



**TO: Honorable Mayor and City Councilmembers**

**FROM: Joan L. Flynn, City Clerk**

**DATE: 11/18/2013**

**SUBJECT: SUPPLEMENTAL COMMUNICATION FOR THE NOVEMBER 18, 2013, REGULAR CITY COUNCIL MEETING**

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

**Consent Calendar**

- #7.** Communications received from Californians Allied for Patient Protection (CAPP) entitled *Myths & Facts About MICRA*.
  
- #7.** Communications received from Paul Woods, Grassroots Manager, Consumer Attorneys of California entitled *The Troy and Alana Pack Patient Safety Act*.

**Public Hearing**

- #13.** Communication received from Robert L. Evans, Assistant Director of Legislative Affairs of the National Association of Industrial and Office Properties (NAIOP), Southern California Chapter, opposing the amendment to Section 17.06,040 regarding nonresidential electric vehicle (EV) charging.

**Administrative Items**

- #14.** PowerPoint Presentation submitted by Travis Hopkins, Director of Public Works, entitled *City of Huntington Beach Bicycle Master Plan*.

**Ordinances for Introduction**

- #15.** Communication dated October 21, 2013 submitted by Kara Bush, California Restaurant Association re: Ordinance Restricting Use of Styrofoam Packaging.
  
- #15.** Communication submitted by Jerry L. Wheeler, Sr. IOM, President/CEO of the Huntington Beach Chamber of Commerce requesting Council delay any action on the polystyrene ordinance.
  
- #15.** Communication received from Bill Hickman of the Surfrider Foundation entitled *Support – Polystyrene Ordinance*.
  
- #15.** 81 communications received from Huntington Beach restaurants in opposition to the polystyrene ban.

# Myths & Facts About MICRA

**Myth: Under MICRA, injured patients can only receive \$250,000 in damages.**

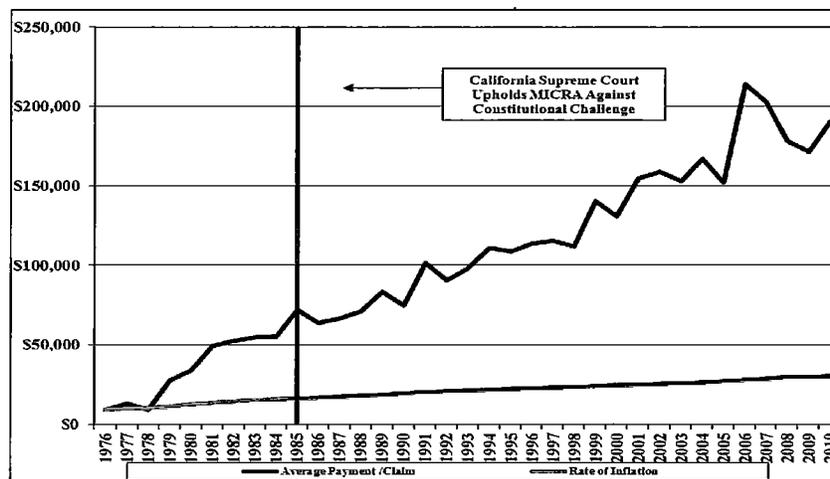
**Fact:** Trial lawyers want to increase MICRA's cap so that they can file more lawsuits thus collecting more in legal fees. The fact is that under MICRA, patients involved in medical liability cases are fairly compensated. Under MICRA, patients receive:

- UNLIMITED economic damages for any and all past and future medical costs.
- UNLIMITED economic damages for lost wages and lifetime earning potential.
- UNLIMITED punitive damages - punishment awarded for malicious or willful misconduct.
- Up to \$250,000 for speculative "non-economic" damages, often called pain and suffering.
  - The \$250,000 cap reduces incentives to file meritless lawsuits, while at the same time ensures that legitimate claims can move forward.

**Myth: MICRA is outdated. The current \$250,000 MICRA non-economic damages cap is too low. Patients can't get justice.**

**Fact:** MICRA has stood the test of time because it has been so successful at lowering health care costs and improving patient access to care, while compensating patients fairly. Patients are entitled to unlimited compensation for medical costs, lost wages and earning potential, and punitive damages. And the \$250,000 non-economic damages cap strikes the right balance between allowing legitimate claims to move forward, while providing a disincentive for lawyers to pursue meritless lawsuits.

Under MICRA, payments to injured patients are going up at more than twice the rate of inflation.



"MICRA and Access to Healthcare," LECG 2010, p. 28

**Myth: Increasing MICRA's cap won't increase health care costs.**

**Fact:** Not true. It's estimated that the trial lawyer-funded measure to quadruple the MICRA non-economic damages cap from \$250,000 to \$1.1 million will cost consumers and taxpayers in CA nearly \$10 billion annually, or approximately \$1,000 for a family of four.

Higher costs from a MICRA change come because of two main factors: 1) More frivolous lawsuits and settlements drive up health care costs overall; and 2) More frivolous lawsuits increase the incidence and the cost of "defensive medicine," the practice of providers' ordering medically unnecessary tests and procedures to "cover themselves" in case they get sued.

**Myth: Costs won't go up for cities and counties if MICRA is changed.**

**Fact:** Not true. Cities and counties pay hundreds of millions each year for current and retiree health benefits. City and county costs for health care and retiree health will balloon if MICRA is changed.

Local governments also provide health care services directly through locally funded hospitals and community clinics and other local programs. According to an October 2013 report by the independent, non-partisan Legislative Analyst's Office, which reviewed the trial lawyers' ballot measure, increasing MICRA's non-economic damages cap to \$1.1 million as proposed **could increase state and local government costs by "hundreds of millions of dollars annually."**

**Myth: MICRA hasn't done anything to lower health care costs in California. California still has among the highest health care costs in the nation.**

**Fact:** While health care costs have gone up throughout the country, MICRA has limited meritless lawsuits and unnecessary "defensive medicine," thus reducing costs to consumers by billions of dollars each year, according to the state's former nonpartisan Legislative Analyst. Trial lawyers are saying and doing whatever possible to hide the ball in their efforts to change MICRA so they can more easily sue medical providers and make more in legal fees.

**Myth: Changing MICRA by increasing the non-economic damages cap will help improve quality by holding doctors more accountable.**

**Fact:** First, we believe even one medical error is too many. But changes being proposed by trial lawyers to make it easier to file more meritless lawsuits and make more in legal fees won't do anything to improve quality. In fact, more lawsuits against doctors, community clinics, hospitals and other health care providers will reduce the number of physicians and specialists available, reducing patient access to the quality care we need.

That is why trial lawyer-sponsored changes to MICRA are opposed by nearly 1,000 organizations including doctors, hospitals, community health clinics, nurses, public safety, local governments and many more who strongly support MICRA because it fairly compensates patients and increases access to care.

**Myth: Under MICRA, seniors and children are limited to \$250,000 in damages.**

**Fact:** Not true. MICRA fairly compensates patients by awarding unlimited economic compensation for all past and future medical care, past and future lost wages, unlimited punitive damages, and up to \$250,000 in non-economic damages. The changes to MICRA being proposed by trial lawyers, to make it easier and more lucrative to file more meritless lawsuits and generate more in legal fees, will only increase health care costs, and will especially harm seniors, children and low-income families by making health care less affordable and reducing access to care.

**Myth: States without non-economic damages caps have lower medical liability premiums than states with caps.**

**Fact:** See the chart below for a comparison of rates between California and other large states without adequate tort reforms like MICRA. New York has no caps on non-economic damages and its premiums are much higher than in CA.

	<b>California</b> (Los Angeles/ Orange Counties)	<b>New York</b> (Nassau/Suffolk Counties)	<b>Florida</b> (Dade/Miami Counties)
OBGYN	\$ 71,248	\$184,802	\$190,829
General Surgery	\$ 54,400	\$133,593	\$190,829
Internal Medicine	\$ 15,415	\$ 35,733	\$ 47,707

Source: "Medical Liability Monitor"2013.

**Myth: Community clinics aren't affected by MICRA at all. They receive their medical liability free of charge from the federal government.**

**Fact:** Many, but not all, community clinics and health centers in California are Federally Qualified Health Centers (FQHCs) and receive some medical liability coverage through the Federal Tort Claims Act (FTCA) at no cost. But that coverage is limited. FQHC's must frequently buy "wrap around" medical liability coverage on the open market for services not covered under the FTCA. MICRA helps keep those costs lower.

For those not qualified as FQHCs, they must buy all medical liability insurance on the open market.

If MICRA is changed, medical liability coverage costs would certainly increase. Community clinics and health centers are already operating on razor thin budgets, any increase in costs would have to be offset by cuts elsewhere, possibly in reduced patient hours, cuts in medical staff, and cuts in services offered.

That is why hundreds of community health centers and community clinics are strongly in support of MICRA.

**Esparza, Patty**

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**From:** Surf City Pipeline [noreply@user.govoutreach.com]  
**Sent:** Thursday, November 14, 2013 10:46 AM  
**To:** CITY COUNCIL; Agenda Alerts  
**Subject:** Surf City Pipeline: Comment on an Agenda Item (notification)

**Request # 16445 from the Government Outreach System has been assigned to Agenda Alerts.**

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**Request type:** Comment

**Request area:** City Council - Agenda & Public Hearing Comments

**Citizen name:** Paul Woods

**Description:** From: Paul Woods [mailto:pwoods@caoc.org]  
Sent: Thursday, November 14, 2013 10:17 AM  
To: Shaw, Joe  
Cc: Dombo, Johanna  
Subject: The Troy and Alana Pack Patient Safety Act

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 11/18/2013

Agenda Item No. 7

Dear Council Member Shaw:

As the proponents of the Troy and Alana Pack Patient Safety Act, please accept this communication for your consideration in advance of the Nov. 18 hearing on a proposed resolution opposing any “weakening” of the Medical Injury Compensation Reform Act of 1975, commonly referred to as MICRA.

First, let us explain our interest in this issue. The Troy and Alana Pack Patient Safety Act, an initiative that we anticipate will be on the November 2014 statewide ballot, has three major components that collectively target the state’s epidemic patient safety problem. This initiative would:

1. Require random drug testing of doctors. According to the California Medical Board, nearly one in five physicians suffers substance abuse during their careers. Doctors are one of the few public safety professions not subject to drug testing.
2. Require that doctors use the existing state database that can flag instances of “doctor shopping” by prescription drug abusers.
3. Boost the MICRA limit on noneconomic damages to account for 38 years of inflation while maintaining the fee cap for attorneys who represent victims of medical negligence.

We fundamentally reject the contention that the initiative’s narrow and focused MICRA provisions would in any way weaken this 38-year-old law. In fact, by bringing the cap into alignment with nearly four decades of inflation and indexing it with a COLA going forward, we believe the law is being made far more relevant to present day economic conditions and will be armored to withstand economic changes – and attempts to undermine it in the courts – in the years to come.

When MICRA was approved in 1975, thought was given to indexing the cap on noneconomic damages to inflation, but ultimately that proposal was jettisoned by the Legislature. Recently, the act’s author, former state Sen. Barry Keene, stated that he believed the absence of a COLA was a mistake of the past that needed to be corrected in

the present day. Attempts to convince lawmakers in Sacramento to adjust the cap for inflation have failed to gain traction, principally because the medical industrial complex of hospitals, insurance firms and physicians holds great sway with our elected leaders. Facing that roadblock, we decided to turn to the voters with this initiative.

MICRA's unbending \$250,000 cap on noneconomic damages (commonly referred to as pain and suffering damages) is a roadblock to justice for medical negligence victims who are children, homemakers, the elderly and impoverished. Even in cases involving the most egregious medical malpractice, the value of their lives are reduced by MICRA. Can you honestly say the life of a child is worth \$250,000?

As drafted, the Troy and Alana Pack Patient Safety Act is extremely popular with voters, garnering 73% support in a recent opinion poll we commissioned. Furthermore, the proposed resolution before the Huntington Beach City Council seeks to preempt a potential ballot initiative. We have only recently begun the signature gathering process. It has yet to qualify for the November 2014 ballot. Our coalition of patient safety advocates asks: Why the rush to judgment before you get the facts?

The reality in California and the U.S. is that medical negligence has reached epidemic proportions. A recent study in the Journal of Patient Safety concluded that as many as 440,000 people die each year at the hands of the health care system. That's like a 747 airliner crashing every 10 hours. Yet, unlike airline crashes, medical negligence deaths don't capture headlines and few public steps have been taken to stem the tide.

What's more, the California Medical Board's own estimate is that almost one-in-five doctors (18%) suffer from drug and alcohol abuse at some point during their careers – and leading medical experts have called for random testing to curb substance abuse by doctors and ensure patient safety.

Finally, the misinformation perpetuated by opponents of the Troy and Alana Pack Patient Safety Act has no basis in fact and is supported by no empirical evidence.

It is a myth that health care costs would rise by \$9.5 billion a year if the MICRA cap doubled to \$500,000. Look closely at this claim by the misleadingly-named Californians Allied for Patient Protection, or CAPP (a group whose board is made up entirely of representatives of the medical and insurance industries). The fact is that total estimated payments to Californians harmed by medical malpractice in 2012, including an estimate of future claims resulting from incidents that occurred during that year, is \$195 million. Hypothetically, if that number doubled after the MICRA cap doubled, would the bottom-line-obsessed medical and insurance industries really spend \$9.5 billion to save less than \$0.2 billion?

We take great exception with claims that adjusting the MICRA cap for inflation would lead to potential costs to local government. The claim that raising the MICRA cap could result in up to \$9.5 billion a year in additional health care costs in California is built on a faulty assumption. The basis for the claim is a study attempting to quantify the amount of "defensive medicine" on elderly patients with serious heart conditions more than 20 years ago and then apply that to patients of all ages and conditions. The authors of that study later backed away from their conclusions and pointed to the use of managed care, which is especially prevalent in California, to prevent such so-called "defensive medicine." Both the Congressional Budget Office and Government Accountability

Office determined the study of elderly heart patients could not be applied to the general population. The \$9.5 billion figure is also based on faulty numbers for the health care spending that would be affected, including such items as medical research and medical facilities construction. Calculations also used erroneous and outdated figures for the amount spent on medical malpractice insurance in California as well as unsupportable assumptions about the rate increases the state insurance commissioner would approve.

Moreover, it is a myth that increasing the MICRA cap would cause malpractice insurance rates to skyrocket. The fact is that malpractice rates in California are regulated by the state Insurance Commissioner, and insurers will have a hard time making the case for significant rate increases when they are sitting on a treasure trove of surplus cash. California's malpractice insurers have paid out in claims roughly 30% of the premiums they have collected in each of the last nine years (including projections for claims that have yet to be made). For that matter, research has been unable to find any relationship between damage caps and malpractice premiums. If doctors are concerned about their malpractice rates they should be asking their insurers to justify why they aren't lowering rates instead of racking up record profits.

It is a myth that any increase in malpractice premiums would deal a severe blow to community clinics that serve the poor and reduce access to health care for those who need it most. The fact is that the Federal Tort Claims Act provides nearly blanket protection to the many community clinics that receive federal funding and are Federally Qualified Medical Centers. These clinics do not pay anything for malpractice coverage. Changes in malpractice rates do not affect what these clinics pay for coverage – since they pay nothing – and thus do not affect their ability to provide care. Here is a white paper fully explaining the situation.

It is a myth that doctors would flee California if the MICRA cap were increased or eliminated to go to states with more lax patient protections and lower caps. If it were true that doctors flock to states with low caps, then why does California – with its lowest-in-the-nation cap – have fewer doctors per capita than New York, Pennsylvania, New Jersey, Connecticut, Oregon and Washington (among others) – states with NO caps on damages? For that matter, why are there more doctors per capita in states WITHOUT caps than there are in states like California with caps? In a survey of doctors, they rank the price of malpractice premiums as much less important than factors like weather and an enjoyable living environment in deciding where to work.

It is a myth that attorneys file endless “frivolous” suits as shakedowns to receive settlements from doctors. The fact is that anyone who believes this has never filed a malpractice suit. On the contrary, malpractice insurers fight every claim to discourage lawyers from thinking they can make “easy money” by filing a claim and winning a quick settlement. It's true that some malpractice cases are settled without going to trial, but only once the insurance company and other defendants are convinced it would be likely to lose the case in court. In addition, the cost of waging a medical negligence lawsuit combines with the contingency fee system of law to act as a barrier to the filing of unmeritorious cases. In contingency fee law, attorneys are paid only if they win – so they take only those cases that are the most meritorious. Anecdotal evidence provided by plaintiffs' lawyers in California who handle medical negligence cases indicates that only about one of every 50 victims are able to secure the services of an attorney. The costs of a medical negligence suit can run as high as \$100,000 – and those costs are borne by the patient's attorney until a case is decided. Under the contingency fee system, lawyers face

the prospect of absorbing those costs if they don't having a meritorious case that can win at trial.

It is a myth that lawyers would wind up getting most of the money if the MICRA cap was increased. The fact is that fees for plaintiffs' lawyers are capped under MICRA, and there is no movement to change that. Under MICRA, plaintiffs' lawyers can receive no more than 20% of the portion of any damage award between \$200,000 and \$600,000, and no more than 15% of the portion of any award in excess of \$600,000.

Our foes have argued that the cap on noneconomic damages is no big deal, since MICRA does not cap economic damages such as medical expenses for future care and lost income. The fact is that the cap on non-economic damages values the life of a child at no more than \$250,000. If a child dies due to medical negligence, there are no ongoing medical expenses and it is not possible to claim lost income. Likewise, the lives of others who are not wage earners – elderly retirees, stay-at-home parents, disabled people unable to work – are also valued at no more than \$250,000 under MICRA. Furthermore, there is more to the cost of medical negligence than just medical bills and lost wages. How much would your arms and legs be worth to you, if you lost your limbs due to medical negligence? How much would your eyesight be worth to you, if you lost your vision as the result of medical negligence? How much would your ability to have a child be worth to you, if you were rendered sterile by medical negligence? Under MICRA, the value of such things has been arbitrarily determined by politicians, not by a citizen jury that has heard all the evidence presented by both sides.

At a time when we face a crisis in patient safety, it is telling that it is the medical industrial complex – the insurance companies, their lobbyists, the hospitals and even some doctors that profit from the current system – standing in opposition to the Troy and Alana Pack Patient Safety Act. We implore you not to rush to judgment. We urge you consider all the evidence, to undertake an earnest examination of all the facts and engage in the deliberative process for which you have been charged. We welcome an honest and thoughtful dialogue. We also encourage you to talk with the victims of MICRA. We can make them available to you at your earliest convenience, and believe their voices have too often been absent from this debate.

After all, if a 747 full of passengers were falling from the sky every 10 hours, would we be waging a debate over dollars and cents? No. We would be making changes, preventing further harm from befalling innocent victims. We would be doing the right thing for individuals and society. That is what we seek in taking a stand for patient safety and promoting the critical reforms proposed in the Troy and Alana Pack Patient Safety Act.

We hope you will join us in supporting that mission.

Respectfully,

Paul Woods  
Grassroots Manager  
Consumer Attorneys of California  
770 L Street, Suite 1200  
Sacramento, CA 95814  
(916) 442-6902, Ext. 121

# NAIOP

COMMERCIAL REAL ESTATE  
DEVELOPMENT ASSOCIATION

SoCAL CHAPTER

November 18, 2013

Sent Via e-mail to City Clerk: Joan Flynn, jflynn@surfcity-hb.org

Mayor Connie Boardman  
Members of the City Council  
2000 Main Street  
Huntington Beach, California 92648

**RE: City Council Agenda Item 13.B Code Adoption  
Ordinance 3994 Section 17.06.040  
OPPOSE - Mandate to Require Electrical Vehicle Supply Equipment  
Standards for all New Development**

Honorable Mayor and Members of the Council:

NAIOP SoCal represents over 1,000 commercial real estate professionals in Orange and Los Angeles Counties. Our members own and build the commercial facilities including office buildings and industrial facilities that provide work places and jobs for Huntington Beach residents.

NAIOP SoCal members have long been at the forefront of incorporating green technologies into commercial, office and industrial buildings. We respond to market demand and incentives to include such things as electric vehicle charging equipment in our new buildings. However, we oppose mandates that go above and beyond what is recommended by the State Building Code.

We oppose the proposed amendment to Section 17.06.040 Nonresidential electric vehicle (EV) charging, Subsection A5.106.5.3 that would create City mandated electric vehicle supply equipment standards, that are not part of the State Building Code, for all new non-residential developments. The State code goes through an extensive review prior to its adoption and we see no reason to add additional requirements.

We respectfully request that this section of the code not be amended and that the State code be adopted without this amendment.

Sincerely,



Robert L. Evans  
Assistant Director of Legislative Affairs

## SUPPLEMENTAL COMMUNICATION

Meeting Date: 11/18/2013

Agenda Item No. 13

Cc: NAIOP SoCal Board of Directors  
NAIOP SoCal Legislative Affairs Committee  
Mike Balsamo, CEO, BIA Orange County

Chapter Office: 2900 Bristol St., Ste. G-105, Costa Mesa, CA 92626 Tel: (714) 979-9131 Fax: (714) 979-0403  
Legislative Office: 25241 Paseo de Alicia, Ste. 120, Laguna Hills, CA 92653 Tel: (949) 380-3300 Fax: (949) 380-3310

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Alison Vukovich, LBA Realty  
Stephane M. Wandel, The Boeing Company  
Stan Wendzel, BioRealty, Inc.  
David W. Wensley, Cox, Castle & Nicholson LLP  
Gregory J. West, Johnson Capital

### NAIOP SoCAL EXECUTIVE STAFF

Cynthia G. Fusco, Executive Director  
Vickie Talley, Director of Legislative Affairs



# City of Huntington Beach Bicycle Master Plan

# History

- Process began with the Circulation Element Update and establishment of Bicycle and Pedestrian Committee
- Funds allocated from AQMD Subvention program to retain consultant (KTU&A selected)
- 2 year project
- Significant public, committee, commission, City Council and staff involvement

# Process

- Substantial research of local issues/conditions
- Successful public outreach campaign
- In depth exploration of new trends and standards for bike facility design and planning
- Expanded knowledge and perspective of City staff

# Result

- First ever comprehensive Bicycle Master Plan for HB
- Commensurate with current public demand and legislative intent to consider all modes of transportation
- Document that will help HB qualify for additional grant opportunities to develop bike facilities

# Bike Master Plan Components



- Existing condition research
  - Review of all facilities in HB
  - Public feedback on needs/issues
  - Identify local bike trip attractions
- Analysis
  - Safety analysis
  - Design issues
  - Opportunities and constraints

# Bike Master Plan Components

- Recommendations
  - Project level
    - Grouped by facility/project type
    - Initial prioritization
  - Design
    - Design improvements
    - Innovative bikeway treatments (some non-standard)
  - Programs – 6 E's
    - Encouragement
    - Education
    - Enforcement
    - Engineering
    - Evaluation
    - Equity
- Funding opportunities



# Highlights – Existing Facilities

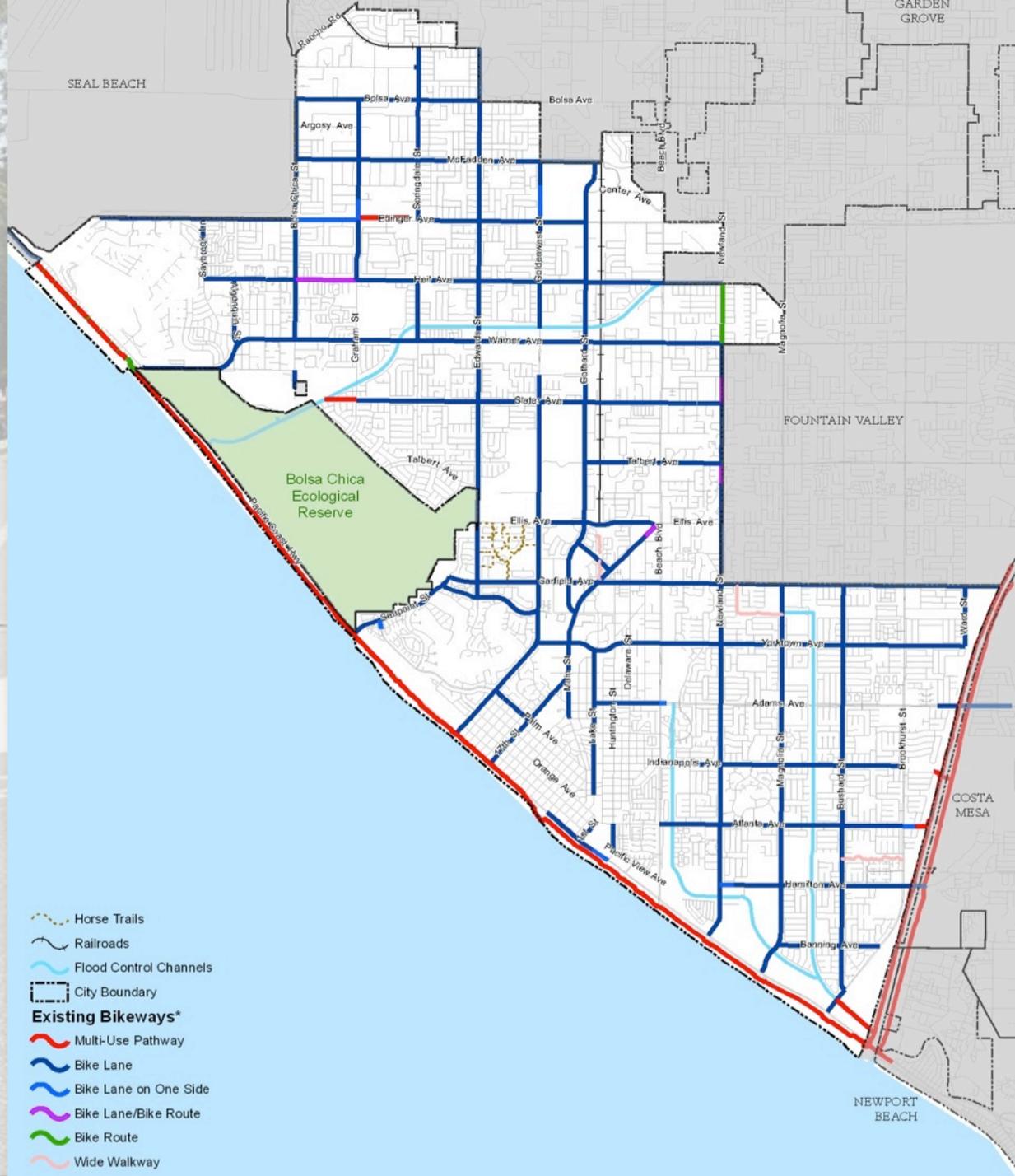
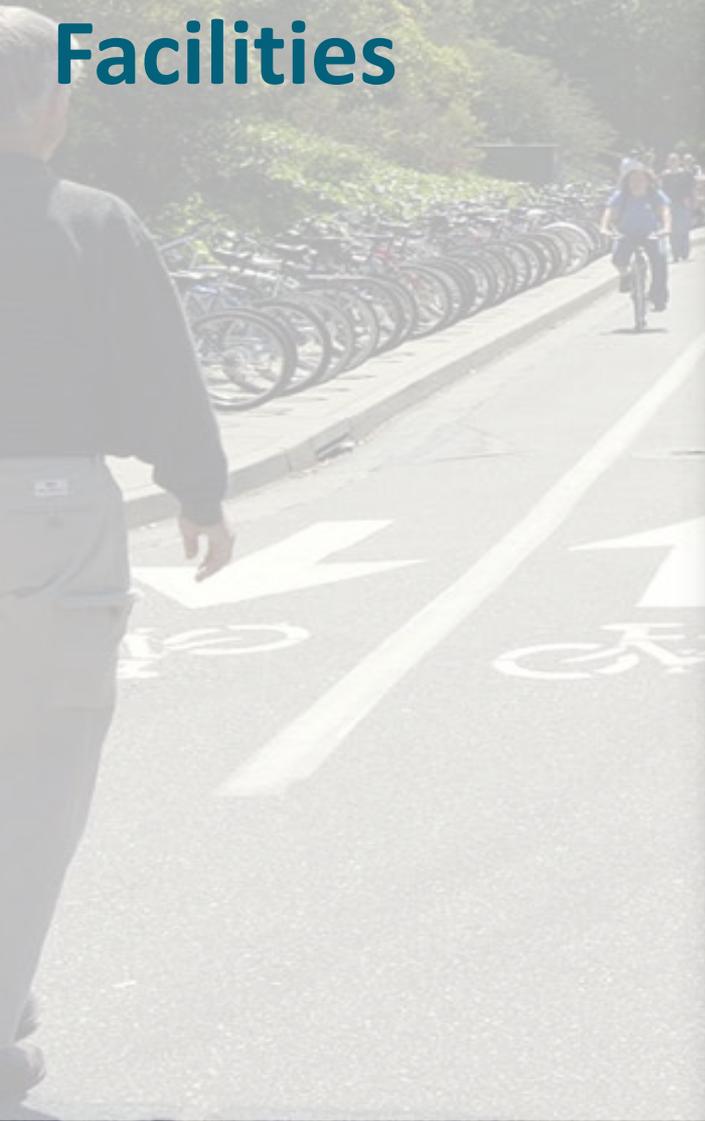
A multi-use path along a waterfront. In the foreground, a man in a yellow shirt is running, a cyclist in a red jersey is riding a blue road bike, and a woman in a black top is walking. The path is paved and has a metal railing on the left side. In the background, other people are walking and cycling, and the ocean is visible on the right.

- 38 “door zone” locations to address when possible
- Multi-use path striping & signing enhancements
- Add sharrows markings and signs to bike routes
- Expand bike parking – especially downtown and beach

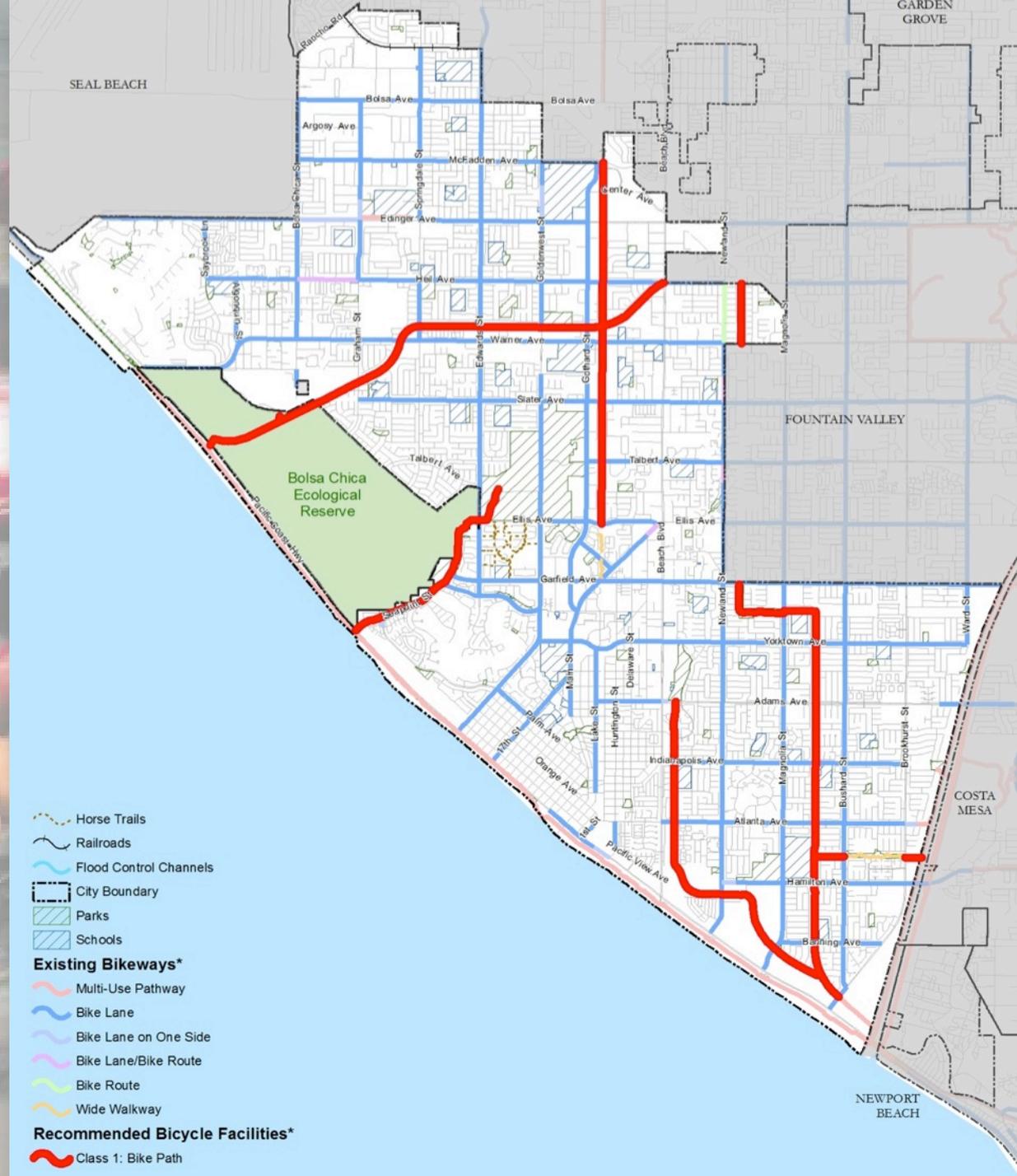
# Highlights – Projects

- 8 new bike (multi-purpose) paths
- New or expanded bike lanes on 21 streets
- Bike route designations on 11 streets
- Designation and development of bike boulevards on 4 corridors

# Existing Bicycle Facilities

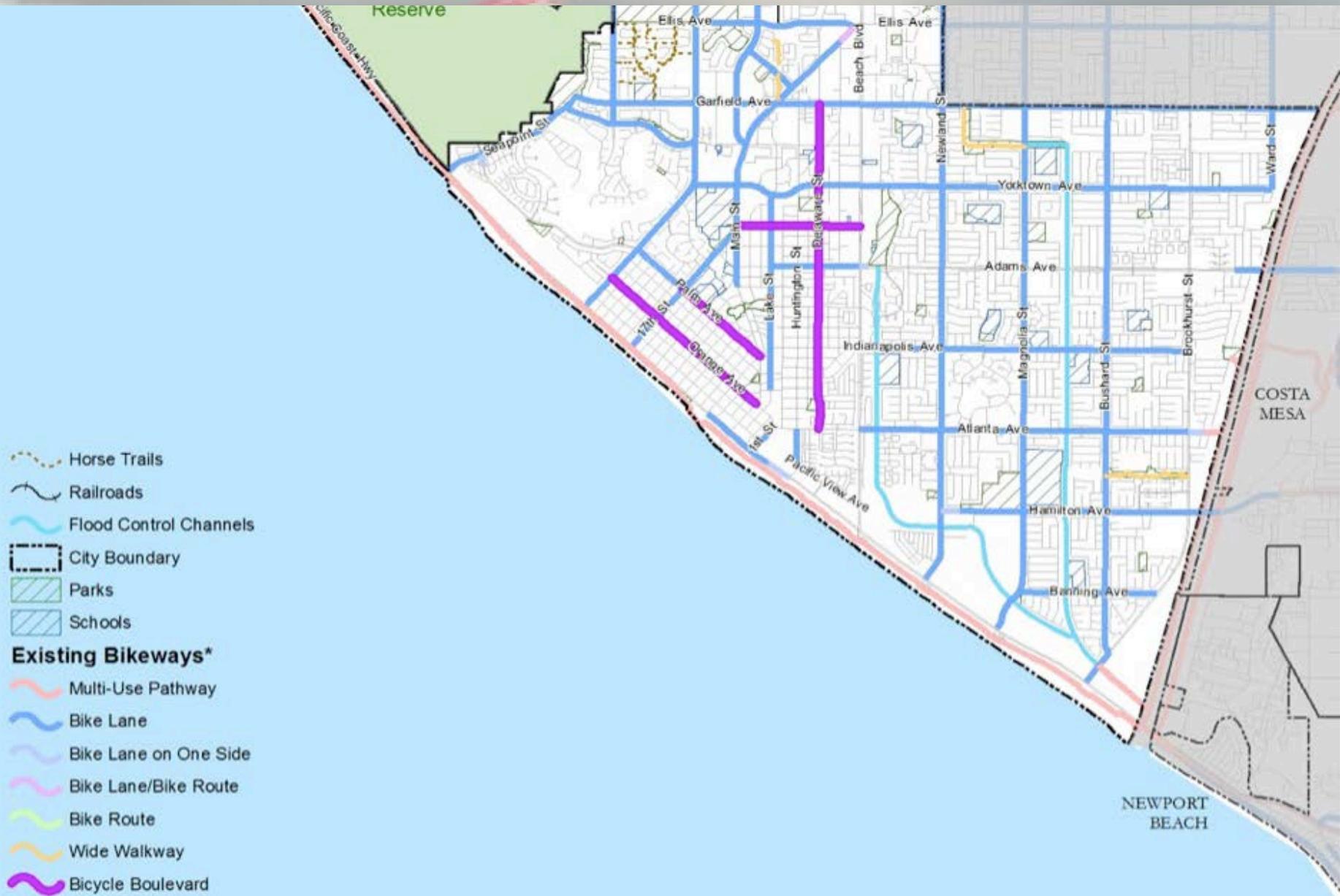


# Recommended Bike Paths

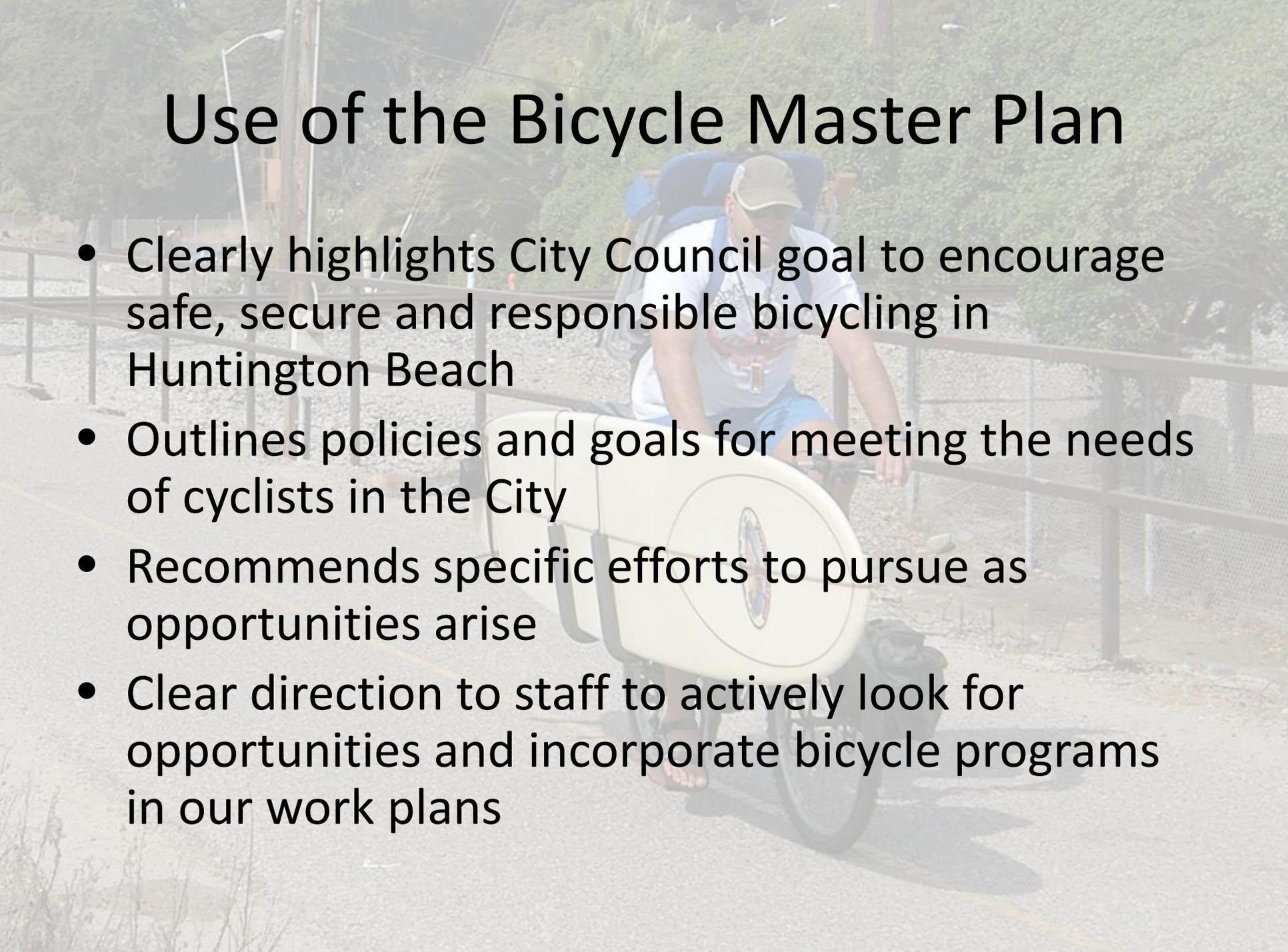




# Recommended Bike Boulevards



# Use of the Bicycle Master Plan

A person wearing a white t-shirt, blue shorts, and a tan cap is riding a bicycle on a paved path. They have a large white cooler with a logo on the back of the bike. The background shows a park-like setting with trees and a metal railing.

- Clearly highlights City Council goal to encourage safe, secure and responsible bicycling in Huntington Beach
- Outlines policies and goals for meeting the needs of cyclists in the City
- Recommends specific efforts to pursue as opportunities arise
- Clear direction to staff to actively look for opportunities and incorporate bicycle programs in our work plans

# Use of the Bicycle Master Plan

- Actively pursue grant opportunities for capital projects, enforcement and education
- Continue to work closely with local bike advocates and businesses to refine and update projects and goals
- BMP does not
  - Mandate specific projects or schedules
  - Require minimum funding levels of efforts
  - Supersede other processing requirements (CEQA, CIP, Commission or Committee reviews, compliance with required standards)



 *League of  
American  
Bicyclists*

Bicycle **Friendly** Community

HUNTINGTON BEACH, CA

BRONZE



HUNTINGTON BEACH  
Chamber of Commerce

November 18, 2013

Mayor Connie Boardman  
City of Huntington Beach  
2000 Main St.  
Huntington Beach, CA 92648

Dear Mayor Boardman & Council Members,

I am urging that you and the Council delay any action on tonight's reading of the proposed ordinance banning Expanded Polystyrene Disposable Food Service Ware until such time as those affected by the proposed ban have an adequate opportunity to be made aware of what this will entail, assess its impacts and how they might respond. Failure to do this will certainly not send a positive message to our small businesses already strapped with a new minimum wage law heading into 2014, in a city claiming that it is open for business and supportive of small business, the backbone of every community.

Instead we recommend forming a stakeholders group made up of Council members, the Downtown BID, the Chamber, restaurant associations, perhaps Surfrider and Rainbow Environmental Services, who actually does the recycling efforts here in HB. This group could then understand why this proposed ban might be good for the environment, what alternatives might be, their cost and just how effective current recycling efforts might actually be. Maybe we don't need a ban here in Huntington Beach and to impose one without a better alternative seems counterproductive and punitive to our small businesses.

Please delay any action on this proposed ban and allow the business community this would impact the opportunity to be a part of the solution, and not be a victim of good intentions with unintended negative consequences to our small businesses.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry L. Wheeler, Sr.".

Jerry L. Wheeler, Sr. IOM  
President/CEO

**SUPPLEMENTAL  
COMMUNICATION**

Meeting Date: 11/18/2013

Agenda Item No. 15

## SUPPLEMENTAL COMMUNICATION



Meeting Date: 11/18/2013  
Agenda Item No. 15

The Honorable Mayor Boardman and Huntington Beach City Council  
2000 Main Street  
Huntington Beach, California, 92648

RE: SUPPORT – Polystyrene Ordinance

Dear Mayor Boardman and Huntington Beach City Council:

The Surfrider Foundation Huntington Beach Chapter urges the Huntington Beach City Council to SUPPORT the proposed expanded polystyrene foam foodware ordinance. Expanded polystyrene (EPS) foam is consistently a top litter item at local cleanups and foam foodware is the main component. Huntington Beach is well on the way to being truly sustainable and addressing polystyrene is a missing piece. Huntington Beach is already a leader with a reusable bag ordinance and Surfrider is working to address cigarette butt litter in town.

In California there are over 60 municipal polystyrene foodware ordinances<sup>1</sup> that are starting to help tackle this problem, so it's nothing new. Huntington Beach recognized the issue almost a decade ago and in 2005 passed a resolution for a government facility and city-sponsored event expanded polystyrene ban. The ordinance language presented in the supporting materials for this Monday's meeting is much simpler than many of the options discussed previously. It's the easiest option to understand and implement that will still have a positive impact.

EPS foam (also known as Styrofoam™) take-out food and beverage containers are typically used once for a very short time before they become waste, and often ocean litter, with enduring negative impacts to our environment. EPS foam does not biodegrade in our lifetimes. It may photodegrade and/or break into small pieces if littered, which are harder to clean up. EPS foam is typically made from non-renewable fossil fuels and synthetic chemicals that may leach out over time, especially if in contact with hot, greasy or acidic food. Animals can mistake EPS foam for food or nesting materials.<sup>2</sup>

Although cheap to buy, polystyrene is expensive to clean up. Since they are so inexpensive, polystyrene products are often thrown away or littered after a single use. Many municipalities that have to comply with storm water regulations limiting trash in waterways have already spent substantial taxpayer dollars trying to control, capture, and remove trash, including EPS foam and other polystyrene items.

This form of plastic pollution should be addressed at the source instead of relying on more trashcans and 'end of the pipe' solutions of capturing and removing litter. We see the impacts first hand at our beach cleanups around Huntington Beach so the time is now for a polystyrene ordinance.

Single-use polystyrene is problematic because it is a form of plastic that will persist in the environment if it enters the litter stream. Through Surfrider Foundation's Rise Above Plastics program, the Huntington Beach Chapter has been working to educate beachgoers and the

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<sup>1</sup> <http://www.surfrider.org/pages/polystyrene-ordinances>

<sup>2</sup> <http://www.beachapedia.org/Polystyrene>

community about the harms of single-use plastics and advocate for a reduction in the use of these products.

Many alternatives to polystyrene foodware exist, including, but not limited to; recyclable plastic resins #1 and #2, compostable materials, aluminum and paper packaging. Biodegradable and recyclable alternatives to polystyrene foam exist.

A Rainbow Environmental Services employee confirmed that most of the EPS foam they recycle is from product packaging materials, NOT EPS foam foodware. The employee also confirmed that Rainbow CAN recycle paper cups, even if the inside is lined with wax or plastic. We strongly encourage you to invite an official from Rainbow to the City Council meeting on Monday to help clear up any confusion among Councilmembers since recycling is NOT standardized and can vary from community to community.

Attached is a photo from taken at Rainbow on November 14<sup>th</sup> showing blocks of EPS foam that are shedding/littering flakes of EPS foam as they await collection which is typically just once or twice a year. Not very clean compared to their paper and cardboard recycling.

As the market broadens more economical bio-based materials and easier to recycle products are making their way into the mainstream. Supporting the safer alternatives creates more green jobs and can help prevent exposure to styrene.

Thank you for your time and consideration in this matter, your SUPPORT of an expanded polystyrene foam foodware ordinance will make a difference.

Sincerely,

Bill Hickman  
Surfrider Foundation



**Esparza, Patty**

---

**From:** Surf City Pipeline [noreply@user.govoutreach.com]  
**Sent:** Friday, November 15, 2013 3:04 PM  
**To:** CITY COUNCIL; Agenda Alerts  
**Subject:** Surf City Pipeline: Comment on an Agenda Item (notification)

**Request # 16464 from the Government Outreach System has been assigned to Agenda Alerts.**

---

**Request type:** Comment

**Request area:** City Council - Agenda & Public Hearing Comments

**Citizen name:** HB Peruvian Rotisserie Chicken

**Description:** The owner of HB Peruvian Rotisserie Chicken states that this ban will put him out of business. Please do not do this to his business.

**Expected Close Date:** November 16, 2013

[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: 11/18/13

Agenda Item No. 15

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

11-13-13

Dear City Council Members,

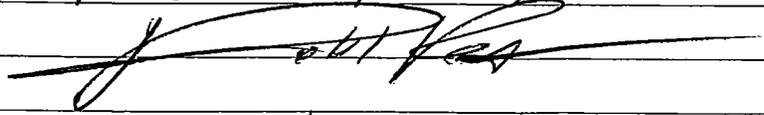
The new proposed ban on the food service containers will severely affect my bottom line and my business. As a small restaurant I depend greatly on keeping my expenses down in order to provide my customers with a fair price for food. This new ordinance that is being proposed will triple my expenses meaning my prices would have to increase significantly.

Small businesses are the backbone of what made this country great!

I urge you to put more focus on the current recycling program and better education and awareness to the general public about the recycling program.

Sincerely,

Robert Rossato



ABC China Fast Food.  
17451 Beach Blvd.  
Huntington Beach, CA 92647

# PHUKET THAI RESTAURANT RECEIVED

16612 BEACH BLVD. #H  
HUNTINGTON BEACH, CA 92647  
714-842-1101

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

\*November 14, 2013

Dear Members of the City Council:

I am a Huntington Beach resident and a small restaurant owner. My restaurant is my life. I spend every available minute I have at my business, serving my customers, and supervising my employees. I have to be there all the time because I need to make sure it pays the bills and can support my family.

I'm extremely concerned that the new foodservice container ban will put me out of business. By switching from foam to an alternative product, I will be paying double or triple what I pay now.

With increases to the minimum wage and California sales tax, I'm facing a lot of new costs that are challenging.

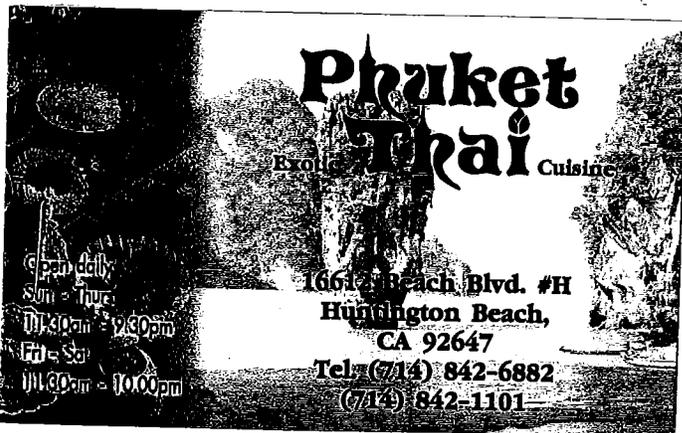
Please focus on working to improve our recycling program and punish those who litter, rather than punishing small businesses and placing new burdens on us that will make it harder to survive.

My employees and my family are counting on me to stay in business, and I am counting on you to help make sure that happens. Please oppose the ban on foam food containers.

Sincerely,



Harith Sujittosakul, Owner



November, 09, 2013

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear Member of City Council

The upcoming vote on foam food containers is very concerning to me. A ban on foam to go containers will be very expensive for me and my business. If I am forced to buy different containers, I will be pay double or triple what I am paying now for foams.

Protecting the environment is very important. But I believe the council should focus on city recycling program which is already collecting foam products.

I will not be able to stay in business, if I am forced to closed, my employees will no longer in job. They will not support their NOR I will be able

support more to small es. It's employees, their families, by opposing the foam food containers ban.

Sincerely, Jenny Chau

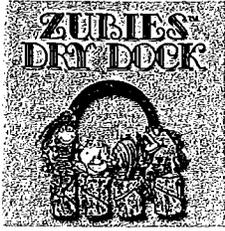
**Donut Stoppe**

\* Delicious Donuts \*



1461 Brookhurst  
at Hamilton  
Huntington Beach, CA 92646

Jenny Chau  
Tel.: (714) 963-1100



Classic Restaurant

9059 Adams Avenue

Huntington Beach, CA. 92646

714-963-6362 [www.zubiesdrydock.com](http://www.zubiesdrydock.com)



Dear Members of the City Council,

As an independent restaurant owner, I know that keeping my prices low is something my customers appreciate. Our reputation was built upon and depends on offering the families of this community reasonably priced meals. It's the reason we are in business and our employees depend on this business to feed their families. Zubies serves families who are on a budget and rely on restaurants like us to provide affordable meals. If a ban is passed on food containers, I will be forced to increase my prices which will drive away loyal customers.

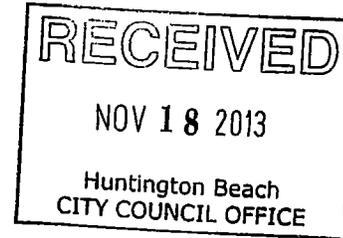
Foam takeout containers are the most affordable and effective option for my restaurant, and therefore the best. I count on the low prices to keep my costs down, my customers happy, and my doors open.

By banning foam, I know my business will be severely impacted.

I ask you to please vote NO on the foam ban. Huntington Beach small businesses and their families are counting on you to do the right thing.

Sincerely,

  
Brenda Zubieta, Owner



November 14, 2013

Dear Members of the City Council,

The upcoming vote on foam food containers is very important to me. A ban on foam to-go containers will be very expensive for my business & me. If I am forced to buy different containers, I will be paying double or triple what I am paying now for foam.

Protecting the environment is important. But I believe the Council should focus on strengthening our City's recycling program which is already in effect to collect foam products. Educating the public by adding inserts in the monthly utility bills or posting on the City's website could increase awareness that foam containers are recyclable.

I am worried that with all of the costs related to my business I will not be able to keep my pricing competitive and will hamper my ability to stay in business.

Please stand up for your City's small business's and oppose the foam food container ban.

Sincerely

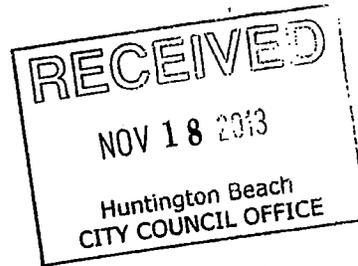
HB Beer Co.

A handwritten signature in black ink, appearing to be a stylized name, possibly "HB Beer Co." or similar, written over the typed name.

**Slapfish Restaurants**

**19696 Beach Blvd.**

**Huntington Beach, Ca. 92648**



**November 15, 2013**

**To whom it may Concern:**

**It is our civic duty to be aware of the needs to recycle, as a ban of this nature impacts the small business owners heavily. We are a 3-star sustainable business so we understand the importance of making the stride to go an extra mile to ensure we separate our trash. Styrofoam has negative impacts if not responsibly handled and is an integral part of our distribution for certain products for us to operate daily. We hope that there can be a compromise that fits all business models.**

**Sincerely,**

A handwritten signature in black ink, appearing to read "Matt Donley".

**Matt Donley**

**General Manager**

**[matt@slapfishrestaurants.com](mailto:matt@slapfishrestaurants.com)**

**714-963-3990**

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

November 15, 2013

TWO Brothers Pizza  
19065 Beach Blvd  
Huntington Beach 92648  
(714) 842-7838

Dear member of Council

My Employees and my  
Family is counting on you  
to VOTE NO ON Styrofoam  
FOOD CONTAINERS, Plastic lids

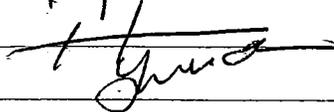
I think is on unfair that  
you only targetting small  
restaurants owners, if I'm  
forced to change to alternative  
product it will put me out of  
business.

Please Focus on Recycling  
program, and stop bothering  
restaurants owners.

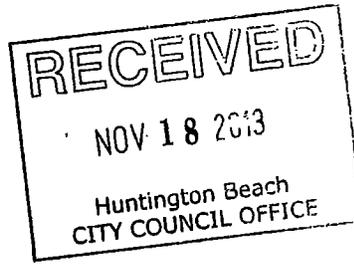
LA VOTE NO "ON Styrofoam  
BAN.

Thank you

Hyun Jo Choi



AZTECAS MEXICAN FOOD



Members of the City Council

My name is Alfonso Aguilar owner of AZTECAS MEXICAN FOOD on the corner of Beach and Slater. We are a family owned business and have worked very hard the since we opened in 2002. It's been a roller coaster ride the last few years as you are aware the economy has been up and down. I am for saving the planet and recycling and in favor of your plan as long as you also provide a list of companies that sell the products you want us to use and are at the same or cost or less. The restaurant industry is constantly being hit with fees from payroll taxes, workers comp, product price increases and in the next 24 months minimum wage will be at \$10 an hour and if you don't know what's going happen to us when it gets to \$10 an hour and you've never owned or ran a small business call me at 714-767-5286 so I can give you a class on small business and a run down of how much more it will cost businesses to run per year from \$8 an hour to \$10 an hour. You are like the Obama Care forcing us to make changes but not offering an alternative and at a lower cost. If you really cared about small business and wanted to make changes that benefit the environment and small business you would have done the research and along with your plan proposal you would have provided list of suppliers and vendors that sell products that meet your criteria at the same price as the items you want to ban. This BAN would be great you would save the planet and save small business money. But it's obvious that it wasn't thought of or considered and should be a mandatory requirement for the BAN approval. We are happy in Huntington Beach, the people are wonderful and have supported our Establishment since we opened. Our plans are to be here another 10 years. I took on a Night job in 2012 to have extra money because the cost of running the business kept increasing. You may not be aware of this, but a Restaurant is one of the hardest businesses to run, ask any restaurant owner. I have not attended any of the council meetings regarding this issue and do not personally know any of the council members, but in the future hopefully they're is a council member that would oppose any change in the city that would affect any small business and would force alternatives products be offered at equal cost. Here I am taking time away from my customers and business to write this letter and ask you to VOTE NO.  
Had this been BAN been done with us in mind I wouldn't have had to write this letter.

*Alfonso Aguilar*

*11/14/13*

17491 BEACH BLVD.  
HB., CA 92647

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Nov 9, 2013

Jenni does NOT agree with  
The STYROFOAM BAN

*[Handwritten signature]*



SINCE 1948

**Lucci's**

BILL REFICE  
Owner

DELI • BAKERY • RESTAURANT • MARKET  
CATERING CO.

(714) 968-4466 FAX (714) 964-6369  
3911 Adams Ave. Huntington Beach, CA 92646  
www.luccisdeli.com • www.lucciscatering.com

SUBSIDIARY OF LUCCI'S BOOKERY FOODS, INC.

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

I am a Huntington Beach business owner of a small bakery shop as Donuts, Shop and Duffee. My restaurant is my life, I spend every available minute I have at my business serving my customers and supervising. I have to be there all the time because I need to make sure I pay the bills and support my family.

I am extremely concerned that the new food services containers ban put me out of business. By switching from foam to an alternative product, I will be paying double or triple what I pay now.

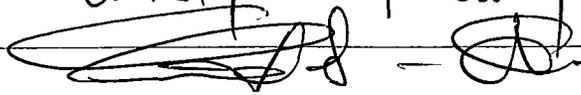
With increasing to minimum wage and California sales tax, I'm facing a lot of new cost that are challenging.

Please, focus on working to improve our recycling program and punish those who litter, rather than punishing small business and placing new burdens on us that will make it harder to survive.

My family and I are counting on me to stay in business, and I am counting on you to help. Make sure that happens.

Please oppose the ban on foam food containers.

Sincerely: Gandy Sophairy Chin



RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Nov 13, 2013

Dear Members of the City Council,

The upcoming vote on foam food containers is very concerning to me. A ban on foam to-go containers will be very expensive for me and my business. If I am forced to buy different containers, I will be paying double or triple what I am paying now for foam.

Protecting the environment is important. But I believe the Council should focus on strengthening our city recycling program which is already collecting foam products.

I am worried that with all of the new costs my business is already facing, I will not be able to stay in business.

Please stand up for small business and opposing the foam food container ban.

Sincerely,

HANK WEST PIZZA

16395 Beach Blvd. (714) 841-479

Arturo Esquivel

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

DEAR MEMBERS OF CITY COUNCIL

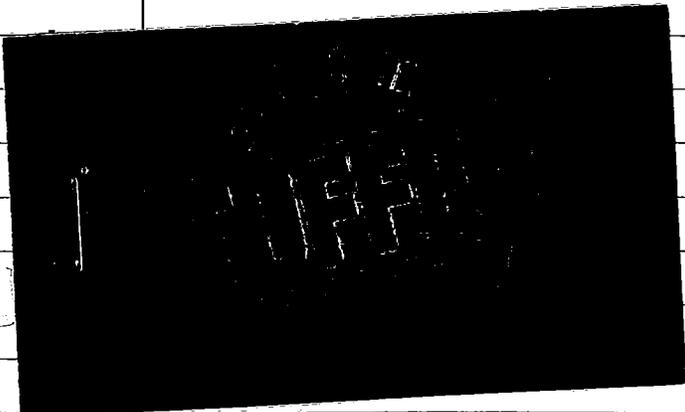
I AM WRITING ON BEHALF OF THE  
BAN OF FOAM CONTAINERS AS A NEW  
RESTAURANT. IT IS IMPORTANT TO TRY  
AND KEEP COSTS DOWN AS MUCH AS  
POSSIBLE. IF YOU BAN FOAM CONTAINERS  
I WILL BE FORCED TO PAY MORE AND/OR  
CHARGE MORE TO CUSTOMERS. THIS WILL  
SEVERELY HURT MY BUSINESS. I CANNOT  
AFFORD THESE INCREASES AS A BRAND  
NEW RESTAURANT. I KNOW PROTECTING  
THE ENVIRONMENT IS IMPORTANT. TRY  
BOOSTING THE CURRENT RECYCLING ALREADY  
IN PLACE. PLEASE, HELP US BY STOPPING  
THE PROPOSED BAN!!

SINCERELY,

Roger Simoni

OWNER,

H.B. PITA GRILL



RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

GOLDEN BOY  
Donuts. Bagels. Sandwiches  
714 842 3179  
17671. Beach Blvd  
HB CA. 92647

NOSALE  
11-13-2013

O#  
PM 03:19  
6877

Dear members of the City Council

I am an owner of a small family-run business in Huntington Beach. I have been supporting my family with this work for the past 30 years.

This new foodservice container ban is very disconcerting to myself and my family. Foam cups, lids, and containers are essential to our business and in turn, our livelihood. This change would force our supply costs to double or triple and threatens the affordability of our products. Our loyal customers will have to take their business elsewhere and will be unfairly punished by this ban.

Please take this opportunity to focus efforts towards improving the recycling program, that already accepts and recycles Styrofoam.

Those that choose to litter and threaten our beaches should be reprimanded and face the consequences of their actions.

Help me and my family by voting NO on the foam ban.

Sincerely,

Susan Chuy

RECEIVED  
NOV 18 2013  
Huntington Beach  
CITY COUNCIL OFFICE

Dear Members of the City Council:

We are writing in concern of the upcoming vote to ban foam food containers. As a small business, we do our best to minimize expenses for our restaurant, and using these foam containers is one of those methods. If foam containers are banned, we must resort to using higher cost containers instead, which will have a negative impact on our business.

Although we understand the importance of protecting our environment, we do not believe that this ban is the best solution. We urge you to please consider alternative options, like improving the recycling program for foam products. This will help ensure that small businesses such as ours can continue to provide the best service at the lowest cost to our customers.

Please support our small business by voting no on the foam food container ban.

Sincerely,  
Sango Sushi



*Sango Sushi*  
JAPANESE CUISINE

DINE IN OR TAKE OUT

(714) 969-8548  
Fax (714) 969-9568

7101 Yorktown Ave. #110, Huntington Beach, CA 92648  
www.sangosushi.com Open 7 Days

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear members of the city

protecting the environment is important but I believe the council should focus on strengthening our city's recycling program instead.

Please consider the impact this ban is having not only for the business owners but the consumers too, they will have to end up paying the price with increase prices from the restaurants.

Please vote "no" on the styrofoam ban

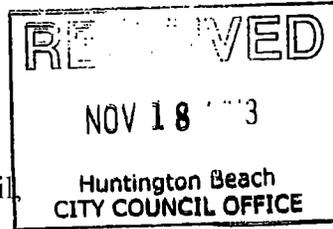
Sincerely,

Samar Awadallah.

Sunshine Liquor  
15080 Edwards St  
HB CA 92647

(714) 893-3594

11/13/2013



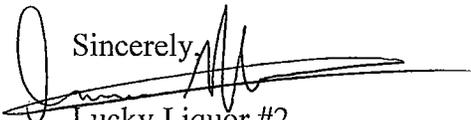
Dear Members of the City Council,

As an independent small liquor store owner, I know that keeping my prices low is something my customers appreciate and the reason they keep me in business. I serve families who are on the budget and rely on stores like mine to provide affordable meals. If a ban is passed on food containers, I will be forced to increase my prices and that will drive away loyal customers who will be forced to go somewhere with lower quality options.

Foam takeout containers are the most affordable and effective option for my store, and therefore the best.

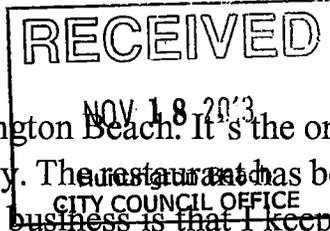
Please do the right thing, Vote No on the foam ban.

Sincerely,

  
Lucky Liquor #2  
8031 Warner Ave  
Huntington Beach, CA 92647

Imran Masood (Store Owner)

Dear Members of the City Council,



I am a small to-go type restaurant owner in Huntington Beach. It's the only business and the only source of income to support my family. The restaurant has been running for more than a decade and the reason it's still in business is that I keep the quality high but the price low in order to be able to provide affordable meals to customers.

With the new food service container ban, I will be forced to buy different containers which can be as high as five times more over the cost of the current containers we are using. It would drive the price of the food items to be very expensive, it will not be affordable to most customers and will put me out of business.

Please stand up for small business, opposing the new container ban and focus more on working to improve our recycling program.

Sincerely,

A handwritten signature in cursive script that reads "Vipa Soonthornwacharin".

Vipa Soonthornwacharin

Thai Pepper-Chinese Food  
18023 Beach Blvd.  
Huntington Beach, CA  
92648

RECEIVED

NOV 18 2013

Huntington-Beach  
CITY COUNCIL OFFICE

Dear Members of City Council  
I am a Huntington Beach Resident and  
Small Restaurant owner. My Restaurant  
is my life I spend every available  
minute I have at my business.  
I have to be there to make sure  
it pays the bills and can support  
my family

I'm extremely concerned that the new  
Koolhaas Containers plan will put me  
out of business. By switching from  
Koolhaas to alternative products, I will be  
paying double or triple what I pay  
now.

Please focus on working to improve  
our recycling program and punish those  
who litter.

My employees and my family all count on  
me to stay in business, and I am  
counting on you to help make  
sure that happens

Sincerely,

ZARY'S PERUVIAN BULLET,  
11-14-2013

Huntington Beach  
(714) 894-5694



www.zaryscuisine.com

Dear City Council Members

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Help! We are new business owners, just opened this year.

Due to our opening costs being 20-30% more than expected; with all the surprising requirements the city of Huntington Beach insists upon, we are struggling.

Please help the small businesses of Huntington Beach survive without more rules + regulations. The food containers ban will cost PLENTY and most of us just won't survive the loss of customers when we have to raise our prices.

Please welcome business to our city and Vote No on the foam ban.

Thank you  
Bridget Thordarson  
The Funnel House

205 main st.  
HB, CA 92648

Nov 14, 2013



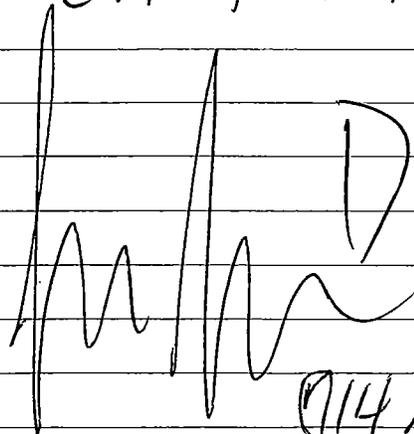
Mona Lisa  
9017 E. Adams Ave  
Huntington Beach CA 92646

Dear Member of City Council!

As an independent small restaurant  
owner, I'm very concerned about  
the vote on foam food containers.  
Foam takeout containers are the most  
affordable and effective option for my  
restaurant.

Please do the right thing  
vote NO on the foam ban!

Thank you.

 Dino  
Ferraro

(714) 965-9900



RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

DEAR CITY COUNCIL,

I am worried about this proposed styrofoam ban, we as business owners have a hard time making ends meet now with this ban is going to force us to raise prices or cut hours for our employees.

Please focus on improving our recycling program instead

Vote NO on the styrofoam ban

Sincerely

Aling Dulgo



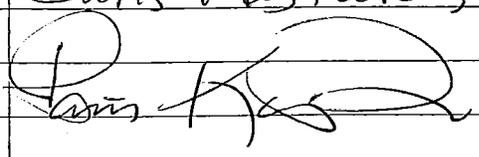
RECEIVED  
NOV 18 2013  
Huntington Beach  
CITY COUNCIL OFFICE

11-10-13

Dear Members of the City Council.

I am a small Nova's Pop Sandwich Shop, and the banning of polystyrene containers & cups will be a financial burden on us. We use these products & paper products, because we are mainly a take out place.

Thank you

Chris Kastanas, Pacific Crest Sandwich Shop  




RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

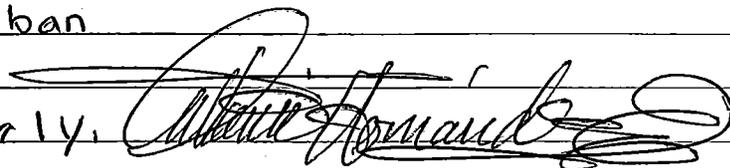
Dear Members of the City Council,

As an independent small restaurant owner, I know that keeping my prices low is something my customers restaurants like mine to provide affordable meals. If a ban is passed on food containers, I will be forced to increase my prices and that will drive away loyal customers who will be forced to go somewhere with lower quality options.

Foam takeout containers are the most affordable and effective option for my restaurant, and therefore the best.

pleas. do the right right. vote No on the foam ban

Sincerely,



CACUN  
Authentic MEXICAN Food  
2011 Warner Ave STE 1  
HB CA  
(714) 842-3036

Nov 14, 2013

RECEIVED  
NOV 18 2013  
Huntington Beach  
CITY COUNCIL OFFICE

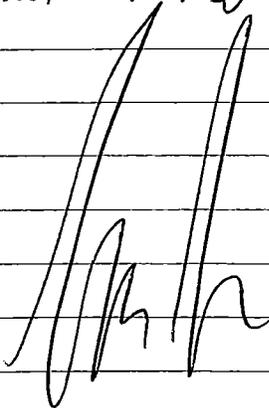
Capone's Cucina  
18344 Beach Blvd Huntington Beach  
CA 92646  
Dear City Council

I'm extremely concerned the the  
new Foodservice container ban will put  
me out of business.

Please focus on working to improve  
our recycling program.

My employees and my family are  
counting on me to stay in business  
make sure that this BAN doesn't  
not happens.

Thank you



Dino  
Ferrara

Capone's Cucina  
Fine Italian Dining



19688 Beach Blvd.  
Huntington Beach, CA 92646

The  
Black Trumpet



Mediterranean Bistro & Tapas

18344 Beach Blvd.  
Huntington Beach, CA 92646

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

NOV 13, 2013

Blu Wave Liquor & Discount store  
19351 Beach Blvd Huntington Beach, CA 92648  
Dear member of the City Council,

The upcoming vote on foam containers is very concerning to me. A BAN on foam & 0.90 containers will be very expensive. If I'm forced to buy different containers I will be paying double or triple for foam.

Protecting the Environment is important, the Council should focus on our city's recycling program which already collecting foam products.

I'm worried that with all of the new cost my business is facing, I will no be able to stay in business, I also serve soft drinks if you take away styrofoam it will slow down my business!

Please stand up for small business and opposing the foam container ban!

Sincerely,

  
Store Manager

714 536 7380

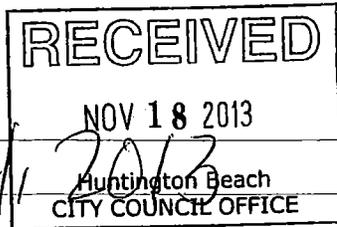
## BLU WAVE LIQUOR

LIQUOR STORE  
DISCOUNT STORE  
EVERYTHING STORE  
CONVENIENT STORE  
GROCERY STORE



19351 Beach Blvd.  
Huntington Beach, CA 92648  
Tel: (714) 536-7380  
Fax: (714) 536-7380

owner name Bob Hanouan



Nov 14, 2013

The Black Trumpet  
18344 Beach Blvd  
Huntington Beach CA  
92646

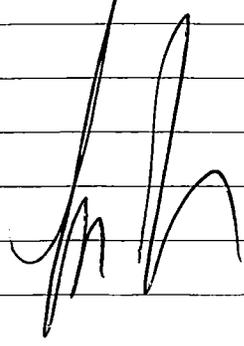
Dear Member of the City Council

The upcoming VOTE ON Foam Food Containers is very important to me. A BAN on Foam to go Containers will be very expensive for me and my business.

I know that protecting the environment is important. City Council should focus on strengthening our City's recycling program which already collecting Foam products

Please stand up for small business and opposing the foam Food Container BAN.

Thank you

 Dino Ferraro

November 13, 2013

The Donuttery  
17420 Beach Blvd  
H. B. CA 92647  
(714) 717-7000  
(714) 847-7000

RECEIVED  
NOV 18 2013  
Huntington-Beach  
CITY COUNCIL OFFICE

I am a Huntington Beach resident and a small donut shoppe owner. I'm the best donuts in the West Side. I serve coffee and food. Lots of my orders are to go in foam food containers. I'm very concerned about me being forced to change to alternative products. A ban on foam to go containers will be very expensive for me and my business.

If I'm forced to change, I will be paying double the amount I'm paying now.

Please do the right thing VOTE NO  
On the Foam ban

Sincerely  
Manokhone Prasavath  
Manokhone Prasavath

714-847-7000

**THE DONUTTERY**  
We Bake Fresh Daily

The Best Donuts in the West  
Special Rates on 5 Dozen  
or Larger Ordered Ahead



17420 Beach Blvd. • Huntington Beach, CA 92647  
Hours Mon-Sat 24hrs Closed Sunday 3pm-10pm

RECEIVED  
NOV 18 2013  
Huntington Beach  
CITY COUNCIL OFFICE

Top Hat Liquor Store

November 13, 2013

Hunting Beach CA 92648

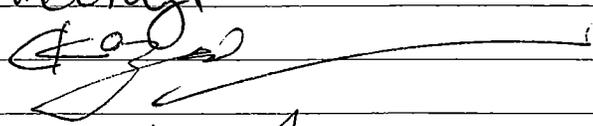
Dear members of the City Council

The upcoming vote on foam containers is very concerning to me. A BAN on foam to go containers will be very expensive for my business. If I'm forced to change and buy different containers I will be paying 3 times the amount I'm paying now for foam.

I know that protecting is important, I believe the Council should focus on strengthening our city's recycling program which already is collecting foam products.

I'm very worried that all the new cost my business is facing, I will not be able to stay open for business. We this economic my business is already suffering.

Please stand up for small business and opposing the foam food container ban, because is very unfair.

Sincerely  
  
ABUL AZAD

10612 Beach Blvd.  
HB, CA 92647

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NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Three Monkeys  
Japanese  
4556 Hamilton Ave  
Hunting Beach CA 92646  
(714) 867-6411



Three Monkeys  
JAPANESE KITCHEN  
Huntington Beach

Dear Member of the city Council

As an independent small owner, I know that keeping my prices low is something my customers appreciate and the reason they keep me in business. I serve families who are on a budget & rely on restaurants like mine to provide inexpensive meals.

If a BAN is passed on food containers, I will be forced to increase my prices and that will drive away loyal customers who will be forced to go somewhere with lower prices.

Please do the right thing. VOTE NO ON  
The FOAM BAN!

Thank you,

Masako Homma

An Homma

11-13-13

Yoshio Homma

Maer 729

11-13-13

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NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Styrofoam ~~containers~~  
MUST NOT be banned in  
ALL restaurants!!

Our environment is  
threatened! PLEASE

**DO NOT BAN!**

Judy Reisberg  
Menchie's



Judy & Richard Reisberg  
Owners

Menchie's Newland Center  
19694 Beach Blvd.  
Huntington Beach, CA 92648  
(714) 964-5600  
(310) 459-8402  
judy.reisberg@menchies.com  
www.menchies.com

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NOV 18 2013

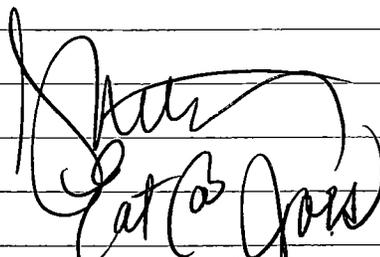
Huntington Beach  
CITY COUNCIL OFFICE

DEAR COUNCIL MEMBERS;

I own a business here in Huntington Beach and keeping my prices low is something my customers appreciate and keeps them coming back. That will NOT BE THE CASE IF I HAVE RAISE my prices in order to swith From styrofoam to alternative products.

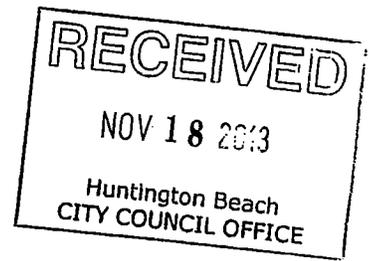
PLEASE VOTE NO ON THE STYROFOAM BAN WORKING FAMILIES, BUSINESS OWNERS and THEIR FAMILIES ARE COUNTING ON YOU TO DO THE RIGHT THING.

Sincerely,

 11/14/13  
John Cat  
7120 Edinger  
HB, CA 92647



**BETTER TASTE... BETTER PRICE**



November 14, 2013

Dear Members of the City Council,

We have lived in Huntington Beach for over 21 years and have owned our small restaurant here for longer than that. It is our life. We spend every available minute at our business, serving customers, and supervising our employees. We have to be there all the time because we need to make sure it pays the bills.

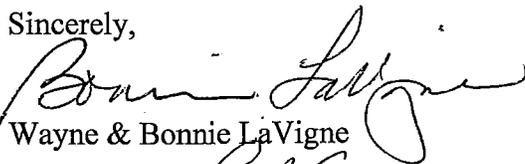
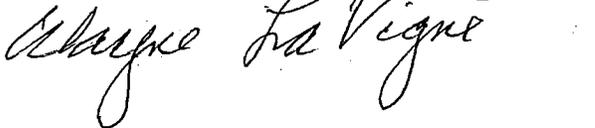
We are extremely concerned that the new foodservice container ban will put us out of business. By switching from foam to an alternative product, I will be paying double or triple what I pay now.

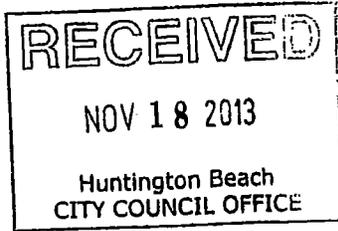
With increases to the minimum wage and all the upcoming expensive changes to health care, we are facing a lot of new costs that are very challenging.

Please focus on working to improve our recycling program and punish those who litter, rather than punishing small businesses and placing new burdens on us that will make it harder to survive.

Our employees and family are counting on us to stay in business, and we are counting on you to Help make sure that happens. Please oppose the ban on foam food containers.

Sincerely,

  
Wayne & Bonnie LaVigne  




George's Mexican Food  
6581 Edinger Avenue  
Huntington Beach, CA 92647

Dear Members of the City Council,

We here at George's are very concerned for the upcoming vote on the foam food containers. This will cause a large increase in the prices we charge to our customers. As a small restaurant owner we rely on these containers in our day to day business. Not only will this cause a price increase for us as a business, but will also affect the prices we charge our customers. We already make payments to our local recycle program through Rainbow which has a contract with the city as an added fee to our service. If anything, efforts must be focused on strengthening the recycling program the city currently has and not passing the responsibility down to the small businesses.

Please vote NO on the foam ban and help the small businesses of the City of Huntington Beach.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to be "George's".

George's restaurant management

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

## Dear Members of the City Council

The upcoming vote of foam food containers is very concerning to me .A ban on foam to go containers

Will be very expensive for me and my business.If I am forced to buy different containers,I will be

Paying double or triple what I am paying now for foam.

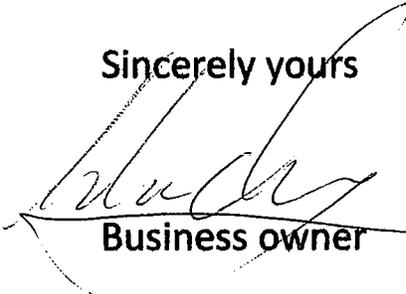
Protecting the environment is important.But I believe the Council should focus on strengthening our

City's recycling program which is already collecting foam products.

I am worried that with all of the new costs my business is already facing,I will not be able to stay in Business.

Please stand up for small business and opposing the foam container ban.

Sincerely yours

  
Business owner



**Joe's Sushi**  
Japanese Restaurant

*All you can eat Sushi*

Tel.714-375-2757

Fax.714-375-2756

6973 Warner Ave. Huntington Beach,



RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear Members of the City Council,

I am a local resident of the city and also a small restaurant owner. My restaurant is my life and I spend every minute there trying to make an honest living while serving the best possible food to my customers.

I am extremely concern that this ban on the foodservice container will drive my small restaurant out of business. By switching to alternate products from foam, I will triple the cost and with food cost always on the rise annually, we cannot afford this change. I am always aware that we must take care of our environment and the city has a great recycling program that includes Styrofoam.

I am asking the city to not ban these products because it will cause many small businesses like mine to be out of business which will cost jobs to hundreds of local residents and thousands of tax lost.

Please stand up for small local business and oppose the food container ban.

Sincerely,

Tokyo Deli

**Tokyo Deli** 

*Sushi and Teriyaki*

**Tel: (714) 894-3784**

**Fax: (714) 894-4094**

[www.facebook.com/TokyoDeliHB](http://www.facebook.com/TokyoDeliHB)

Menu is available on our facebook site

 Like us on facebook

6522 Bolsa Ave.,  
Huntington Beach, CA 92647

**Business hours:**  
Mon. - Sat.: 11:00am - 8:00pm  
Sunday: 12:00pm - 8:00pm

RECEIVED  
NOV 18 2013  
Huntington Beach  
CITY COUNCIL OFFICE



November 14, 2013

Fresh Bagels & Cafe  
19700 Beach Blvd  
Huntington Beach CA 92648

Dear Member of City Council

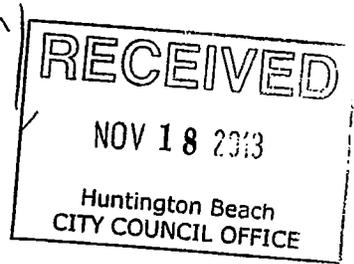
As an independent small restaurant owner I'm very concerned about the Styrofoam Food Containers, I know that keeping my prices low is something my customers like and appreciate.

Foam takeout containers are the most affordable. If a ban is passed on food containers, I will be forced to increase my prices and that will drive away loyal customers who will be forced to go somewhere with lower prices.

Please help all small business owners to stay in business by stopping the ban, do the right thing, vote NO on the foam ban.

Sincerely  
JENNY QUOC  
manager  
owner Johnny Ho

Dear Members of the City Council



The upcoming vote on foam food container is very concerning to me.

A ban on foam to-go containers will be very expensive for me and my business. If I am forced to buy different containers I will be paying double or triple what I am paying now for foam.

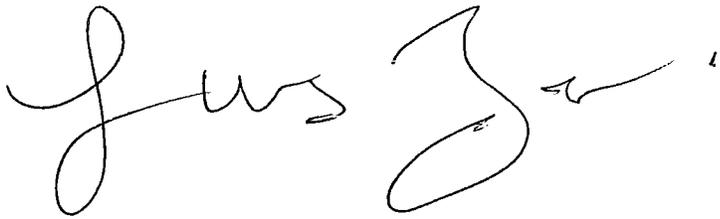
Protecting the environment is important but I believe the council should focus on strengthening our city's recycling

program which is already collecting foam products. I am worried that with all of the new costs my business is already facing I will not be able to stay in business.

Please stand up for small business and opposing the foam food container ban.

Sincerely

Luis Zavala

A handwritten signature in cursive script that reads "Luis Zavala". The signature is fluid and stylized, with a prominent loop at the end of the last name.

Business owner of Super Mex  
17210 PCH HB CA 92649

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear Members of the city Council,

The upcoming vote on foam food containers is very concerning to me. A ban on foam to-go containers, I will be paying double or triple what I am paying now for foam.

Protecting the environment is important. But I believe the Council should focus on strengthening our city's recycling program which is already collecting foam products.

I am worried that with all of the new costs my business is already facing, I will not be able to stay in business.

Please stand up for small business and oppose the foam food container ban.

Sincerely,

Inseung Choi 213-700-9797

THE WOK.  
7011 WARNER AVE Suite L  
HB CA

RECEIVED

NOV 18 2013

11-13-13

I'm a Huntington Beach resident and  
small business owner. My life, I spend every available minute I  
have at my business. I have to be  
there to make sure it pays the bills.  
and can support my family.

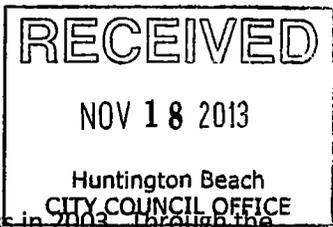
Please focus on working to improve  
our recycling program and punish those  
that litter.

My employees and my family are counting  
on me to stay open. I'm counting  
on you to do the right thing and vote  
NO on the styrofoam ban.

sincerely

PERITAM SMITH

PRIMO FOOD STORE  
17465 BEACH BLVD  
H.B. CA. 92647  
Tel. 714-847-5599



Dear Members of the City Council,

I am an independent small business owner, my husband and I started our business in 2003. Through the years we have seen many changes throughout the city. The past few years it is no secret that sales have not been what they were some years ago. Our small restaurant has been hit dramatically by smaller sales and we have been forced to reduce our staff. We are not against progress or change, but is this the best form of change have, are there no other alternatives. We are in favor of higher wages and everyone wants to protect the environment, however, with my labor cost being higher and my food cost incrementing, I will be forced to reduce my staff even further. This will result in loss of sales because I will not be adequately able to serve all of our guest. Please reconsider the foam ban or find a new way that would not affect the small business owners at such a heavy cost,

Sincerely,

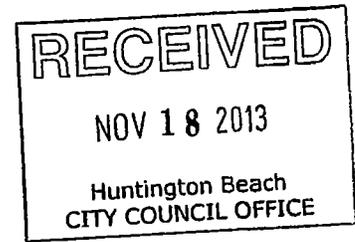
Trejo's Mexican Food

Sofia Trejo *Sofia Trejo*  
Owner 9145 842-2835

Trejo's Mexican Food  
17436 Beach Blvd  
Huntington Beach, CA 92647



Perry's Pizza  
6501 Edinger Ave.  
Huntington Beach, CA 92647



November 13, 2013

Re. Foam Food Container Ban

Dear Members of the City Council,

As an independent small restaurant owner of over 23 years, I know that keeping my prices low is something my customers appreciate and the reason they keep me in business. I serve families who are on a budget and rely on restaurants like mine to provide affordable meals. If I am forced to buy different containers, I will be paying double or triple what I am paying now for foam and that will drive away loyal customers who will be forced to go somewhere with lower quality options.

Also please consider the effects of the recently enacted plastic bag ban and the upcoming increase in minimum wage. It is just getting too expensive to run a business in Huntington Beach. My employees and my family are counting on me to stay in business which is and has been be very difficult as this foam ban only adds to the increased cost of running a restaurant.

Foam takeout container are the most affordable and effective option for my restaurant, and therefore the best.

Please do the right thing and also stand up for small business by voting No on the foam food container ban.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald P. Kien". The signature is fluid and cursive.

Ronald P. Kien

RECEIVED  
NOV 18 2013  
Huntington Beach  
CITY COUNCIL OFFICE

Dear Member of the City Council ,

As an Independent small restaurant : Irassae Sushi . I know that keeping my price reasonable is something that our customers appreciate and the reason they keep me in business . I have been in business in huntington beach for over 10 years and serve families who are on a budget .

If a ban is passed on food containers , I will be forced to increase my prices and that will drive away loyal customers who been loyal to us since we're open to go somewher wirh lower quality options.

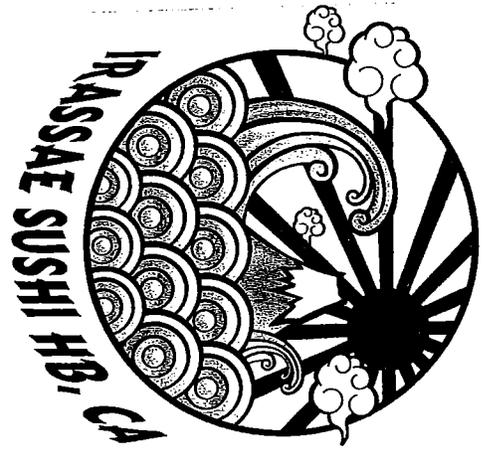
Foam takeout containers are the most affordable and effective option for my restaurant, and therefore the best .

Please Do the right thing and Vote NO on the foam ban .

Sincerley.

Irassae Sushi  
8841 Adams Ave  
Huntington Beach, CA 92646  
714-965-1904

John Lim  
*John Lim*  
(11-13-2013)



**BUSINESS HOURS :**

**MONDAY-FRIDAY**

**LUNCH 11.30-2.30**

**DINNER 5.00-9.00**

**SATURDAY**

**DINNER 5.00-9.00**

**SUNDAY CLOSED**

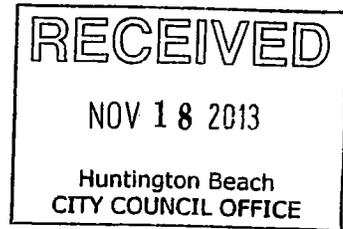
**8841 ADAMS AVENUE  
HUNTINGTON BEACH**

**CA, 92646**

**Phone: 714-965-1904**

**Fax: 714-965-1905**

To all my City Council Members



I have resided in Huntington Beach since 1964. I would spend my entire summers at the beautiful beaches, filled with soft clean beach sand, and precious sea shells along the clear water shores. Today, I don't go to our beaches during the summer at all. It's repugnant for me to see all the litter that people leave on the beach only to know it will taken into the ocean. Who are we to let that happen? Plastic toys people don't bother to pick up. Napkins and eating utensils, and even some unmentionable objects. So, are we going to ban these things too? How many aluminum and plastic bottles were there in prior years just washing into our Pacific Ocean. Now, we don't see any plastic bottles or cans because people pick them up for money. You see, the problem isn't with the products, its with the public. Where do you draw the line? No napkins, no eating utensils, or kids toys. You have to make people accountable for their wrong actions. If you park a car illegal, you get a ticket or towed, we don't ban cars, then where would we be. This kind of thinking is absurd. Educate the public about the recycling program and reward them in some small way, and your problem will be solved.

As a proud small business owner in Huntington Beach, by banning the Styrofoam, your just making it that much harder for us as owners to keep up with all of our costs and the challenging economy. There will be a domino effect by doing so, and maybe the consequence might be people buying less inside the city of Huntington Beach, and that is not a good thing. The key is to educate the public not to litter, and to come up with a reward system for recycling. This is the key for a better life for tomorrow, because we owe it to the environment we live in.

Chelos Panaderia  
18029 Beach Blvd  
H.B. CA 92648.

Thank- you

Sincerely Linda Ruiz

A large, fluid, cursive handwritten signature in black ink that reads "Linda Ruiz". The signature is written over the typed name "Linda Ruiz".

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear Members of the City Council,

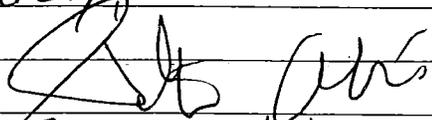
I am a Huntington Beach resident and a small business owner. My restaurant is my life. I spend every available minute I have at my business. I have to be there to make sure it pays the bills and can support my family.

I'm extremely concerned that the new food service container ban will put me out of business. By switching from foam to an alternative product, I will be paying double or triple what I pay now.

Please focus on working to improve our recycling program and punish those who litter.

My employees and my family are counting on me to stay in business, and I am counting on you to help make sure that happens.

Sincerely,



Peter Abbay

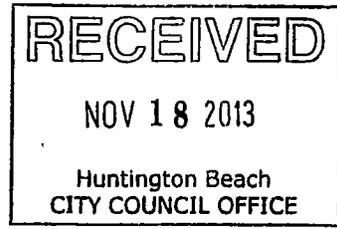
Papa Joe's Pizza

914 Pacific Coast Highway

Huntington Beach, CA

Big Chopsticks Restaurant  
19092 Beach Blvd, # V  
#B, AG 2648

Nov 11, 2013



I don't agree for banning it  
will cost a lot of money for  
restaurant.

CHUNG KAM SHING

A large, stylized handwritten signature in black ink, appearing to read "Chung Kam Shing". The signature is written in a cursive, flowing style with large loops and a long tail.

RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

11-15-13

Dear Members of the City Council,

I am a Huntington Beach resident and a small restaurant owner. My restaurant is my life. I spend every available minute I have at my business. I have to be there to make sure it pays the bills and can support my family.

I'm extremely concerned that the new foodservice container ban will put me out of business. By switching from foam to an alternative product, I will be paying double or triple what I pay now.

Please focus on working to improve our recycling program and punish those who litter.

My employees and my family are counting on me to stay in business, and I am counting on you to help make sure that happens.

Sincerely,

Mark Aguilar

Owner

Super Mex Restaurants



Dear Members of City Council,

I'm a new business owner and have nine families counting on me to support their families. The ban of these products will increase my costs and put our new business in jeopardy. please consider another way to keep littering down without punishing the small business owner to increase costs to the families in our community we try to feed at an affordable cost.

Sincerely,  
Molly Rottner  
714-292-7140

Please vote no!

FITZGERALD'S Irish Pub.  
19171 magnolia St. #12.  
HB CA 92644

RECEIVED  
NOV 18 2013  
Huntington Beach  
CITY COUNCIL OFFICE

Dear city council members,

I am concerned with the way things in the city are being handled this thing with the styrofoam ban is ridiculous!

We as business owners have a hard time staying in business with all the fees that we have to worry about and now this! please do the right thing and vote NO on this Ban.

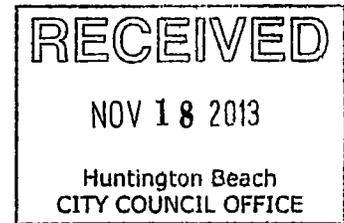
Yours truly,

# DON JOSÉ MEXICAN RESTAURANTS, INC.

9093 EAST ADAMS AVENUE, HUNTINGTON BEACH, CALIFORNIA 92646

Phone (714) 962-7911 or (714) 964-3766

November 12, 2013



Dear members of the City Council,

The upcoming vote on foam food containers is very concerning to me. A ban on foam to-go containers will be very expensive for me and my business. If I am forced to buy different containers, I will be paying double or triple what I am paying now for foam.

Protecting the environment is important. But I believe the Council should focus on strengthening our city's recycling program which is already collecting foam products.

I am worried that with all of the new costs my business is already facing, I will not be able to stay in business. If I am forced to close, my employees will no longer have jobs. They will not be able to support their families nor will be I able to as well.

Please support small businesses, its employees, and their families, by opposing the foam food container ban.

Sincerely,

A handwritten signature in cursive script that reads "Marie Craft".

Marie Craft,  
President

Don Jose' Restaurants Inc.



RECEIVED

NOV 18 2013

Huntington Beach  
CITY COUNCIL OFFICE

Pho Tastee Restaurant  
Tastee Vietnamese Cuisine  
19092 Beach Blvd, Suite X Huntington Beach CA  
NOV 15, 2013 92648

Dear member of the city council.

The upcoming vote on ban Containers is very concerning to me. A ban on foam to go Containers will be very expensive for my business.

Protecting the environment is important but please focus on recycling and stop targeting small restaurants owners

Please stop the BAN!

Thank You

Jay L

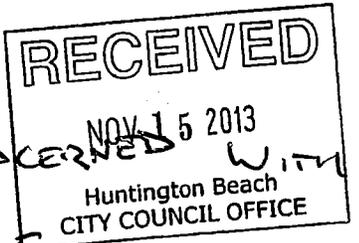
P. HO TASTEE

 **Pho Tastee**  
VIETNAMESE CUISINE

714.963.1818

19092 Beach Blvd, Suite X Huntington Beach CA 92648

DEAR MEMBERS OF CITY COUNCIL,



AS A RESTAURANT OWNER, I AM CONCERNED WITH THE FOAM FOODSERVICE CONTAINER BAN. FOAM TAKE OUT CONTAINERS ARE AFFORDABLE AND CONVENIENT FOR OUR GUESTS. I AM CONCERNED ABOUT POLLUTION AND LITTERING, BUT I DON'T THINK BANNING FOAM FOODSERVICE WOULD BE VERY EFFECTIVE. IF YOU CAN STILL GO TO THE STORE AND BUY A PAIR OF FOAM CUPS, IT WOULDN'T MAKE MUCH SENSE TO BAN THEM FROM RESTAURANTS. THE RECYCLING PROGRAM SHOULD BE THE FOCUS. PLEASE VOTE NO ON THE FOAM BAN.

THANK YOU.

Joe Spivey  
Surf Dogs Sport Grill  
5932 Warner Ave  
HB, CA.

RECEIVED

NOV 15 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear Members of The City Council,

The upcoming vote on foam food containers is very concerning to me. A ban on foam to-go containers will be very expensive for me and my business. If I am forced to buy different containers, I will be paying double or triple what I am paying now for foam.

Protecting the environment is important. But I believe the Council should focus on strengthening our city's recycling program which is already collecting foam products.

I am worried that with all of the new costs my business is already facing, I will not be able to stay in business. If I am forced to close, my employees will no longer have jobs. They will not be able to support their families nor will I be able to as well.

Please support small businesses, its employees, and their families, by opposing the foam food container ban.

Sincerely,  
Carlos Gomez

RECEIVED  
NOV 15 2013  
Huntington Beach  
CITY COUNCIL OFFICE

Nov 12, 2013

Loving Hut  
19891 Brookhurst St  
Huntington, Beach CA 92646

From: Loving Hut

I'm a Huntington Beach resident and a small restaurant owner. My restaurant is my life and support for my family and many other families that work with me.

I spend every available minute I have at my business, serving my customers, and supervising my employees. I'm there all the time because I need to make sure it pays the bills and support my family.

I'm extremely concerned that the new foodservice container ban will put me out of business. By switching from foam to an alternative product, I will be paying 2 to 5 times more.

With increases to minimum wage and California sales tax, I'm facing a lot of new costs that are challenging.

Please focus on working to improve our recycling program and punish those who litter, rather than punishing small business and placing new burdens on us that will make it harder to survive.

My 6 employees and family are counting on you to help me stay in business on the beach.

(414) 962-6449

Loving Hut  
YOUR NEIGHBORHOOD VEGAN CUISINE

19891 BROOKHURST ST  
HUNTINGTON BEACH,  
CA 92646-4259  
714 962 6449  
HUNTINGTONBEACH@LOVINGHUT.US  
WWW.LOVINGHUT.COM  
WWW.LOVINGHUT.US/HUNTINGTONBEACH



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NOV 15 2013

Huntington Beach  
CITY COUNCIL OFFICE

Eat Here - Catering - Take Out

Open 7 Days a Week

The Unusual Sandwiches  
and of course  
the Stand Bys.

**FRITZANKOTTER'S**

Beer & Wine

5936 Warner Ave.  
\*(at Springdale)\*  
Huntington Beach, CA

Tel: (714) 846-4438  
Fax: (714) 846-4439

Fritzankotter.

5936 Warner Ave

Huntington Beach CA, 11-11-13.

Dear members of city council.

as an small restaurant owner, I know that keeping myo prices low is something my customers appreciate, and the reason they keep me in bussiness, I serve family who are on a budget rely on restaurants like mine to provide affordable meals, if a ban is passed on food containers, I will be forced to increase myo prices and that will drive away loyal customers, so foam takeout containers are the most affordable effective option for my shop, I can't one the low prices to keep myo costs down, By banning foam, I know my bussines will be sererely impacted, I ask you to please vote NO on the foam ban, H.B. Small Business and their families are counting on yo to do the right things

  
Larry Soong

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Huntington Beach  
CITY COUNCIL OFFICE

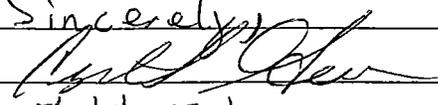
Dear Members of the City Council,

As an independant small business owner, I know that keeping my prices low is something my customers appreciate & the reason they keep me in business. I serve families who are on a budget and rely on rest. like me, to provide affordable meals. If a ban is passed on food containers, I will be forced to increase my prices and will drive away loyal customers who will be forced to go somewhere with lower quality options.

Foam take out containers are the most affordable & effective option for my restaurant, & therefore the best.

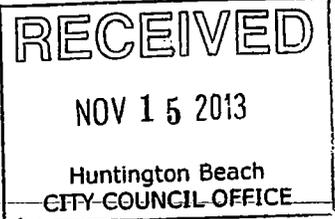
Please do the right thing. Vote NO on the foam ban

Sincerely,



El Chile Frito

Bar and Burger.  
17091 Newland St  
Huntington Beach, CA 92646.



Dear member of the city council.

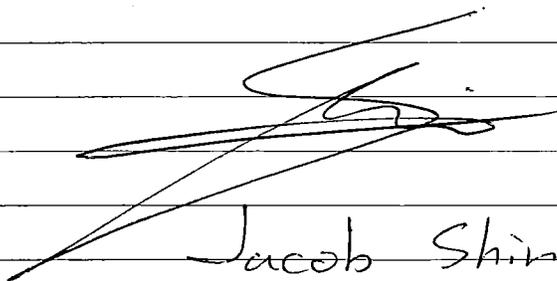
I am a huntington beach business owner. my restaurant is my life. I have to be there working in my business just to make ends meet.

I'm extremely concerned about the styrofoam ban because it's going to force me to change to alternative products that cost 2 to 5 times more. this will really eat into my profit and possibly put me out of business.

Please consider improving our recycling program and educate the public not to litter.

My employees and my family are counting on me to stay in business. and ~~is~~ counting on you to help make sure that happens. please vote NO on the styrofoam ban.

Sincerely,



Jacob Shin  
(714) 848-9406.



# Sushi Ya

714-846-1660 / 714-441-8459  
Huntingtonbeachsushiya.com



Monday, November 11, 2013

Dear Members of City Council of Huntington Beach,

I have been managing Sushi Ya Japanese Restaurant past 8 years providing healthy food at affordable price to local community.

It has not been easy to keep our doors open since our cost of all food items (especially seafood & produce) have been increasing while our price could not be raised due to the economic downturn. Restaurant industry in general has not seen the recovery yet except the national fast food chains. For us every penny counts in our daily struggle trying to make ends meet.

Already with plastic bag ban, we may face decline in take out business if we charge extra for paper bags or less margin if we undergo extra cost. Now if you impose foam container ban, our cost will further increase for take-out orders and situation will worsen. I am afraid we may have to close our doors if we continue losing take-out business due to extra charges.

I do understand the concern for cleaner environment. However, there is no good alternative to foam containers that is environment-friendly and cost effective. Focusing on recycling which is already in practice rather than banning the foam containers would be better solution for environment and for our business.

Thank you for your consideration.

Sincerely,

Abraham Lim  
Sushi Ya Huntington Beach  
[www.huntingtonbeachsushiya.com](http://www.huntingtonbeachsushiya.com)

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Huntington Beach  
CITY COUNCIL OFFICE

Nov. 11, 2013

Dear Members of the City Council,

Being a small business owner for only three years now, we have experienced the high costs of what is involved trying to succeed. With the ban against foam containers, this would be a difficult added cost.

So, we, ask you please to vote "No" on the ban against foam containers. Please, think hard and long on the added hardship this would cost us and other restaurant owners. Your consideration on this matter will be greatly appreciated.

Thank you, in advance.

St. George Pizza

Chris Contakos

Chris Contakos

(714) 848-6272

8454 Edinger Ave.

H.B., CA 92647

St. George Pizza  
8454 Edinger Ave.  
Huntington Beach, CA 92647  
Tel 714-848-6272

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Huntington Beach  
CITY COUNCIL OFFICE

Nov 12, 2013

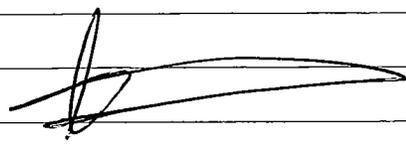
Town Liquor & Mini Mart  
9795 Adams St  
Hunting Beach CA 92646

Dear member of the City Council,

The upcoming vote on foam food container is very concerning to me. A ban on foam to-go container will be very expensive for me and my business. If am forced to buy different container I will be paying double or triple what I am paying now for foam.

Protecting the environment is important. But I believe the council should focus on strengthening our city's recycling program which is already collecting foam products.

Please support small business, its employees, and families, by opposing the foam food container BAN.

Sincerely, 

Jim Sawman

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NOV 15 2013

Huntington Beach  
CITY COUNCIL OFFICE

Limelight Java  
18587 Blvd  
Hunting Beach CA 927048

Limelight JAVA

18587 Beach Blvd Huntington Beach, CA 92748

714 848. 6867

Mon-Fri 6:30am - 7:00pm

Sat 7:00am - 6:00pm

Sun 7:00am - 2:00pm

Dear Member of the City Council

The upcoming vote on foam food container is very concerning to me. A BAN on foam to go container will be very expensive for me and my business. If I'm forced to buy different containers, I will be paying double or triple what I'm paying now for foam.

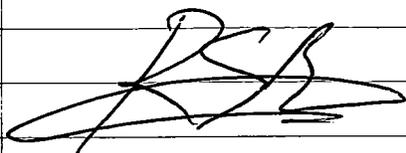
Protecting the environment is important, but I believe the council should focus on reinforcing our city's recycling program which is already collecting foam products.

I'm worried that with all of the new cost my business is facing, it will not be able to stay in business.

Please stand up for our small business and opposing the foam food container BAN!

Sincerely, Randy Bahang

(714) 848-6867



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NOV 15 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear Members

Huntington Beach City Council,

As a small business owner <sup>running</sup> plastic products that are used <sup>on a</sup> consistent basis behind my bar would be had for business. Straws and foam takeout containers are essential items in this business and the price increase would force me to cut 1 employees hours by atleast 10 hrs a week. Please reconsider your stance

Ring Side

19092 Beach

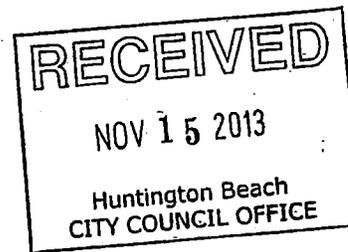
Huntington Beach CA 92340

(714) 397-8479

Sincerely

Travis Call

Ring Side Lounge



Dear Members of the City Council,

The upcoming vote on foam food containers is very concerning to me. A ban on foam to-go containers will be very expensive for me and my business. If I am forced to buy different containers, I will be paying double or triple what I am paying now for foam.

Protecting the environment is important. But I believe the Council should focus on strengthening our city's recycling program which is already collecting foam products.

I am worried that with all of the new costs my business is already facing, I will not be able to stay in business. If I am forced to close, my employees will no longer have jobs. They will now be able to support their families now will I be able to as well.

Please support small businesses, its employees, and their families, by opposing the foam food container ban.

Sincerely

A handwritten signature in black ink, appearing to read "Andy Dang". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andy Dang

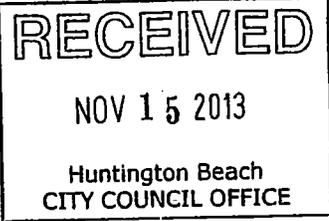
Manager

Sakura Shabu-Shabu

16871 Beach Blvd.

Huntington Beach CA 92647

714-841-8885



Dear Members of the City Council,

The upcoming vote on banning foam and plastic containers is very concerning to me. As a small business owner switching containers for my dessert products will be very expensive and inconvenient.

I know protecting the environment is very important, however I believe the Council should focus on strengthening our city's recycling program instead of hurting business owners.

It is already the off season for my business and I am worried about the extra inventory costs that go along with all the other costs of being a business owner.

Please help support small businesses and their employees by voting against the plastic and foam container ban. Especially with small business Saturday right around the corner!

Sincerely,

A handwritten signature in black ink that reads "Rebecca DeFeo". The signature is written in a cursive style.

Rebecca DeFeo  
Rita's Italian Ice  
Huntington Harbour

**Rita's Italian Ice**  
16917 Algonquin St. Huntington Beach, CA



[www.ritasicehb.com](http://www.ritasicehb.com)

[ritasicehb@gmail.com](mailto:ritasicehb@gmail.com)

1696-888-8888

[www.facebook.com/ritasicehb](https://www.facebook.com/ritasicehb)

714-840-1092

RECEIVED

NOV 15 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear Members of the City Council,

As an independent small restaurant owner, I know that keeping my prices low is something my customers appreciate and the reason they keep me in business. I serve families who are on a budget and rely on restaurants like mine to provide affordable meals. If a ban is passed on food containers, I will be forced to increase my prices and that will drive away loyal customers who will be forced to go somewhere with lower quality options.

Foam takeout containers are the most affordable and effective option for my restaurant, and therefore the best. I count on the low prices to keep my costs down, my customers happy, and my doors open. By banning foam, I know my business will be severely impacted.

I ask you to please vote NO on the foam ban. Huntington Beach small businesses and their families are counting on you to do the right thing!

Sincerely,  
Carlos Gomez

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NOV 15 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear Members of City Council

As an independent small restaurant owner I feel that I am already strapped by the economy, inflation & ever growing governmental requirements.

For the past 3.5 years I've been working just to keep this business afloat & to pay all dues, fees, wages, man comp, licenses, and a whole array of added expenses.

Any added extra expense is one more burden that threatens my ~~exit~~ continued existence in this city.

foam take out containers are the most affordable & effective option for my restaurants and therefore the best.

PLEASE VOTE NO on the foam ban

Sincerely,

The Seafood Zone

Callie Edwards 949-540-5293

On the corner of Warner and PCH

T: 562.592.5806  
 tsunamisushihb@gmail.com  
 17236 Pacific Coast Hwy  
 Huntington Beach, CA 92649  
 tsunami-hb.com

Open 7 Days a Week

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 Huntington Beach  
 CITY COUNCIL OFFICE

Member of the City Council

The upcoming vote on foam food containers is very concerning to me. A Ban on foam to-go containers will be very expensive for me and my business. If I am forced to buy different containers, I will be paying double or triple what I am paying now for foam.

Protecting the environment is very important. But I believe the council should focus on strengthening our city's recycling program which is already collecting foam products.

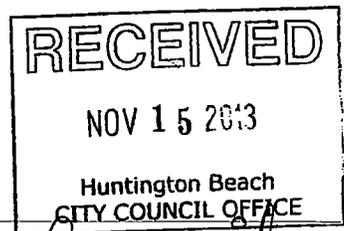
I'm worried that with all the cost my business is already facing, I'll not be able to stay in business, and if I'm forced to close, my employees will no longer have jobs.

please support small business. by opposing the foam food containers ban.

Sincerely,

Kevin Xue (Tsunami Sushi)

*[Signature]* Nov 12, 2013



Dear Members of the city Council

The upcoming vote on Foam Food containers is very concerning to me. A ban on Foam food containers will be very expensive for me and my business. If I am forced to buy different containers, I will be paying double or triple what I am paying now for foam.

Protecting the environment is important. But I believe the council should focus on strengthening our city's recycling program with a separate collecting foam products.

I am worried that with all of the new costs my business is already facing, I will not be able to stay in business.

If I am forced to close, my employees will no longer have jobs. They will not be able to support their families nor will I be able to do so as well.

Please support small businesses, its employees, and their families by opposing the foam food container ban.

Sincerely

A large, stylized handwritten signature in black ink, appearing to read "CARLOS ACUDIO".

CARLOS ACUDIO





November 12, 2013

City Council Members,

I am a small restaurant owner in the Huntington Beach Area. I have been hit hard because of the constant emergence of competition, rising commodity prices and the continuous increase in overhead expenses.

Protecting the environment is important to me but Styrofoam containers and plastic bags to carry them with are the most cost effective I have seen in the market. I know since I have seen how much more expensive the containers that are made out of alternative materials are. Banning the said materials will adversely affect my business. Since we are a fast food business, then our customers expect reasonable prices. We try to save so that we are able to pass the savings on to our customers. Please reconsider your vote and decision. There has to be a balance between allowing businesses to sustain themselves and flourish and the need to be responsible about the environment. California has continuously become unfriendly to business. We are already experiencing the effects of legislation and laws of this nature. Please support small business for a change by opposing the said ban.

Sincerely,

A handwritten signature in cursive script that reads "Fernando M. Santayana".

Fernando M. Santayana  
California Teriyaki Grill

**We serve only  
Certified Angus  
Beef.**



**CALIFORNIA**  
TERIYAKI GRILL

Mon-Fri: 10:00am - 8:00pm  
Sat: 10:00am - 7:00pm

6041 Bolsa Ave. #3  
Huntington Beach, CA 92647

Tel 714.894.9120  
Fax 714.894.9121



NOV 11, 2013

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NOV 15 2013

Huntington Beach  
CITY COUNCIL OFFICE

Italian Cravings Pizzeria  
19478 Beach Blvd. H. B. CA 92647  
(714) 963-5111

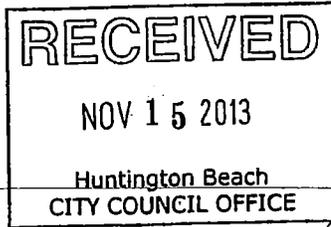
TO Whom it may Concern:

As an independent small restaurant owner, I disagree with the ban about styrofoam. I know that keeping my prices low is something my customers appreciate and the reason they keep me in business. I serve families who are on budget and rely on restaurants like mine to provide affordable meals. If a ban is passed on food containers, I will be forced to increase my prices and that will drive away loyal customers who will be forced to go somewhere with lower options.

Foam takeout containers are the most affordable and effective options for my restaurant and therefore the best. I count on the low prices to keep my costs down, my customers happy, and doors open. By banning foam, I know my business will be severely impacted.

I ask you to please vote NO on the foam ban. Huntington Beach small business and their families are counting on you to do the right thing!

Sincerely Antonio Valle



NOV 11 13

Dear Members of City Council

My employees and my family are counting on me to stay in business and I am counting on you to help make sure that happens. Please oppose the ban of foam food containers

Sincerely

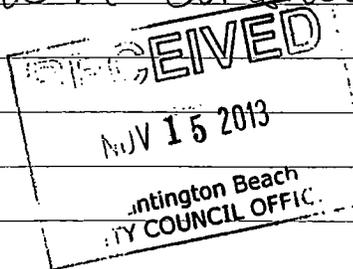
Lot's Chinese in Huntington Beach

Owner: Sean A. [Signature]

Dear members of the City Council,

With the weak economy and intense competition, the ban of foam containers would greatly hurt my business. We do fifty percent or more on take-out and the cost of new replacement containers might force us out of business.

Please vote no on the ban of foam containers.



Yours truly,  
Terence Sakurai  
owner

Sakurai Japanese Grill  
19881 Brookhurst St. Ste D  
Huntington Beach, CA 92646

**Sakurai**  
Japanese Grill

**Open Hours:**

11:30AM - 8:30PM (Mon - Sat)  
3:30PM - 8:00PM (Sunday)

19881 Brookhurst Street, Suite D  
Huntington Beach, CA 92646  
[www.sakurajapanesegrill.com](http://www.sakurajapanesegrill.com)

714.968.7065  
714.968.7035

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NOV 15 2013  
Huntington Beach  
CITY COUNCIL OFFICE

Dear members of the city council,

AS an independent small restaurant owner, I know that keeping my prices low is something my customers appreciate and the reasons they keep me in business. I serve families who are on a budget and rely on restaurants like mine to provide affordable meals. if a ban is passed on food containers, I will be forced to increase my prices and that will drive away loyal customers who will ~~take~~ drive away loyal customers will be forced to go somewhere with lower quality prices.

Sincerely,

RICK KAZEMPOOR

11/12/2013

Caffe Gazelle  
16041 Bolsa Chica St  
Huntington Beach  
Ca, 92647  
Tel: (714) 846-2694

Rick Kazem Poor

11/12/13

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NOV 15 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear Members of the City Council,

The upcoming vote on foam food containers is very concerning to me. A ban on to-go containers will be very expensive to me & my business. If I am forced to buy different containers, I will be paying double or triple what I am paying now.

I am worried that with all the new cost my business is already facing, I will be able to stay in business.

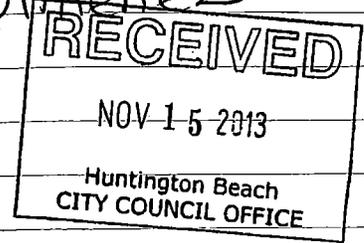
Please support small business, its employee's & their families, by opposing the food container ban.

Sincerely,

Shannon's  
New York Style Pizza  
By The Slice  
7101 Yorktown Ave #107  
Huntington Beach, CA 92648  
(714) 374 7070  
31773

11/11/2012

Rafael and Olivia Jimenez  
1917 S. Magnolia St  
Huntington Beach  
CA 92646



Dear Members of the city Council,

As an Independent small, restaurant owner, I know that keeping my prices low is something my customers appreciate and the reason they keep me in business. I serve families who are on a budget and rely on restaurants like mine to provide affordable meals. If a ban is passed on food containers I will be forced to increase my prices and that will drive away loyal customers who will be forced to go somewhere with lower quality options.

Foam takeout containers are the most affordable and effective option for my restaurant, and therefore the best. I count on the low prices to keep my costs down, my customers happy, and my doors open. By banning foam, I know my business will be severely impacted.

I ask you to please vote **NO** on the foam ban. Huntington Beach small businesses and their families are counting on you to do the right thing!

Sincerely

A handwritten signature in cursive script, "Olivia Jimenez", enclosed within a hand-drawn oval.

Olivia Jimenez

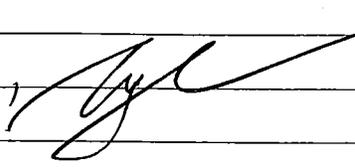
RECEIVED

NOV 15 2013

Huntington Beach  
CITY COUNCIL OFFICE

Dear members of the City Council,  
The upcoming vote on foam food containers is very concerning to me.  
A ban on foam to go containers will be very expensive for me and  
my business. If I am forced to buy different containers I will  
be paying double or triple what I am ~~paying~~ paying for foam now

Sincerely,

 EGGROLL KING 714-378-8612  
11/11-2013



10078 Adams Ave. • Huntington Beach  
Corner of Adams & Brookhurst, Stater Bros. Shopping Center

**714 . 378 . 8612**

Business Hours: 11:30am - 9:30pm 7 days

See our menu at [www.eggrollking.com](http://www.eggrollking.com)



### CHEF'S SPECIALS

Pork Egg Rolls (2) .....	\$2.45	
	Lunch	Dinner
Honey Walnut Shrimp .....	\$6.95	\$10.95
Mongolian Beef .....	\$5.95	\$9.95
Chicken with Green Beans .....	\$5.95	\$9.95
Curry Chicken  .....	\$5.95	\$9.95
Aromatic Shrimp .....	\$6.95	\$10.95
Sesame Chicken .....	\$5.95	\$9.95
Kung-pao Three Flavor    .....	\$6.95	\$10.95
Cashew Chicken .....	\$5.95	\$9.95
Chicken Chop Suey .....	\$5.95	\$9.95
Salt Pepper Shrimp   .....	\$6.95	\$10.95
Salt Pepper Chicken .....	\$5.95	\$9.95
Shrimp in Lobster Sauce   .....	\$10.95	
House Special Noodle Soup .....	\$10.95	

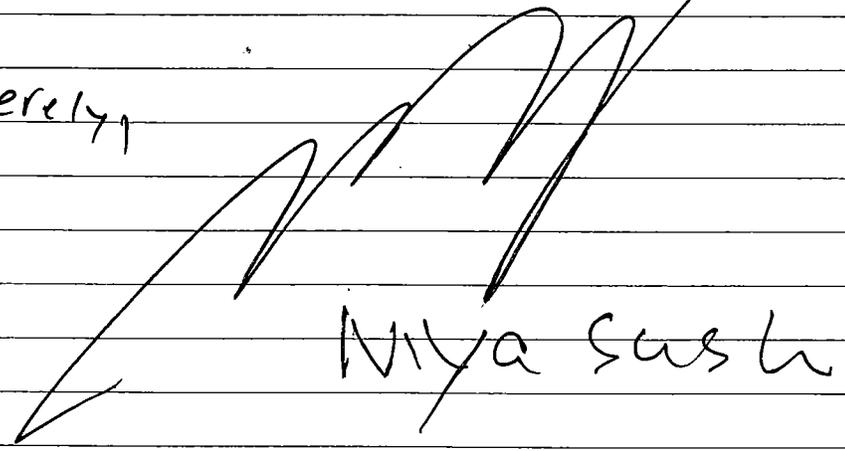
**FREE\* DELIVERY!**

(After 4pm with \$20 minimum order, limited area)

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NOV 15 2012  
Hr  
CITY

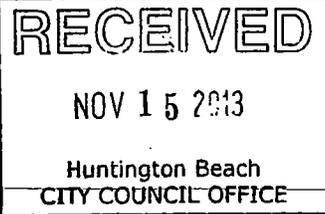
Dear members of the City Council  
As an independant small Restaurant owner, I know keeping my prices low is something my customers appreciate and the ~~the~~ reasons they keep coming back and keeping me in business. I serve families who are on a budget and rely on Restaurants like mine to provide affordable meals. If the ban is passed on food containers, I will be forced to increase my prices and that will drive away my loyal ~~and~~ customers who will be forced to go somewhere with lower prices.

Sincerely,



Miya Sush

Inces Beach Market  
18015 Beach Blvd.  
Hunting Beach CA 92648



NOV 12, 2013

Dear Member of the city council

The upcoming vote on foam food container is very concerning to me. A ban on foam to go containers will be very expensive to me and my business.

Protecting the environment is important. But we should focus on our city's recycling.

Please stand up for small business and opposing the foam food container ban.

Sincerely,

  
EDWARD G. PELTIER

1-714-847-5557



**Inces Beach Market**

Having a party...give us a call.

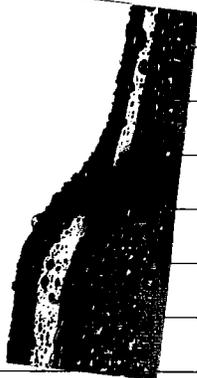
18015 Beach Blvd.  
Huntington Beach, CA. 92648

**Ed Peltier**

Owner

714-472-0441

edpeltier@gmail.com



RECEIVED  
NOV 15 2013  
Huntington Beach  
CITY COUNCIL OFFICE

Nov 12, 2013

10176 Adams  
Huntington Beach  
CA 92646

Los Primos Cantina Fresh Mexican Food

Dear Member of the City Council

As an independent small restaurant owner, I know that keeping my prices low is something my customers appreciate and the reason they keep me in business. I serve families who are on a budget and rely on restaurants like mine to provide affordable meals. If a ban is passed on food containers, I will be forced to increase my prices and that will drive away customers who will be forced to go somewhere with lower options.

By banning foam, I know my business will be severely impacted.

I ask you to please vote NO on the ban. Huntington Beach Small Businesses and their families are counting on you to do the right thing!

Sincerely, Jesus Padilla

(949) 968-7735

Request: 16479 Entered on: 11/18/2013 10:07 AM

**Customer Information**

**Name:** Debra Walters  
**Address:** 8565 Larkhall Cir. #804B  
Huntington Beach, CA  
92646

**Phone:** 7145366761  
**Alt. Phone:**  
**Email:** dsigns92649@yahoo.com

**Request Classification**

**Topic:** City Council - Agenda & Public  
Hearing Comments  
**Status:** Closed  
**Assigned to:** Agenda Alerts

**Request type:** Comment  
**Priority:** Normal  
**Entered Via:** Web

**Description**

Please vote NO on eliminating styrofoam containers. Let our H.B. businesses do business as usual without incurring more costs.

**Reason Closed**

Thank you for taking the time to send your thoughts to the City Council. A copy of your comments will also be forwarded to the City Clerk to be included in the record on this item. Thank you very much for writing.

**Date Expect Closed:** 11/25/2013

**Date Closed:** 11/18/2013 11:08 AM **By:** Johanna Stephenson

**Enter Field Notes Below**

**Notes:**

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**Notes Taken By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

November 18, 2013

Dear Honorable Mayor Boardman and City Council Members:

In response to a letter prepared and written by the Surfrider Foundation that I signed, I was a little premature.

What I wanted to say was, it was my choice as a restaurant owner to use an alternative to Styrofoam. In no way did I want to imply that there is a health hazard. I believe that the use of Styrofoam containers and cups should be a decision of the restaurant owners and not a mandate by the City Council.

The right to use Styrofoam or an alternative product should be left up to the individual owner.

I am sorry if I caused any confusion over this subject.

Sincerely,

Murat Coach

(714) 473-5657



CALIFORNIA  
RESTAURANT  
ASSOCIATION

October 21, 2013

Honorable Mayor and Council Members  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648

## SUPPLEMENTAL COMMUNICATION

Meeting Date: 11/18/13  
Agenda Item No. 15

**Re: Ordinance Restricting Use of Styrofoam Packaging**

Dear Mayor and Council Members:

The California Restaurant Association (CRA) and the restaurant community at large share the on-going concern over marine debris and we partner with efforts at both the state and local level to combat the spread of such litter. Marine debris is a serious issue, however discriminatory selection and elimination of a given type of food service product is not a sound policy approach.

When litter reduction occurs on city streets the amount of material that flows through storm drains, rivers, and ultimately to the ocean is also reduced. We believe efforts should be aimed at reducing all composition of litter, not a single product, so that overall volume of material reaching the marine environment is reduced.

As for the specific product proposed to be targeted, foam food packaging containers are among the most efficient for keeping foods fresh and hot or cold. That is why it is standard practice for ice cream, frozen yogurt and smoothie shops, amongst others, to use foam packaging. It is often the case that many restaurants find foam food containers to be the best fit for serving certain Mexican, Italian, Chinese, or Thai dishes, for example, due to the functional strength of the product. Foam food packaging provides outstanding temperature control and structural function, which are a necessary component for serving safe and hot to-go food.

For an industry characterized by razor thin profit margins of 5-6% on the dollar in a good economy, cost always has to be a consideration in addition to the functional value of a product. Schools, hospitals, nursing homes, non-profit food programs, delis, and family-owned restaurants are among the many institutions that rely upon polystyrene foam for its excellent insulation at an economical price.

While some restaurants choose not to use foam products and others are under local ordinance bans on the product- many restaurants still choose to use the product because of its functional value being the best match for the type of food offered and it costs significantly less. Cost differences are felt differently by different sizes, types, and locations of restaurants and therefore have differing impact on the industry. The cumulative effect of all additional cost pressures only serves to harm

the industry.

We object to the discriminatory product selection under this proposed movement and believe efforts to further the current recycling of foam food containers is a better long term approach. For these and other reasons, the CRA objects to the proposed approach before the council. Thank you for your consideration of our views. Should you have any questions please contact me at 916.431.2773 or [kbush@calrest.org](mailto:kbush@calrest.org).

Sincerely,



Kara Bush  
Senior Legislative Director, Government Affairs + Public Policy  
California Restaurant Association

Cc: Fred Wilson, City Manager  
Ken Domer, Assistant City Manager  
Jennifer McGrath, City Attorney

