

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

DECLARATION OF STEVEN KIRKPATRICK

I, Steven Kirkpatrick, do hereby declare that if called as a witness and sworn, I could and would competently testify, based upon my personal knowledge, as follows:

1. That I live two houses down from Miko's Sports Lounge.
2. That my home has been in my family for three generations or about 56 years.
3. That I have a neurological disease that affects my muscles and speech. I take

many medications for my disease and have been told by my doctors to:

- exercise,
- get plenty of rest and
- protect myself from stress.

4. That my doctor has informed me that stress will accelerate my disease and that I have been trying to abide by what my doctor tells me, but Miko's Sports Lounge has made it hard for me to avoid stress and/or get plenty of rest.

5. That I have not been able to sleep because of the loud outbursts from patrons from Miko's Sports Lounge waking me up all through the night. Sometimes, especially if there's an event at Miko's Sports Lounge, all that noise starts a chain reaction with the dogs barking in my neighborhood.

6. That the loud music from Miko's Sports Lounge wakes me up even when I take sleeping medication or when I wear earplugs. It is very difficult for me to get away from stress when I feel like the noisy bar is in my home. The activity being generated by Miko's Sports Lounge has been very detrimental to both my health and to me in general.

7. That late one night I asked several of Miko's Sport Lounge's patrons to hold it down when they woke me, however when they didn't respond to me I felt uncomfortable and I went back inside. The next morning I found that my front lawn sprinklers were damaged which caused me even more stress.

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1 8. That my daughter is forced to park further down Maine Street to visit me
2 because Miko's Sports Lounge customers take up the parking areas in front of my house.
3 I do not like the fact that my daughter has to walk a longer distance to her car at night just
4 to visit her dad.

5 9. That I take care of my two grandchildren when my daughter works. It
6 bothers me that during the evening hours my grandchildren are subjected to hearing
7 offensive language from the Miko's Sports Lounge patrons when they walk to their
8 parked cars in front of my house. My grandchildren sense that I am in distress a lot of the
9 time when they are here because of Miko's Sports Lounge and my grandchildren don't
10 enjoy their visits anymore which hurts me.

11 10. That Miko's Sports Lounge has been a nightmare and has become too much
12 for me to endure. I'm not only concerned about Miko's Sports Lounge's negative impact
13 on my own health, but I am also concerned about Miko's Sports Lounge's negative
14 impact on my neighbors and my neighborhood in general.

15 11. That it has been brought to my attention that the owner of Miko's Sports
16 Lounge, Ms. Yancey, and her supporters are pointing to the fact that the bar's patrons
17 being primarily African American, is the reason the City and the surrounding
18 neighborhood want the bar shut down. I want to state for the record, that I, myself, am an
19 African American male and my sole motivation in seeking the closure of Miko's Sports
20 Lounge are the nuisance activities which take place there. These nuisance activities
21 prevent everyone in the neighborhood from enjoying what should be the quiet and
22 peaceful nature of their homes.

23 12. That it's too late for me to recover the time and energy that I have expended
24 fighting this nuisance, but it's not too late for the Planning Commission to do something
25 about it.

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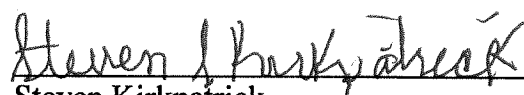
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13. Based upon the foregoing, I respectfully request that the Planning Commission revoke the Conditional Use Permit for the location and revoke Miko's Sports Lounge's business license.

14. I submit this Declaration in support of the City's position in revoking the Conditional Use Permit for the location and revoking the business license of Miko's Sports Lounge the I will not be able to attend the November 3, 2016 Hearing before the Planning Commission because I will be on a prepaid cruise on that date.

I declare under penalty of perjury under the laws of the State of California that the foregoing facts are true and correct.

Executed this 24th day of OCT, 2016, at Long Beach, California.



Steven Kirkpatrick