumers and pets would suffer from a lack of regulation in seeking alternative unregulated sources outside city limits and possibly outside the state and even the country.

The laws of unintended consequences tend to ring true in situations where these ordinances have been passed. In the case of banning the sale of puppies or kittens, consumers will find other resources for the purebred or even mix bred puppies or kittens. And these resources will not have the oversight of the city of Huntington Beach or your business license office. The puppies and kittens will still make it to Huntington Beach but now underneath the radar screen. In the meantime, you create an ordinance that sends a message to small businesses that says, "From its dog-friendly parks to its world famous dog beach, Huntington Beach enjoys the reputation as an animal-friendly city" just not a business friendly city.

The SCVMA and the veterinarians in the City of Huntington Beach definitely want to insure that pets that are sold in the city meet the highest standards. It is unfortunate that they were NOT consulted with when these ordinances came up as a lot of time and money could have been saved. The SCVMA and the City of Huntington Beach veterinarians are the best resource to educate your pet owning population on Responsible Pet Ownership from birth to death. And they are eager to provide the pieces to do so—print, online, radio, TV, etc.

Please consider education before regulation as the answer to the animal welfare issue under consideration. If you are seeking to send a message that Huntington Beach is an animal welfare advocate city, you may actually be sending the opposite message while concurrently sending an anti-small business message that will resonate both within the city and to others seeking to open businesses within the city.

Should the SCVMA be able to assist you in any manner with these ordinances, we are here to help.

Sincerely,

Peter Weinstein, DVM, MBA
Executive Director
pweinstein@scvma.org

Peter Vogel, VMD, DACVS
President

Esparza, Patty

From: Flynn, Joan
Sent: Thursday, April 12, 2012 9:24 AM
To: Esparza, Patty
Subject: FW: Dog and Cat Commercial sale ordinance

Importance: High

From: Flynn, Joan
Sent: Tuesday, April 10, 2012 5:12 PM
To: CITY COUNCIL; Bohr, Keith; McGrath, Jennifer
Cc: Wilson, Fred; Hess, Scott; Fikes, Cathy
Subject: Dog and Cat Commercial sale ordinance
Importance: High

Mr. Kevin Chong, the owner of Animal Kingdom located on Goldenwest and Warner Avenue received the courtesy notice about the upcoming first reading of the ordinance to ban the commercial sale or resale of dogs and cats. A few days before that, some of his customers came to him with the article from the OC Register. That was how he originally heard of this ordinance, but it was already after the city council meeting. He sat in my office and via the computer archived videos, watched the public comments and some of the discussion that took place at the meeting. I have given him instructions on how to watch the whole item. He will be there Monday night to speak to Council. Mr. Chong speaks Korean, and desires an interpreter, which he will provide (probably his daughter Mira). Since there will be a "going back and forth" between Korean and English, I will make accommodations by making the time longer to afford Mr. Chong the pportunity to make his points as a non English speaker.

Mr. Chong would like to meet with one or more of you to tell you how this ordinance will affect his business which has been established since 1974, and which he purchased 8 years ago. I am going to include his telephone number – he is not really comfortable speaking on the phone as he cannot readily understand what is being said. I find his English okay when in person, so he is requesting an opportunity to speak with you in person. The public comment portion of the meeting will be difficult for him but he will be there.

Mr. Chong can be reached at his business 714-847-5433 and his cell number 714-292-7758. His hope is that you will call or Cathy will call with an appointment, and that he can meet in person so he can communicate better. He can also be reached at mirachong714@yahoo.com (his daughter's email address). He can read English so will be able to respond to you about a meeting

Mr. Chong will be submitting a written response to the notice and will deliver it to my office, as noted in the Courtesy Notice. When I receive that, I will forward it to all of you.

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

Esparza, Patty

From: Flynn, Joan
Sent: Thursday, April 12, 2012 9:23 AM
To: Esparza, Patty
Subject: FW: One more thing

From: Flynn, Joan
Sent: Tuesday, April 10, 2012 5:31 PM
To: CITY COUNCIL; Bohr, Keith
Cc: Wilson, Fred; McGrath, Jennifer
Subject: One more thing

Mr. Chong wants me to convey to you that his children are hearing that Animal Kingdom is a puppy mill store, because of what has been spoken at the meeting or written. He raised his children to be proud of their store, and it has given him the means by which to raise them. They are now embarrassed by what is being said, and he is interpreting the issue to be that he is a criminal or doing criminal activity (although he said he has never bought a puppy from a puppy mill, he buys all of his pets from local individuals who are breeding in their homes – many of them his grooming customers). He feels his honor and that of his family and business has been demeaned, and is very anxious about that as it is very important to him culturally. His feelings as a Korean are very important that the father must have honor, and he does not want his daughters to be ashamed of him by what has been said. He wants them to be proud of him.

Esparza, Patty

From: Stephenson, Johanna
Sent: Wednesday, April 11, 2012 7:57 AM
To: Esparza, Patty
Subject: FW: City Council Meeting - Please Speak Up for Puppy Mill Dogs

Johanna Stephenson / Executive Assistant / johanna.stephenson@surfcity-hb.org / O: 714.536.5575 / C: 714.536.5233

From: Animal Protection and Rescue League [mailto:brenda=aprl.org@mail52.us1.mcsv.net] **On Behalf Of** Animal Protection and Rescue League
Sent: Tuesday, April 10, 2012 9:04 PM
To: Stephenson, Johanna
Subject: City Council Meeting - Please Speak Up for Puppy Mill Dogs

Is this email not displaying correctly?
View it in your browser.

APRL Animal Protection and Rescue League

Help Stop Puppy Mills

Attend the Huntington Beach City Council Meeting

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

The Huntington Beach City Council will vote on a CRUCIAL ordinance to prevent puppy- and kitten-milled pets from being sold in Huntington Beach.

Date: Monday April 16, 2012
Time: 6:00 pm (Please arrive early to fill out a speaker card)
Location: Council Chambers, City of Huntington Beach

**********PLEASE WEAR RED**********

You don't have to live in Huntington Beach to have your voice heard.

We need to fill up city council chambers. Please invite your friends, family members and neighbors.

If you cannot attend the meeting, please send a brief and polite message to all 7 council members. Follow this link and ask them to vote YES on the ordinance.

Please forward this email to animal friendly people and post on social media sites. Here is the Facebook Event.

Thank You.

APRL SoCal Team
www.aprl-socal.org
(714) 584-4321

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Tuesday, April 10, 2012 10:43 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10878 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Ronnie Steinau
Description: I am urging The Huntington Beach City Council to vote "YES" on the ordinance to prevent puppy- and kitten-milled pets from being sold in Huntington Beach.
Expected Close Date: 04/11/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Wednesday, April 11, 2012 11:02 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10881 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Diane Scioli

Description: Dear Honorable Council Members of the City of Huntington Beach. I implore you to please consider banning the sale of puppy mill dogs in the City of Huntington Beach. The animals that produce such puppies are, as I am sure you are aware, forced to live in deplorable conditions, often w/o medical care, any exercise, little human contact in a cage for their "productive" years. Following these years they are often euthanized or discarded. Considering the number of healthy animals euthanized for lack of space every year in this country (3-4 million), many of whom are "pure bred" these facilities are unnecessary. I am typically an advocate of business w/o government intervention but, just as child labor laws had to be instituted 100 years ago to stop exploitation, it is time we stop this cruel practice of puppy "production" mills.
Thank you for considering this letter.
Best Wishes,
Diane Scioli

Expected Close Date: 04/12/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Thursday, April 12, 2012 10:31 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10892 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Question

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Dora

Description: This is just a note to thank you for considering to disallow puppy- and kitten-milled pets from being sold in Huntingon Beach. Your support for this fair and reasonable ordinance makes you one of the reasons I LOVE THIS CITY. There are obviosly so many homeless pets that are available for people to adopt and there is no need for anyone to "make" animals to sell.

Because I cannot be at the meeting on April 16th, I wanted the chance to thank you for honoring animals.

Expected Close Date: 04/13/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Thursday, April 12, 2012 11:39 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10895 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Beth Janich

Description: Please support the ban on stores that sell puppies in HB. These stores are the only reason that the cruelty of puppy mills exist. Eliminating the customers of puppy mills will eliminate puppy mills. Please make the correct ethical and moral choice and vote to ban the sale of puppies in HB pet stores.

Expected Close Date: 04/13/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 6:08 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10902 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Susan Johnson

Description: PLEASE support the ordinance that prevents pet stores from selling puppies and kittens that are milled. We have an over population of beautiful dogs and cats without homes in Huntington Beach already. There is no need to be selling pets when there are so many wonderful pets that could be rescued. I am counting on the HB City Council to truly consider the seriousness of unwanted pets and stop the mills from selling in our city.

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 8:44 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10903 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: gary rodriguez
Description: please vote for no on selling dogs or cats from breeders in petstores in HB
Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

Esparza, Patty

From: Fikes, Cathy
Sent: Friday, April 13, 2012 5:31 PM
To: Esparza, Patty
Subject: FW: Surf City Pipeline: Comment on an Agenda Item (notification)

From: Surf City Pipeline [mailto:noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 1:59 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10906 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Bob Johnson
Description: We are a distributor of premium pet foods in Southern California. We are located in Brea, CA and have been in business for 30 some years. We are a member of PIDA and PIJAC and oppose some of the current regulations where the sale of pets through legitimate retail businesses is being outlawed.

http://pida.org/
http://www.pijac.org/

This is an excerpt from the PIJAC website. PIJAC strongly supports the right of responsible pet owners to have options as to where they obtain their animals based on the pet owner's individual circumstances, needs and preferences. Pet stores provide healthy, responsibly raised pets to the public, and should serve as one of the options pet owners may turn to in choosing a companion animal. Discriminatory bans against the sale of animals by pet stores are poor public policy, and are harmful to pets and pet owners. Such bans do not benefit animals or the pet owning public. In fact, pet bans drive legitimate retailers out of business and create an underground market for illegitimate sellers of pets.

I am not exactly sure why the motivation for such animal controls is at an all time high, but there really doesn't seem to be a sound basis for it. A few organizations such as PETA and the National Humane Society have stirred up public campaigns against the owning of pets totally. There is nothing wrong with owning pets and being able to go to a legitimate store to purchase healthy and sound animals. Why would be outlaw this?

Bob Johnson
General Manager

Expected Close Date: 04/16/2012

Click here to access the request

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/2012

Agenda Item No. 17

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Esparza, Patty

From: Fikes, Cathy
Sent: Friday, April 13, 2012 5:31 PM
To: Esparza, Patty
Subject: FW: Surf City Pipeline: Comment on an Agenda Item (notification)

From: Surf City Pipeline [mailto:noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 2:12 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10907 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Amy Klein
Description: Please vote YES to stop the sale of dogs and cats from breeders and puppy mills in HB.

Thank you!!
Amy Klein

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 2:30 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10909 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: kathy mesch

Description: Please I respectfully urge you to ban the sales of dogs and cats,due to puppy mills and cat mills.The selling of pets for profits,causes diseased and physically impaired animals.This is not acceptable retail.Please consider ethics before profits.Thanks,Kathy mesch

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 2:55 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10911 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Lance Whitmier
Description: Hello, I am simply conveying my support of the ordinance before the City Council which would ban the sale of dogs and cats by retail commercial establishments. Please pass this ordinance. Any visit to the local shelters would be proof that we have a major issue regarding the pet population and (unfortunately) the indescriminate abandoning of dogs and cats. Thank you for your time and consideration in regards to this ordinance. Sincerely,

Lance Whitmier

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 3:04 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10913 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Shereen Hawkins
Description: Please vote yes to ban the sale of dogs and cats by retail commercial establishments.
Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 3:57 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10915 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Question
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: patelli paschal
Description: Please ban the commercial sale of dogs,cats,and other companion animals.
Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 4:53 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10918 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Gerald and Marilyn Lipson

Description: We strongly urge the city council to BAN the selling of dogs and cats in Huntington Beach. By banning the sale of these animals, you will be slowing down the exploitation of said animals who come from puppy mills and backyard breeders. There is already a massive overpopulation of unwanted animals in Orange County. The Board of Supervisors is charging $81 to give up pets in hard times.

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 4:53 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10919 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Irma Guevara
Description: I am asking the Huntington Beach City Council to ban the sale of dogs and cats by retail commercial establishments—which often get their animals from breeders and puppy mills—within the city. Please support this and get this passed.
Expected Close Date: 04/16/2012

Click here to access the request

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 5:26 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10921 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Christine
Description: On March 15 I went to the OC Animal Care shelter in Orange to check out an abandoned Brussels Griffon and ended up adopting her. The OC Animal Care shelter serves the city of Huntington Beach, as well as other OC cities.

According to a 2011 article in the Orange County Register, tragically 47% of the animals impounded at the OC Animal Care shelter were euthanized. This is not a dysfunction of our animal shelter, but rather one of our society. Please understand that it is a no win for animal control to continue to collect unwanted and abandoned animals and have to euthanize them while pet shops continue to sell animals. As long as people can show up to a store, purchase a pet without a second thought and take it home that day, the shelters will remain full and will have to continue euthanizing the animals.

There are a LOT of animals in just this one shelter. They seem to be fairly well taken care of, they each have a raised bed, the kennels are heated and they all had fresh water. The majority of the dogs appeared to be chihuahuas, but there were a significant number of poodles, labs, huskies, pekinese and other breeds that are very common in pet shops that sell animals. It is sad to see the large numbers of pets who were most likely purchased on a whim at a pet shop and ended up in a shelter.

I didn't even go into the cat area as I already have too many at home. They also have so many bunnies, mostly white, that were most likely purchased as presents for Easter.

It was incredibly depressing to see those hopeless dogs looking at me and wagging their tails. I wish I could take all of them home.

Please help reduce the number of heart broken, homeless pets enduring life in shelters and vote "Yes" on banning the sale of dogs and cats.

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 7:14 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10922 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Karen Malley

Description: I am representing the growing group of individuals who support the ban of commercial sale of dogs and cats in the city of Huntington Beach. Many of these animals are bred by breeders who put finances ahead animal welfare. Genetically impaired animals are frequently a result of this practice. Even more importantly, we have a glut of dogs and cats in our shelters who should be chosen as pets instead of breeders creating even more animals resulting in the need for mass euthanasia and expense for the city and county. Huntington Beach can become one of the premiere cities in helping to eradicate these problems simply by banning the sale of these pets. Many pet stores make a good living through selling products only. I urge you to put H.B. on the map as an enlightened, humane city.

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 10:15 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10931 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Leslie Thaxton
Description: Please vote YES to ban the sale of dogs and cat from puppy mills and others.
Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Friday, April 13, 2012 11:40 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10932 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Karen Hauenstein
Description: Dear Mayor and City Council,
Please say yes to the banning of the sale of dogs and cats by retail commercial establlishments —which often get their animals from breeders and puppy mills—within the city.
Thank you kindly,
Karen S Hauenstein
Expected Close Date: 04/16/2012

Click here to access the request

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Saturday, April 14, 2012 10:37 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10936 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: R. Grounds
Description: My family has become aware of the City Council's Proposed Ordinance 3938 which would ban the retail sale of dogs and cats within the city. Although well intentioned, there has been no evidence presented to support that 3938, or bans like this one, benefit animals, responsible pet owners, or the general public welfare. This ordinance appears to be discriminatory - it limits the rights of HB businesses, and the rights of residents to choose where they purchase a pet.

Therefore, we urge you to provide supporting evidence and open debate about the potential public benefit of 3938 vs. the potential detriment of 3938 to local businesses and the public. If a clear and compelling benefit to passing 3938 is not articulated and supported with fact, please scrap this proposed ordinance.

Thanks for your consideration.

Respectfully,

Concerned HB Resident / Taxpayer / Responsible Pet Owner

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Sunday, April 15, 2012 9:39 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10940 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: melissa penfield
Description: Dear City Council Members, Please vote yes to ban the sale of dogs and cats by retail commercial establishments within the city.

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Sunday, April 15, 2012 10:26 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10943 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Cheryl Zweber

Description: Please, please support the proposed amendment to Ordinance #3938 to prohibit sale of dogs and cats by retail establishments in Huntington Beach. Attached is a copy of the Cert. of Pedigree we were given when we purchased our dog from PETS PETS PETS in June 2010. Note on the Certificate that our dog came from The Hunte Corp., Goodman, MO. This company processes 1,000's of animals annually and distributes them to pet shops all over the country. Undercover investigations reveal that the care for these animals are sub-par and cruel and the places they obtain the animals are from PUPPY MILLS. Note also the Breeder: Shelly Minor (D U Care Kennels, Nevada MO). In checking her out through the USDA website their various inspection reports indicate filthy water bowls, outside enclosures in disrepair posing potential injury to the dogs, insufficient coverage to protect the dogs from the e lements, unkempt partition areas in unsanitary conditions and on and on. There's no doubt in my mind that THIS is a puppy mill. When purchasing our dog from August Court of PETS PETS PETS he told us he was familiar with the breeder! How can he say he obtains his animals from reputable breeders as Mr. Keith Bohr indicated via Social Media? Our pup has been sick since the day we brought her home and has undergone numerous procedures and surgeries. Last year alone our vet bills were $7,192. The sale of these animals coming from Puppy Mills has got to stop, even if it's one pet shop at a time! We've been residents of HB for over 35 years and appreciate the Council Members that supported the prior proposal to draw up this amendment to the animal ordinance and hope that you and the other Council Members that voted no or are on the fence about it will PLEASE vote in support of the ban. Thank you for your time.

Expected Close Date: 04/16/2012

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Sunday, April 15, 2012 6:09 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10945 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Janet Rico

Description: I urge you to please ban the sale of cats and dogs in retail shops in the city of Huntington Beach. These animals often come from puppy mills and other disreputable establishments and are often in poor health and buying animals from these sources only increases the opportunity for animal abuse and neglect. In addition, there are countless pets at the local shelters that are euthanized every year who could have good homes if residents would adopt rather than purchase. I lived in Huntington Beach for six years and know it is a great place to leave. Please keep it this way by protecting animals from the cruelty of pet shops and by protecting consumers from being ripped off when a pet shop sells them a sickly puppy mill pet.

Expected Close Date: 04/16/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Sunday, April 15, 2012 8:09 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10946 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Michael Pinder
Description: Please vote YES on the ordinance to ban retail sale of dogs/cats. This will help stop puppy mills and make HB a better city.
Expected Close Date: 04/16/2012

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 3:47 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10948 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Question

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Lawrence Machtinger

Description: I am writing to urge all 7 council members to vote YES on Agenda Item 17 Approve for introduction Ordinance No. 3938 amending Chapter 7.12 of the Huntington Beach Municipal Code relating to Miscellaneous Animal Care and Control by prohibiting the sale of dogs and cats by a retail commercial establishment. Please adopt this progressive, compassionate and cost-effective measure to help end the dual tragedy of horribly abusive puppy mills and simultaneously reduce.the mass killing of wonderful, healthy animals in our shelters, which is both heartbreakingly tragic and a costly public expenditure that this measure will help to curtail.

Thank you.

Expected Close Date: 04/17/2012

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 7:05 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10949 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Question
Request area: City Council - Agenda & Public Hearing Comments
Citizen name:
Description: Honorable Coucil Members.....Please help animals have better lives. Put puppy mills out of business by voting to keep animals for sale out of pet stores. Thank You! Lynn Schwagle
Expected Close Date: 04/17/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 8:05 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10951 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Doug Poindexter
Description: Dear Mr. Shaw,

We strongly support the right of responsible pet owners to have options as to where they obtain their animals based on the pet owner's individual circumstances, needs and preferences. Pet stores provide healthy, responsibly raised pets to the public, and should serve as one of the options pet owners may turn to in choosing a companion animal. Discriminatory bans against the sale of animals by pet stores are poor public policy, and are harmful to pets and pet owners. Such bans do not benefit animals or the pet owning public. In fact, pet bans drive legitimate retailers out of business and create an underground market for illegitimate sellers of pets.

There are poor examples of pet stores, rescues, shelters and breeders but there are also outstanding examples of all of these options for the public to find a pet. They should not be restricted in the ability to choose what fits their needs.

Below are some quick points to consider when discussing this ordinance:

• Limiting people's right to get a pet only hurts animals as well as the pet-owning public.
• Putting legitimate pet stores out of business opens the door to underground markets.
• Research demonstrates that pet store puppies are on average at least as healthy as those from any other source.
• The vast majority of pet owners choosing a pet store animal are very happy with their pet.
• Pet stores are the most tightly regulated source for dogs and cats with warrantees and guarantees already in place

Please oppose this ordinance and its restriction of your citizen's choices when choosing an pet.

SUPPLEMENTAL COMMUNICATION

Sincerely,

Meeting Date: 4/16/12

Agenda Item No. 17

Doug Poindexter, CAE
President
World Pet Association, Inc. (WPA)
Promoting Responsible Pet Care
135 W Lemon Avenue, Monrovia, CA 91016 USA
Telephone: 626-447-2222 x104 FAX: 626-447-8350
Email: doug.poindexter@wpamail.org URL: www.worldpetassociation.org
Please note our NEW name, email address & URL
Don't Forget These Important Dates:

AMERICA'S FAMILY PET EXPO

April 20-22, 2012 OC Fair and Events Center, Costa Mesa, CA
November 3-4, 2012 Puyallup Fair and Event Center, Puyallup, WA
April 19-21, 2013 OC Fair and Events Center, Costa Mesa, CA

SUPERZOO
Mandalay Bay Convention Center, Las Vegas, NV
Sept. 11-13, 2012
July 23-25, 2013
July 22-24, 2014
July 21-23, 2015

Animal Rx: 11 Ways Pets Make You Healthy - Pet Health Center - Everyday Health
The information contained in this correspondence and in the attachments is confidential and intended for the exclusive use of the individuals named above. Unauthorized reproduction and/or distribution is prohibited.

Expected Close Date: 04/17/2012

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SUPPLEMENTAL COMMUNICATION

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 8:09 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Meeting Date: 4/16/12
Agenda Item No. 17

Request # 10953 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: David Wheelock
Description: I am writing you to ask you to please vote against proposed regulation 7.12.180. This proposal is mis-guided and harmful to honest Huntington Beach businesses who not support the city, but who also deeply care about the humane treatment of dogs and cats.

The California Federation of Dog Clubs, founded in 1990, represents thousands of dog owners across our state. We are advocates for animal welfare, for promotion of responsible dog ownership and for protecting the rights of responsible dog owners. Among our current projects, we conduct breed identification workshops for shelter workers, we distribute a dog care and training brochure for new owners who adopt from shelters, and provide a 1-800 help line for pet owners struggling with behavior or training problems. We also maintain and administer a relief fund for animals affected by disasters such as earthquakes or fires. We support animal legislation that provides positive benefits to society.

The CFoDC is OPPOSED to retail sales bans on pets, and urges you to reject proposed ordinance #3938.

Research shows that less than 5% of shelter animals originate from pet stores, and that the vast majority of pet store customers are very happy with their pets. A sales ban would only hurt legitimate businesses and responsible, regulated breeders, not substandard facilities.

Sales bans create a shortage of desirable pets, a black market for dogs and cats, and a rise in imports from other countries. And, replacing pets from licensed breeders with unregulated "rescue" animals is very unwise. Many "rescue" groups are already importing dogs from overseas to meet the demand for pets. This is happening right now in southern California! A rescue group in LA imports dogs and sells them for hundreds of dollars each. Per the "Dogs Without Borders" website: "We currently rescue most dogs from local shelters and strays, but sometimes we rescue dogs from as far away as Taiwan!....Some of the dogs you see on our site are not here in the States."

This practice is not only outrageous, but also is very irresponsible on the part of the shelters/rescues that participate. There are diseases and parasites in other countries which are transmitted from dog-to-dog or from dogs to humans which put the safety of our citizens and our dog population at great risk. In late 2004, the first case of canine rabies in Los Angeles County in 30 years was confirmed. The dog had recently come in from Mexico. Rabies is a fatal disease that still causes over 50,000 human deaths

annually worldwide.

Claims of high incidence of illness in pet store puppies are totally unsubstantiated. There is evidence that the pet industry provides more veterinary care for puppies than the public at large. DVM/VPI Insurance Group, the largest provider of animal health insurance, testified during a hearing in California that "preconceived notions" concerning pet store puppies "could not have been more wrong."

After insuring more than 89,000 pet store puppies and kittens and handling health claims from a pool of more than 500,000 insured animals, the insurance company reduced its premiums for pet store puppies and kittens substantially by as much as 22 percent compared to premiums charged for animals from other sources. Why? Pet store puppies receive more veterinary attention during the first 12 weeks of age than any other puppies and, as a result, have fewer claims.

Statistics collected over the past two years at the animal sanctuary "Heaven Can Wait" showed that fewer than 5 percent of shelter animals are from pet stores and no more than 1 percent or 2 percent are from professional breeders.

A ban on sales of commercially-bred pets is not necessary. Currently, most pet stores already do support rescue with adoption drives.

Pet stores are a legitimate source for healthy, well-bred animals. Studies show pet store animals are generally very healthy. Unregulated strays are a different matter, with unknown health, temperament, parasites and infectious diseases. Banning sales of animals from licensed and inspected sources in pet stores will have many adverse unintended consequences harmful to public health and safety. We urge you to reject the proposed ban on retail sales of pets.

Sincerely yours,

David and Maureen Wheelock
davidwheelock@me.com

Expected Close Date: 04/17/2012

Click here to access the request

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Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 8:47 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10956 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: chris chauncey
Description: please vote "yes" on stopping the sale of pets from puppy mills in HB.
thank you for helping stop the suffering of current and future animals. you can make a difference .
thank you.
Expected Close Date: 04/17/2012

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

RECEIVED
APR 16 2012
Huntington Beach
CITY COUNCIL OFFICE

P.O. BOX 2341 LANCASTER CALIFORNIA 93539
WWW.CFODCONLINE.ORG

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648
Fax: 714-536-5233
April 13, 2012

Dear Mayor Hansen and City Council Members,

The California Federation of Dog Clubs, founded in 1990, represents thousands of dog owners across our state. We are advocates for animal welfare, for promotion of responsible dog ownership and for protecting the rights of responsible dog owners. Among our current projects, we conduct breed identification workshops for shelter workers, we distribute a dog care and training brochure for new owners who adopt from shelters, and provide a 1-800 help line for pet owners struggling with behavior or training problems. We also maintain and administer a relief fund for animals affected by disasters such as earthquakes or fires. We support animal legislation that provides positive benefits to society.

The CFoDC is **OPPOSED** to retail sales bans on pets, and urges you to reject proposed ordinance #3938.

Research shows that less than 5% of shelter animals originate from pet stores, and that the vast majority of pet store customers are very happy with their pets. A sales ban would only hurt legitimate businesses, their customers, and responsible, regulated breeders, not substandard facilities.

Sales bans create a shortage of desirable pets, a black market for dogs and cats, and a rise in imports from other countries. And, replacing pets from licensed breeders with unregulated "rescue" animals is very unwise. Many "rescue" groups are already importing dogs from overseas to meet the demand for pets. This is happening right now in southern California! A rescue group in LA imports dogs and sells them for hundreds of dollars each. Per the "Dogs Without Borders" website: "We currently rescue most dogs from local shelters and strays, but sometimes we rescue dogs from as far away as Taiwan!....Some of the dogs you see on our site are not here in the States."

This practice is not only outrageous, but also is very irresponsible on the part of the shelters/rescues that participate. There are diseases and parasites in other countries which are transmitted from dog-to-dog or from dogs to

humans which put the safety of our citizens and our dog population at great risk. In late 2004, the first case of canine **rabies** in Los Angeles County in 30 years was confirmed. The dog had recently come in from Mexico. Rabies is a fatal disease that still causes over 50,000 human deaths annually worldwide.

Claims of high incidence of illness in pet store puppies are totally unsubstantiated. There is evidence that the pet industry provides more veterinary care for puppies than the public at large. DVM/VPI Insurance Group, the largest provider of animal health insurance, testified during a hearing in California that "preconceived notions" concerning pet store puppies "could not have been more wrong."

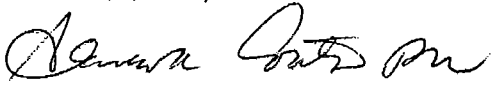
After insuring more than 89,000 pet store puppies and kittens and handling health claims from a pool of more than 500,000 insured animals, the insurance company reduced its premiums for pet store puppies and kittens substantially by as much as 22 percent compared to premiums charged for animals from other sources. Why? Pet store puppies receive more veterinary attention during the first 12 weeks of age than any other puppies and, as a result, have fewer claims.

Statistics collected over the past two years at the animal sanctuary "Heaven Can Wait" showed that **fewer than 5 percent of shelter animals are from pet stores and no more than 1 percent or 2 percent are from professional breeders.**

A ban on sales of commercially-bred pets is not necessary. Currently, most pet stores already do support rescue with adoption drives.

Pet stores are a legitimate source for healthy, well-bred animals. Studies show pet store animals are generally very healthy. Unregulated strays are a different matter, with unknown health, temperament, parasites and infectious diseases. Banning sales of animals from licensed and inspected sources in pet stores will have many adverse unintended consequences harmful to public health and safety. We urge you to reject the proposed ban on retail sales of pets.

Sincerely yours,



Geneva Coats, R.N.
Secretary, California Federation of Dog Clubs

CC: Don Hansen, Devin Dwyer, Connie Boardman, Keith Bohr, Joe Carchio, Matthew Harper, Joe Shaw

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 11:21 AM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10960 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment
Request area: City Council - Agenda & Public Hearing Comments
Citizen name: Linda Vernot
Description: Please VOTE 'YES' on the ordinance to stop puppy mills.....from overpopulating our world with pets that most often become diseased and ultimatrly unwanted, in turn, overpopulating shelters as well.

Expected Close Date: 04/17/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Stephenson, Johanna
Sent: Monday, April 16, 2012 1:19 PM
To: Esparza, Patty
Subject: FW: Tonight's Dog Sale Ban Proposal

Johanna Stephenson / Executive Assistant / johanna.stephenson@surfcity-hb.org / O: 714.536.5575 / C: 714.536.5233

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

From: Babic, Niko [mailto:nbabic@lpainc.com]
Sent: Monday, April 16, 2012 12:47 PM
To: Shaw, Joe
Cc: Stephenson, Johanna
Subject: Tonights Dog Sale Ban Proposal

Dear, Councilman Shaw-

I wanted to plead with you to reconsider your stance on the dog sale ban. I think it is a needless law that only addresses two businesses that already get dogs from reputable sources & breeders. As a fellow former small business owner, I think you would know how hard it is to have a small business thrive. Pets, Pets, Pets, has a long & positive relationship with the community of HB. I think this law is a slap in the face to their many years of service to the community. Again, please reconsider, as I believe there are better compromises that can be made that do not involve more laws on the books. We should be promoting the small business right now, not trying to knock them down. Here is an email I wrote to councilman Carchio:

As one of the dissenting voices to the proposed law going forth tonight, I wanted to copy you in on an email I sent to Councilman Carchio:

Dear Mr. Carchio-

As a resident of Huntington Beach, I would implore you to reconsider your decision to outlaw the sale of dogs by pet shops. I understand the need to shut down puppy mills. But this law is like cutting off the whole head for one bloody nose. Only 2 pet stores in HB currently sell puppies. I know Pets, Pets, Pets has a history of purchasing from reputable sources. If not, how is it they would stay in business for 25 years? I will try to appeal to your strong history of backing up small businesses, such an endeavor would surely put this long-time HB establishment out of business. With only two stores to worry about, couldn't the city come to an agreement verbal or written where they would promise to only get dogs from safe sources? Much like what councilman Dwyer proposed. This way you are not harming small business & also looking out that HB remains a pet-friendly city. August & Don, the owners, have been integral to the community for 25 years, speaking to schools, remaining active in community functions and employing teens & young adults both short-term & long term. This law would be a slap in the face. As I stated, no one is FOR puppy mills, but it does seem that there are MANY different measures that can be taken to make sure that this does not occur. I know this idea was your baby, and the chances of you voting against it are slim, but again, I appeal to your sense of small business. Only two stores? I am sure both owners would gladly work with the city to make sure no puppies come from puppy mills. I know first-hand people that have purchased dogs from Pets, Pets, Pets. All have lived happy, long lives. As stated before, if not, they would have gone under a long time ago. Please have a change of heart on this one, see if there are compromises you can make in the name of saving a longtime friend of the community, and embarking on needless laws. I will try to attend tonight's meeting, but I wanted to write you directly in the event I cannot make it. Thank you for your time.

NIKO **BABIC**
LPA Admin Assistant

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Esparza, Patty

From: Stephenson, Johanna
Sent: Monday, April 16, 2012 1:26 PM
To: Esparza, Patty
Subject: FW: Ord. 3938, pet sales

Johanna Stephenson / Executive Assistant / johanna.stephenson@surfcity-hb.org / O: 714.536.5575 / C: 714.536.5233

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

From: Slgenis [mailto:slgenis@aol.com]
Sent: Monday, April 16, 2012 1:25 PM
To: Shaw, Joe
Cc: Stephenson, Johanna
Subject: Ord. 3938, pet sales

Dear Council Member Shaw,

I wish to express my support for proposed Ordinance No. 3938, Item 17, on the City Council agenda. Responsible breeders do not sell pets to retailers or wholesalers for sale in pet stores, as seen by a sample of typical breeders' codes of ethics below.

My only concern is if a ban on pet shop sales were to lead to increased sales via mail order or e-mail, which is even worse. While I do not have an answer, the ban on pet shop sales is an important first step. As an alternative, one could ban sale of any puppy/kitten under the age of six months for any consideration of value unless the mother were present on on the premises for examination. This would assure that breeding females were kept healthy and are well-treated, as one would likely not buy a puppy bred from a mother exhibiting poor health or birth defects.

Thank you for you consideration in this matter.

Sandra Genis

United Kennel Club, Inc. Breeder's Code of Ethics

The United Kennel Club, Inc., requests that all breeders subscribe to the following Code of Ethics to promote and foster the highest standards among breeders, owners and fanciers, and to encourage sportsmanship and cooperation in the improvement and advancement of UKC registered breeds.

[Established in 1898, the United Kennel Club is the largest all-breed performance-dog registry in the world, registering dogs from all 50 states and 25 foreign countries. The UKC has supported the "Total Dog" philosophy through its events and programs for over a century. As a departure from registries that place emphasis on a dog's looks, UKC events are designed for dogs that look and perform equally well.]

RECORDS

I am familiar with, and follow, the "UKC Kennel Requirements." I will keep accurate records, and retain those records for a minimum of five years. These records will include: stud service contracts, pedigrees, all litters produced and all dogs/puppies sold. I will use the "Breeder's Record" that the UKC provides to me to maintain these records. I will report to the Registration Office of the United Kennel Club, Inc. any person who falsifies a registration, or knowingly misrepresents a pedigree.

BREEDING

- I shall plan each breeding with the paramount intention of improving the breed.
- I will select the stud dog and brood bitch with an eye to conformation, temperament and working instinct and ability, with

a careful study of the breed standard and the principles of genetics.
- I will not breed any male or female until they are both physically and mentally mature.
- Before entering into any breeding arrangement, I will scrutinize the pedigree, conformation and working potential of both the sire and dam, keeping in mind the ideal of the breed. I have an obligation to refuse the breeding if, in my opinion, it is not in the best interest of the breed.
- As a responsible stud dog owner, I understand that should I refuse a breeding, I will fully explain my reasons to the owner of the bitch.
- I believe that only those dogs known to be free of serious or disqualifying defects should be used for breeding. I will not breed monorchids, cryptorchids, dogs with vicious or shy temperaments, or dogs with serious defects or disqualifications addressed in their breed standards.
- As a responsible breeder, I will refrain from using a dog that, although free from serious or disqualifying defects, consistently produces afflicted puppies.
- I will encourage/require the buyers of pet quality puppies to spay or neuter them.

HEALTH

I will maintain high standards of health and care for my dogs, and guarantee the health of my puppies at the time of sale.

SALES

- **I will be discriminating in the sales of my puppies, and concerned with the type of homes in which they are placed. My dogs/puppies will not be sold to dog wholesalers or retailers.**
- I will transfer all applicable registration papers at the time the purchase agreement is completed and is agreeable to both parties.

Upon the sale of a dog/puppy, I will provide the buyer with a properly executed UKC Registration Certificate, diet record, an inoculation and parasite control record and a health guarantee.

- I will refrain from releasing any puppy until it is at least seven (7) weeks old, or eight (8) weeks old if the puppy is to be shipped.

ADVERTISING

- My advertising of dogs/puppies will be factual and honest, both in substance and implication.
- I will avoid encouraging buyers regarding the breeding potential of a dog/puppy. I believe breeding purebred dogs involves certain responsibilities, and I will not take it lightly.

EXHIBITOR/BREEDER RELATIONS

- I understand that exhibiting dogs is a sport, and that I am expected to express good sportsmanship in all activities.
- As an exhibitor, I will refrain from unnecessary criticism of other people's dogs.
- As a matter of ethics, I pledge to help educate the general public as well as to assist the novice breeder.

German Shepherd Dog Club of America

Ethical German Shepherd Breeders

- Strive in each and every breeding to achieve the highest quality possible relative to the breed standard for conformation, trainability and temperament, in order to maintain our breed's characteristics.
- Use only physically sound, mature dogs of stable temperament for breeding. These characteristics are rarely, if ever, determined before the age of two for females.
- Continue to educate themselves regarding genetic diseases pertinent to the breed including, hip and elbow dysplasia. Documentation of hip and elbow screenings should be available to prospective puppy buyers. It should consist of an OFA, OVC or Penn Hip report and/or a letter of evaluation from a board certified Veterinary Radiologist.
- Apply the same high standards to outside bitches sent to their stud dogs as they apply to their own breeding stock.
- Match each puppy's personality as carefully as possible with a compatible buyer/family. Temperament testing of a litter before puppies are offered for sale is encouraged.
- Take appropriate steps to have each puppy examined by a licensed veterinarian for general health prior to placement. Each puppy should be vaccinated and de-wormed by a veterinarian.
- Encourage buyers of pet puppies to spay/neuter. Methods should include written spay/neuter contracts, limited registration and/or spay/neuter rebates.

- Endeavor to gain personal knowledge of the temperament and health of every dog they breed, or to which they breed, in order to gather information on which to base future breeding decisions. They share this information fully and honestly with other breeders and with prospective buyers.
- Sell breeding prospects to knowledgeable, ethical and experienced persons or are willing to help educate and guide novices. They should at any time accept the return of any dog/bitch their breeding program produces and they should always help when relocation is needed.
- Do not engage in misleading or untrue advertising and do not use GSDCA membership as a marketing tool.

Do not sell, supply, donate or surrender any dog for which they are responsible to a pet shop, catalogue house, wholesale dealer in dogs, Humane Society or to a laboratory. They should have reasonable assurance that each individual receiving a dog will provide a home with appropriate shelter, restraint, control and responsible care.

Encourage puppy buyers to go to puppy obedience classes to help their puppies to become better canine good citizens. The achievement of a Canine Good Citizen certificate should be encouraged.

EXHIBITOR/BREEDER RELATIONS

-I understand that exhibiting dogs is a sport, and that I am expected to express good sportsmanship in all activities.
-As an exhibitor, I will refrain from unnecessary criticism of other people's dogs.
-As a matter of ethics, I pledge to help educate the general public as well as to assist the novice breeder.

Australian Shepherd Club of America

The Australian Shepherd Club of America (ASCA) in keeping with its Constitutional aim of breeding for the working ability as well as other outstanding qualities of the Australian Shepherd, has adopted the following Code of Ethics to promote and foster the highest standards among breeders, owners, and fanciers, and to encourage sportsmanship and cooperation in the improvement and advancement of our breed. All members in good standing with ASCA subscribe to and uphold this code.

ARTICLE I RECORDS
1. Each member who breeds his bitch or uses his stud for services should keep accurate records of stock such as stud services, pedigrees, all litters produced, sales of dogs/puppies, all exchanges involving Australian Shepherds for a minimum of five (5) years.
2. Any member who falsifies a registration or knowingly misrepresents a pedigree should be reported to the ASCA Board of Directors.

ARTICLE II BREEDING
1. A breeder should plan each breeding with the paramount intention of improving the breed.
2. A breeder should select sire and dam with an eye to conformation, temperament, and working ability with a careful study of the ASCA Breed Standard, pedigrees, and basic principles of genetics.
3. Before entering into any breeding agreement, a breeder should scrutinize pedigree, conformation and working potentials of both sire and dam keeping in mind the ideal Australian Shepherd as described in the ASCA Breed Standard. He should refuse the breeding if, in his opinion, it is not in the best interest of the breed. Should he refuse the breeding, a full explanation of his reasoning should be given to the owner of the bitch.
4. A breeder should use for breeding purposes only those individuals free from defects such as monorchidism, cryptorchidism, deafness, albinism and other such disqualifying defects.
a. He should use only those individuals whose hips have been x-rayed for Dysplasia and rated normal to excellent by a qualified radiologist.
b. He should take care to use only dogs whose eyes have been examined and found free from signs of ocular deformities.
c. He should further refrain from using an individual who, although free from the above defects, consistently produced afflicted puppies.

ARTICLE III HEALTH
A breeder should maintain high standards of health and care for his dogs and guarantee the health of puppies at the time of sale.

ARTICLE IV SALES

1. The breeder should be discriminating in the sale of his puppies and concerned with the type of homes in which they are placed. **With this in mind, Australian Shepherds shall not be donated for raffles, give-aways, or sold to dog wholesalers or retailers, such as pet shops.**

2. A breeder should provide a minimum six (6) month written guarantee against crippling or handicapping congenital defects on all pet puppies sold and should additionally guarantee the sale of breeding stock puppies against all hereditary defects and any disqualifying faults for a like period. All guarantees should at least provide for replacement of the puppy with another, within a reasonable length of time after return of the puppy originally purchased.

3. A breeder should transfer all applicable registration papers at the time the purchase agreement is completed and agreeable to both parties.

4. Upon sale of a dog/puppy, the breeder should provide all buyers with a two (2) or more generation pedigree (if known) including coat, eye color occurrence of a naturally bobbed tail, diet and care information, health guarantee and inoculation record (including date and type of serum.)

5. A breeder should refrain from releasing a puppy until at least seven (7) weeks old or eight (8) weeks old if the puppy is to be shipped.

ARTICLE V ADVERTISING

1. The breeder agrees that all advertising of dogs/puppies should be factual and honest both in substance and implication.

2. The breeder should be cautious in encouraging buyers as to breeding potential, as the breeding of Australian Shepherds is not to be taken lightly.

ARTICLE VI MEMBER RELATIONS

1. The exhibiting of dogs being a sport, ASCA members shall be expected to express good sportsmanship in all activities involving the Australian Shepherd.

2. Members should refrain from unnecessary criticism of another's dog.

As a matter of ethics, the breeder pledges to help educate the general public as well as graciously assist the novice breeder in all with which he is familiar.

Esparza, Patty

From: Stephenson, Johanna
Sent: Monday, April 16, 2012 1:53 PM
To: Esparza, Patty
Subject: FW: Animal Kingdom

Johanna Stephenson / Executive Assistant / johanna.stephenson@surfcity-hb.org / O: 714.536.5575 / C: 714.536.5233

From: mueller debbie [mailto:gammadkm@yahoo.com]
Sent: Monday, April 16, 2012 1:52 PM
To: CITY COUNCIL
Subject: Fw: Animal Kingdom

----- Forwarded Message -----
From: mueller debbie <gammadkm@yahoo.com>
To: "city.counicil@surfcity-hb.org" <city.counicil@surfcity-hb.org>
Sent: Monday, April 16, 2012 1:39 PM
Subject: Animal Kingdom

My name is Yvonne Wojtaszek, last June I purchased a puppy from the Animal Kingdom. He had a clean bill of health from their vet and had all his shots. I took my puppy in to my new vet at Warner Ave pet Clinic to be sure he was in good heatlh and he was.

I take my dog to Animal Kingdom regularly for his grooming and he has never gotten sick. They take good care of him and even told me once time that he needed to go get his ears check at the vet.

They only sell puppys they get from AKC blood lines and have them checked out by their vet.

I am very happy with my puppy and if I was ever in the market for another dog I would most certainly go there again.

Thank You,

Yvonne Wojtaszek
4908 Skipjack Drive
Huntington Beach, Ca 92649
Tel (714) 846-3866

SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17

Esparza, Patty

From: Surf City Pipeline [noreply@user.govoutreach.com]
Sent: Monday, April 16, 2012 2:12 PM
To: CITY COUNCIL; agendaalerts@surfcity-hb.org
Subject: Surf City Pipeline: Comment on an Agenda Item (notification)

Request # 10962 from the Government Outreach System has been assigned to Johanna Stephenson.

Request type: Comment

Request area: City Council - Agenda & Public Hearing Comments

Citizen name: Claudia Crupi

Description: Hi,
Thank you Joe for bringing this topic to the forefront. I was at the last city council meeting where this initiative to prevent the sale of animals in the city of HB was first introduced. I will not be able to attend the meeting tonight. I urge all of the city council to vote YES on this ordinance to not allow the sale of these poor animals here. I volunteer at the animal shelter on Newland- we try so hard to get these dogs adopted, we even have puppies that need homes. The animals already exist and want and need their own families to love. We don't need to bring more into the world nor into our city when there are plenty to go around as it is. Thank you for your time and consideration on this.
Sincerely,
Claudia M Crupi

Expected Close Date: 04/17/2012

Click here to access the request

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SUPPLEMENTAL COMMUNICATION

Meeting Date: 4/16/12

Agenda Item No. 17