

# City of Costa Mesa

## Interoffice Memorandum

**To:** City Council  
**From:** Donald D. Lamm, Deputy City Mgr.-Development Svs. Director  
**Date:** January 7, 2005  
**Subject:** Stacy Schofro Complaint Concerning Trinity Broadcasting Network

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On December 20, 2004, City Council received an e-mail complaint from Ms. Stacy Schofro who lives next to Trinity Broadcasting Network. In addition to staff initiating an investigation of her most recent complaint, various members of the City Council also requested staff investigate and respond.

### BACKGROUND SUMMARY:

The property that currently contains Trinity Broadcasting Network (TBN) is zoned CL (Commercial Limited). The building was originally constructed in the late 1970's for the Full Gospel Businessman's Fellowship International headquarters. In 1990, a conditional use permit was approved to allow church and Sunday school services at the facility. The property that contains the adjoining "Lifestyle" residential project (where Ms. Schofro resides) was constructed on the former Bear Street Elementary School Site in 1996, the same year TBN received approval of a conditional use permit to operate within the former Full Gospel Businessman's Fellowship International building. During construction of the Lifestyles project, TBN made significant alterations to the building, including the building's exterior. Since the occupancy of both projects, several neighbors have complained about the impacts of TBN's operation on their homes, particularly as it relates to their holiday light displays and outdoor television broadcasts.

In response to complaints received by the neighbors, staff reviewed the conditional use permit approved for TBN and determined that the original approval did not cover outdoor activities. As a result, TBN filed a minor conditional use permit in late 2002 to allow these activities on a permanent basis. The Planning Commission conducted a formal "review" of TBN's conditional use permit in early 2003. During this process, City staff worked with TBN staff and the abutting homeowners to identify ways to improve the quality of life for adjoining homeowners. One result was the requirement by Planning Commission to add a condition of approval requiring submittal of an "operations plan" governing TBN's outdoor activities such as: holiday lights, bus tours, and

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property maintenance (outdoor broadcasts at TBN ceased when that part of the request was denied by City Council).

As part of the operations plan (a copy of which is attached to this memo), resident complaints regarding TBN activities were referred directly to planning staff, who would then notify TBN staff. The goal was to establish a positive ongoing dialog between TBN and the residents without having to resort to code enforcement or legal action.

**CURRENT SITUATION:**

Due to the lack of complaints over the past several months, staff was optimistic that the residents and TBN were peacefully coexisting. However, with installation of the annual holiday lights at TBN, Ms. Schofro sent Council an e-mail concerning the use of a hydraulic lift by a TBN employee to safely decorate trees without a ladder. The operation plan addresses the use of lifts and/or heavy equipment, but limits that use to the hours of 9:00 AM and 5:00 PM., Monday through Saturday. Ms. Schofro writes:

*It is December 20,2004, we are home on vacation and as usual having to endure the revving up and down of heavy equipment (lifts) behind our home. I am once again making the city aware this is harassment to our home. HEAVY EQUIPMENT 6 days a week (usually well beyond the appointed shut down time-constant violation of their CUP) is NOT QUIET ENJOYMENT of our home; it is harassment of our home! We have made many calls to remedy this harassment to no avail. I now seek written responses as to what is to be done. We are being harassed and it is being condoned by the city of Costa Mesa. We want regular use of heavy equipment to be banned from this administratively zoned building promptly!*

*Sincerely,*

*Stacy Schofro*

The "heavy" equipment Ms. Schofro is referring to is a one-person self-propelled lift that maintenance employees use while decorating the trees and building.

As lights burn out, maintenance employees have been replacing them, using the lifts to access the trees and building facade. However, the screening evergreen trees abutting Ms. Schofro's home are not decorated pursuant to CUP conditions of approval.

Since daytime lift usage is not a violation, I scheduled nightly inspections by Code Enforcement Officers to ensure TBN was not working beyond 5:00 PM.

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Attached is a summary report from Chief of Code Enforcement Jim Golfos. In conclusion, on two nights just before Christmas, Officer Fidel Gamboa discovered a maintenance man using a lift just after 5:00 PM to make what TBN staff deemed to be emergency repairs while he could still see before nightfall. Since use of the lift is prohibited after 5:00 PM, Code Enforcement discussed the problem with TBN maintenance personnel and issued two citations. The second citation issued on December 22<sup>nd</sup> was issued at 5:15 PM as detailed in the attached report. The lift has not been used after 5:00 PM since December 22<sup>nd</sup>. Code Enforcement will continue to make "spot check" inspections as a high priority in this area of the City.

We believe the enforcement actions taken should resolve the recent complaint. Should City Council or the Planning Commission believe a more detailed review of TBN's operations under its CUP is necessary at this time, please direct staff to conduct a more detailed review of the recent operational performance of TBN and then determine whether this item should be brought to the Planning Commission for subsequent action. A majority of either the Planning Commission or the Council could also request that the matter be placed on the Planning Commission's agenda for review. In the interim, staff will continue to work with TBN maintenance personnel and their attorney, John Casoria.

Should you, Council members, or Planning Commissioners have any questions, please do not hesitate to call Chief of Code Enforcement Jim Golfos at 754-4952, Project Planner Mel Lee at 754-5611, or me at 754-5270.

- Attachments: 1. TBN Enforcement Status Report from Jim Golfos dated  
December 27, 2004  
2. TBN Operations Management Plan dated August 28, 2003

cc: City Council  
Planning Commission  
Allan Roeder, City Manager  
Kimberly Hall Barlow, City Attorney  
Steve Hayman, Asst. City Manager  
Carol Proctor, Management Analyst  
Jim Golfos, Chief of Code Enforcement  
Mike Robinson, Asst. Dev. Svs. Director  
Mel Lee, Senior Planner

## City of Costa Mesa

### Inter Office Memorandum

**To:** Donald Lamm, Deputy City Manager/Dev.Svcs.  
**From:** Jim Golfos, Chief of Code Enforcement  
**Date:** 12-27-04  
**Subject:** TRINITY BROADCAST NETWORK

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Don:

Per your request, I have prepared a joint memo, consisting of all reported activity regarding TBN to Code Enforcement, Planning Department and the Police Department. It should be noted that to the best of my knowledge all complaints originated from two people living near TBN.

**PLANNING DEPARTMENT: 02-20-03 - 06-25-04**

Per Perry Valentine all complaints regarding TBN were to be directed to himself or Mel Lee. Mel Lee contacted TBN directly and informed them of any possible violation. Mel Lee received sixty complaints in 2003 AND 2004, many of which were for the same violation. Mel Lee addressed each complaint, by either contacting TBN management directly or requesting Code Enforcement to investigate.

See attached report EXHIBIT 1

**CODE ENFORCEMENT: 04-13-01 – 12-26-04**

Received seven complaints over a three and a half year period. Five of which were unfounded or the Code Enforcement Officer did not observe any violation upon his arrival. Code Enforcement has made in excess of 70 patrol checks, with negative results to date. One warning issued for on 08-22-04 for tree trimming prior to 9:00 AM. 12-21-04 Operating lift after 5:00 PM Cite # 003770 issued and 12-22-04 Operating lift after 5:00 PM Cite # 003771 issued.

See attached report EXHIBIT 1

ATTACHMENT 1

**POLICE DEPARTMENT: 10-23-03 – 10-16-04**

10-23-03 – 10-16-04 Nine responses. Only one, DR# 04-28088 relating to CUP violation (noise). TBN operating a lift after hours. The Police Department received the call at 5:37 PM arrived at 5:41 PM. TBN workers shut down lift by 6:00 PM. The report to the Chief of Police, based on the review of reported incidents, concluded there did not appear to be an excessive number of noise complaints.

See attached report. **EXHIBIT 2**

12-27-2004 8:03 am		Activity Data Report COSTA MESA, CA - CITY OF			Page 1
Activity:	C00-0758	Type:	COMPLAIN	Sub Type:	BL CODE
Parcel:	412-492-03			DATE_A:	03/14/2000
Site Address:	3333 BEAR ST CM			Status:	CLOSED
Description:	BUILDING INSPECTIONS NOT MADE			Sq Feet:	
Owner:	C.J. SEGERSTROMS				
Occupancy:		Use:		Class:	
Valuation:	\$0.00	Fees Req:	\$0.00	Fees Col:	\$0.00
Activity:	C01-2020	Type:	COMPLAIN	Sub Type:	OTHER
Parcel:	141-521-49			DATE_A:	04/13/2001
Site Address:	3150 BEAR ST CM			Status:	CLOSED
Description:	C.U.P. VIOLATIONS.			Sq Feet:	
Owner:	TRINITY CHRISTIAN CENTER				
Inspector:	TD				
Occupancy:		Use:		Class:	
Valuation:	\$0.00	Fees Req:	\$0.00	Fees Col:	\$0.00
Activity:	C03-2684	Type:	COMPLAIN	Sub Type:	NOISE
Parcel:	141-521-49			DATE_A:	08/21/2003
Site Address:	3150 BEAR ST CM			Status:	CLOSED
Description:	CONSTRUCTION EQUIPMENT STARTING AT 6:30 TO 7:00 AM FOR THE LAST WEEK.			Sq Feet:	
Owner:	TRINITY CHRISTIAN CENTER				
Inspector:	EP				
Occupancy:		Use:		Class:	
Valuation:	\$0.00	Fees Req:	\$0.00	Fees Col:	\$0.00
Activity:	C03-3886	Type:	COMPLAIN	Sub Type:	OTHER
Parcel:	141-521-49			DATE_A:	12/22/2003
Site Address:	3150 BEAR ST CM			Status:	CLOSED
Description:	BUS PARKED ALONG EAST WALL OF COMPLEX WITH ENGINE RUNNING.			Sq Feet:	
Owner:	TRINITY CHRISTIAN CENTER				
Inspector:	RJ/RB				
Occupancy:		Use:		Class:	
Valuation:	\$0.00	Fees Req:	\$0.00	Fees Col:	\$0.00
Activity:	C04-1298	Type:	COMPLAIN	Sub Type:	NOISE
Parcel:	141-521-49			DATE_A:	03/29/2004
Site Address:	3150 BEAR ST CM			Status:	INVESTIG
Description:	NOISE COMPLAINTS. MONITORING.			Sq Feet:	
Owner:	TRINITY CHRISTIAN CENTER				
Inspector:	RB				
Occupancy:		Use:		Class:	
Valuation:	\$0.00	Fees Req:	\$0.00	Fees Col:	\$0.00
Activity:	C04-3832	Type:	COMPLAIN	Sub Type:	OTHER
Parcel:	418-192-02			DATE_A:	10/25/2004
Site Address:	2881 BEAR ST CM			Status:	CLOSED
Description:	OBSERVED A GENTLEMAN SELLING MOTORISED BICYCLES ON THE SIDEWALK IN FRONT OF THE COMPLEX			Sq Feet:	
Owner:	BEAR STREET PARTNERS				
Inspector:	RJ				
Occupancy:		Use:		Class:	
Valuation:	\$0.00	Fees Req:	\$0.00	Fees Col:	\$0.00
Activity:	C04-4394	Type:	COMPLAIN	Sub Type:	OTHER
Parcel:	141-521-49			DATE_A:	12/22/2004
Site Address:	3150 BEAR ST CM			Status:	INVESTIG
Description:	OPERATING FORKLIFTS AFTER 5 PM, WHICH IS A VIOLATION OF ONE OF THEIR CONDITIONS OF APPROVAL (CUP)			Sq Feet:	
Owner:	TRINITY CHRISTIAN CENTER				
Inspector:	FG				
Occupancy:		Use:		Class:	
Valuation:	\$0.00	Fees Req:	\$0.00	Fees Col:	\$0.00

**Totals**

Valuation:	\$0.00
Square Feet:	
Fees Required:	\$0.00
Fees Collected:	\$0.00
Balance Due:	\$0.00
A/PID's Selected:	7

12-27-2004  
8:03 am

Activity Data Report  
COSTA MESA, CA - CITY OF

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Selection Criteria

Report Id: REPT120  
Site: COSTA MESA, CA - CITY OF  
User Id: OOSTE\_S  
Run Id: 11068  
Date Range: DATE\_A 01/01/2000 - 12/22/2004  
Level: Activities  
Category: \*ALL\*  
Types: \*ALL\*  
Status: CLOSED, OPEN, INVESTIG  
Construction Types: \*ALL\*  
Valuation: \*ALL\*  
Contractor: \*ALL\*  
Outstanding Fee: \*ALL\*  
Street No: \*ALL\*  
Street Direction: \*ALL\*  
Street Name: BEAR ST  
City Id: CM  
Office: \*ALL\*  
Sub Types: BL\_CODE, HOUSING, INOP, NOISE, OCC\_COM, OTHER  
Occupancy: \*ALL\*  
Class: \*ALL\*  
Inspector Area: \*ALL\*  
Look Up: \*ALL\*  
No Set Processing:  
Date Printed: 12-27-2004 8:03:48 AM  
Report Notation:  
Report Result:

3150 BEAR STREET: TRINITY BROADCASTING NETWORK

CASE #	C01-2020	
DATE RECEIVED:	04/13/2001	
STATUS:	CLOSED	
DESCRIPTION:	CUP VIOLATIONS: REMOVAL OF TREE, PLACEMENT OF STATUE PRIOR TO APPROVAL	
ACTIVITY:		
04/12/2001	MET W/SUPER. KENT WHITMORE AND T/C MEL WHILE AT SITE. OKD BY MEL AS KENT WILL BE IN OFFICE IN PM FOR APPROVALS. CASE CLOSED.	INSPECTOR TD
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CASE #	CODE ENFORCEMENT	
DATE RECEIVED:	11/25/2002	
STATUS:	NA	
DESCRIPTION:	NOISE	
ACTIVITY:		
11/25/002	TOOK A MESSAGE FROM STACY SCHOFRO COMPLAINING ABOUT NOISE BETWEEN 8:15 PM - 5:30 AM. (OFFICER OF THE DAY)	INSPECTOR ER
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CASE #	PLANNING	
DATE RECEIVED:	02/20/2003	
STATUS:	NA	
DESCRIPTION:	VIOLATION OF CLOSING HOURS AND NOISE DISTURBANCE	
ACTIVITY:		
02/20/2003	10:10 PM POLICE CALL; ARRIVED AT 10:13 PM TRAFFIC JAM AT TRINITY GATE, TOUR BUS AND CARS HONKING HORNS NEXT TO LIFESTYLE HOMES TRINITY GUESTS IN PARKING LOT, YELLING SLAMMING DOORS AND CAR ALARMS GOING OFF; PARKING LOT CLEARED SOMETIME AFTER 10.45 PM	INSPECTOR ML
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CASE #	PLANNING	
DATE RECEIVED:	03/26/2003	
STATUS:	NA	
DESCRIPTION:	NOISE/DISTURBANCE	
ACTIVITY:		
03/26/2003	6:55 AM LANDSCAPE CREW WORKING ON TBN PROPERTY W/MOWERS AND BLOWERS CUP LIMITS THEM TO START AT 8AM.	INSPECTOR
03/26/2003	7 PM HEAVY LIFT OPERATED ON TRINITY PROPERTY.	ML
03/27/2003	LOUD DISTURBANCE COMING FROM PARKING LOT DUE TO THE LORD PROGRAM ENDING AT 9 PM. SECURITY WAS AT TRINITY GATE WHILE THIS WAS GOING ON.	ML
03/28/2004	6:45 PM HEAVY LIFT OPERATING ON TRINITY PROPERTY.	ML
03/29/2003	6:45 PM HEAVY LIFT OPERATING ON TRINITY PROPERTY.	ML ML
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CASE #	PLANNING	
DATE RECEIVED:	APRIL 2003	
STATUS:	NA	
DESCRIPTION:	NOISE	
ACTIVITY:		
04/02/2003	7 AM- LANDSCAPING CREW WORKING ON TRINITY PROPERTY WITH MOWERS AND BLOWERS.	INSPECTOR
04/02/2004	10 PM- PRAISE-A-THON CAUSED DISTURBANCE. PROPERTY NOT EVACUATED BY 10 PM AS PER CONDITION.	ML ML

EXHIBIT 1

CASE #:	PLANNING/APRIL CONTINUED	
04/03/2003	TBN NOT FOLLOWING CUP PROPERTY NOT EVACUATED BY 10 PM AFTER PRAISE-ATHON AND PRAISE THE LORD PROGRSM.	ML
04/04/2003	TBN ON AIR UNTIL 10PM. PARKING LOT NOT EVACUATED UNTIL AFTER 10 PM.	ML
04/09/2004	6 45- LANDSCAPE CREW PARKING ON WALL (VIOLATION OF CUP #20) AS WELL AS 1:30 PM. LANDSCAPING MAINTENANCE PROHIBITED UNTIL 8AM. (VIOLATION OF CUP #26).	ML
04/10/2003	FAXED JOHN ALL LATEST COMPLAINTS.	ML
04/22/2004	VIOLATION OF EXHIBIT B, CONDITION 21- HEAVY LIFT EQUIP. PROHIBITED BEFORE 9AM AND AFTER 5 PM.	ML
04/23/2004	VIOLATION OF EXHIBIT B, CONDITION 26- LANDSCAPE MAINTENANCE EQUIP. PROHIBITED BEFORE 8AM.	ML
	VIOLATION OF EXHIBIT B, CONDITION 21- HEAVY LIFT EQUIP. PROHIBITED BEFORE 9AM AND AFTER 5 PM.	ML
04/24/2004	VIOLATION OF EXHIBIT B, CONDITION 23; AND FACILITY NOT CLOSED BY 10 PM.	ML
04/30/2004	6 55- LANDSCAPING MAINTENANCE CREW STARTED NOISE EQUIPMENT.	ML

CASE #	PLANNING	
DATE RECEIVED:	MAY 2003	
STATUS:	NA	
DESCRIPTION:	NOISE FROM BUS	
ACTIVITY:		INSPECTOR
05/01/2003	BUS STUCK AT GATE HAVING TO REPEATEDLY BACK UP SOUNDING CAUTION ALARM.	ML
05/04/2003	LOUD MUSIC COMING FROM SECURITY GUARD'S CAR. CAR PARKED BY LIFESTYLE OWNER'S WALL.	ML
05/15/2003	VIOLATION OF CUP #20.	ML
05/20/2003	FAXED JOHN ALL LATES COMPLAINTS.	ML
05/21/2003	RECEIVED LETTER CONFIRMING RECEIPT OF FAX SENT.	ML
05/29/2004	11 AM- RECEIVED PHONE CALL FROM STACY SHELFRO STATING THAT TBN GUESTS MISTAKENLY OPENED THE DOOR TO HER HOUSE (GUEST AMY WAS THE ONLY ONE THERE). THEY WERE LOOKING FOR THE TBN- BEACH HOUSE. DAWN INFORMED HER THAT SHE AHOULD RELAY ALL COMPLAINTS TO MEL (ON VACATION; AND SANDI WAS OUT OF THE OFFICE). DAWN SAID SHE WOULD RELAY MESSAGE TO BOTH MEL AND SANDI.	DN

CASE #	PLANNING	
DATE RECEIVED:	JUNE 2003	
STATUS:	NA	
DESCRIPTION:	VIOLATION OF CUP	
ACTIVITY:		INSPECTOR
06/03/2003	FAXED ALL LATEST COMPLAINTS TO JOHN.	ML
06/05/2003	LETTER RECEIVED STATING THAT AT 9:50 PM- BUS VISITING TCCI PROPERTY HAD DIFFICULTY NEGOTIATING THE EXIT FROM THE BUS PARKNG AREA RESULTING IN THE BUS SCRAPING THE EXIT GATE. BUS WAS ON PROPERTY UNTIL 10 PM AND CAUSED EXCESSIVE NOISE.	ML

CASE #	PLANNING	
DATE RECEIVED:	JULY 2003	
STATUS:	NA	
DESCRIPTION:	VIOLATION OF CUP	
ACTIVITY:		INSPECTOR
07/17/2003	VIOLATION OF EXHIBIT B, CONDITION #23 AND #7.	ML
07/22/2003	FAXED LATEST COMPLAINTS TO JOHN CASORIA.	ML

EXHIBIT 1

CASE #: PLANNING  
 DATE RECEIVED: SEPTEMBER 2003  
 STATUS: NA  
 DESCRIPTION: VIOLATION OF CUP  
 ACTIVITY:  
 09/29/2003 6:50 PM WORKING WITH HEAVY EQUIPMENT IN PARKING LOT, DUE TO CHRISTMAS LIGHTS AND DECORATIONS. INSPECTOR  
 ML

CASE #: PLANNING  
 DATE RECEIVED: 10/02/2003  
 STATUS: NA  
 DESCRIPTION: HAVE EQUIPMENT WORKING IN PARKING LOT AT 6:50 PM. WORKING ON CHRISTMAS LIGHTS.  
 ACTIVITY: INSPECTOR  
 10/02/2003 FACILITY NOT CLOSED BY 10 PM. ML  
 10/13/2003 AFTER 5 PM- WORKING ON HEAVY EQUIPMENT ML  
 10/14/2003 TBN WORKING OUTSIDE WITH HEAVY EQUIPMENT AFTER 5 PM. ML  
 10/15/2003 FAXED LATEST COMPLAINTS TO JOHN CASORIA. ML  
 10/16/2003 FACILITY NOT CLOSED BY 10 PM. ML  
 10/20/2003 FAXED COMPLAINT TO TBN AND CONTACTED THEM BY PHONE. ML  
 10/20/2003 FAXED LATEST COMPLAINTS TO JOHN CASORIA. ML  
 10/25/2003 HEAVY EQUIPMENT- 2 LIFTS OPERATING IN VIOLATION OF CUP. ML  
 10/26/2003 SAW LIFTS OPERATING 10 AM. RB  
 10/27/2003 CONTACTED THEM BY PHONE AND E-MAIL AND ASKED TO RECTIFY PROBLEM. ML  
 10/28/2003 FAXED LATEST COMPLAINTS TO JOHN CASORIA. ML  
 10/29/2003 USE OF HEAVY EQUIPMENT FROM 4:55 - 7 PM. ML  
 10/30/2003 FACILITY LIT WITH HOLIDAY LIGHTS UNTIL 7:30 PM. "HAPPY BIRTHDAY JESUS LIGHTS TURNED OFF AT 8 PM. ML  
 10/31/2003 FACILITY LIT WITH HOLIDAY LIGHTS UNTIL 7:30 PM. "HAPPY BIRTHDAY JESUS LIGHTS TURNED OFF AT 8 PM. ML

CASE #: PLANNING  
 DATE RECEIVED: DECEMBER 2003  
 STATUS: NA  
 DESCRIPTION: VIOLATION OF CUP  
 ACTIVITY: INSPECTOR  
 12/02/2003 HORNS HONKING AND LIFT OPERATING AT 6:15 PM ON TBN PROPERTY. ML  
 10/31/2003 HOLIDAY LIGHTING ON UNTIL 11:45 CUP LIMITS DISPLAY UNTIL 10 PM BETWEEN THE MONDAY BEFORE THANKSGIVING (NOVEMBER 24, 2003) THROUGH JANUARY 15, 2004. IN ADDITION, THE CHRISTMAS HOLIDAY LIGHTING POLICY WITHIN THE TCCI OPERATIONS MANAGEMENT PLAN PROHIBITS TESTING OF THE HOLIDAY LIGHTS PAST 9 PM. MEETING REQUESTED TO JOHN BY MEL LEE TO DISCUSS ISSUES PRIOR TO THE HOLIDAY SEASON. JG

CASE #: C03-3686  
 DATE RECEIVED: 12/22/2003  
 STATUS: CLOSED  
 DESCRIPTION: BUS PARKED ALONG EAST WALL OF COMPLEX WITH ENGINE RUNNING  
 ACTIVITY: INSPECTOR  
 12/20/2003 SPOKE WITH CONTRACTOR WHO CLAIMED BUS WAS LOOKING FOR STUDIO C IN TUSTIN. BUS THERE LONG ENOUGH TO GET DIRECTIONS. BUS WAS GONE BY THE TIME OFFICER ARRIVED. RB

EXHIBIT 1

CASE #: PLANNING  
 DATE RECEIVED: JANUARY 2004  
 STATUS: NA  
 DESCRIPTION: VIOLATION OF CUP  
 ACTIVITY:

		INSPECTOR
01/01/2004	10-11:30AM- NOISE EMINATING FROM TRINITY LOT DUE TO SKATEBOARDERS.	ML
01/14/2004	LIFTS BEING USED ON LOT UNTIL 5:30 PM	ML
01/15,16/04	6:20AM- DELIVERY OF PANSIES 5 PM LIFTS BEING USED PAST 5 PM.	ML ML
01/20/2004	LIFTS STARTED UP FOR WORK AT 7:15 AM.	ML
01/21/2004	4:30-5:45 AM- TWO LIFTS WORKING UP AGAINST PROPERTY LINE (VIDEOTAPED)- CALLS ALSO MADE TO CODE ENFORCEMENT.	ML
01/21/2004	7:20 AM- HEAVY EQUIPMENT OPERATING ON PROPERTY.	ML
01/22/2004	6:30 AM- HEAVY DUTY LIFT BEGAN OPERATING	ML
01/23/2004	4:20- 5:45 AM- VIDEOTAPED LIFT DRIVEN UP TO THE WALL IN FRONT OF SCHOFFRO HOME.	
01/27/2004	5:55 PM- GREEN LIFT OPERATING ON THE TBN PROPERTY. VIOLATIO7:09 AM- N OF EXHIBIT B, #21.	ML ML

CASE#: CODE ENFORCEMENT PATROL CHECK  
 DATE RECEIVED: 01/27/2004  
 STATUS: NA  
 DESCRIPTION: EARLY MORNING NOISE  
 ACTIVITY:

		INSPECTOR
01/27/2004	RECEIVED EMOTIONAL CALL FROM DIANE DELUCA REGARDING EARLY MORNING NOISE AT TBN TODAY. PD WAS DISPATCHED, ETC. AS IT TURNS OUT, TBN HAS A VALID BUILDING PERMIT AND THEREFORE FALLS UNDER ALLOWABLE BLDG TIMES (7AM- 8 PM DAILY). I EXPLAINED THIS TO MR. DELUCA, AS MRS. DELUCA BEGAN CRYING AND COULD NOT CARRY ON A CONVERSATION.	JG

CASE#: PLANNING  
 DATE RECEIVED: FEBRUARY 2004  
 STATUS: NA  
 DESCRIPTION: VIOLATION OF CUP  
 ACTIVITY:

		INSPECTOR
02/05/2004	VIOLATION OF PA-96-19, #21- OUTDOOR USE OF HEAVY EQUIPMENT BEFORE 9AM OR AFTER 5 PM .	ML
02/27/2004	VIOLATION OF PA-96-19, #21- OUTDOOR USE OF HEAVY EQUIPMENT BEFORE 9AM OR AFTER 5 PM .	ML

CASE#: PLANNING  
 DATE RECEIVED: MARCH 2004  
 STATUS: NA  
 DESCRIPTION: VIOLATION OF CUP  
 ACTIVITY:

		INSPECTOR
03/01/2004	VIOLATION OF PA-96-19, #21. OUTDOOR OF HEAVY EQUIPMENT BEFORE 9AM OR AFTER 5 PM.	ML
03/11/2004	VIOLATION OF PA-96-19, #21- OUTDOOR OF HEAVY EQUIPMENT BEFORE 9AM OR AFTER 5 PM.	ML
03/15/2004	VIOLATION OF PA-96-19, #21AND ) #23- OUTDOOR OF HEAVY EQUIPMENT BEFORE 9AM OR AFTER 5 PM.	ML

EXHIBIT 1

CASE #: PLANNING  
 DATE RECEIVED: 03/19/2004  
 STATUS: NA  
 DESCRIPTION: USING FORKLIFTS BEFORE 9AM AND AFTER 5PM- VIOLATION OF CUP  
 ACTIVITY:

02/27/2004	6:40 PM VIOLATION OF CUP	INSPECTOR
03/01/2004	5:20 PM VIOLATION OF CUP	ML
03/11/2004	6:20 AM VIOLATION OF CUP	ML
03/15/2004	6:40 AM AND 6:20 PM	ML
03/20/2004	NO ACTIVITY.	ML
03/21/2004	NO ACTIVITY.	RB
03/23/2004	SPOKE TO STACY SCHOFR0 THIS AFTERNOON. SHE SAYS TBN IS CONTINUING TO HARASS HER BY USING LIFTS NEXT TO HER PROPERTY CONTINUOUSLY DURING THE DAYTIME HOURS (WHICH I EXPLAINED WOULD NOT BE IN VIOLATION OF THEIR CUP) AND DURING THE EVENING HOURS (WHICH I EXPLAINED WOULD BE). SHE SAYS THE REASON CODE OR PD NEVER SEE THE VIOLATIO IS BECAUSE WE TIP OFF TBN THAT WE ARE COMING SO THEY ACT ON THEIR BEST BEHAVIOR. SHE IS CONVINCED THAT TBN AND THE CITY ARE OUT TO DESTROY THEIR WAY OF LIFE. SHE ALSO SAID SHE HAS VIDEOTAPES PROVING HER CLAIMS AND WILL BE GOING TO THE COUNCIL AND THE MEDIA WITH THEM.	RB

ML

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CASE #: CODE ENFORCEMENT PATROL CHECK  
 DATE RECEIVED: 05/22/2004  
 STATUS: NA  
 DESCRIPTION: OPERATIN FORK LIFT  
 ACTIVITY:

05/22/2004	OPERATING FORK LIFT DUE TO PLUMBING BREAK	INSPECTOR
		JG

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CASE #: C04-1298  
 DATE RECEIVED: 03/29/2004  
 STATUS: INVESTIG  
 DESCRIPTION: NOISE COMPLAINTS. MONITORING  
 ACTIVITY:

03/27/2004	0707- NO ACTIVITY.	INSPECTOR
	0725- NO ACTIVITY.	JG
	0750- NO ACTIVITY.	JG
03/28/2004	0635- NO ACTIVITY.	JG
	0730- NO ACTIVITY.	RB
	0834- NO ACTIVITY.	RB
04/10/2004	7:18- NO ACTIVITY.	RB
	8:11- NO ACTIVITY.	RB
	8:49- NO ACTIVITY.	RB
04/11/2004	12:02-NO ACTIVITY.	RB
04/24/2004	7:19- NO ACTIVITY.	RB
	8:28- NO ACTIVITY.	RB
04/25/2004	6:48- NO ACTIVITY.	RB
	7:44- NO ACTIVITY.	RB
	9:31- NO ACTIVITY.	RB
05/01/2004	7:15- NO ACTIVITY.	RB
05/08/2004	7:14- NO ACTIVITY.	RB
	8:08- NO ACTIVITY.	RB
	8:43- NO ACTIVITY.	RB
05/09/2004	6:43- NO ACTIVITY.	RB
	7:35- NO ACTIVITY.	RB
	9:46- NO ACTIVITY.	RB

EXHIBIT 1

CASE #:	C04-1298 CONTINUED	
	12:00 NO ACTIVITY.	RB
05/15/2004	7:22- NO ACTIVITY.	RB
05/22/2004	7:25- AM; PROSERV PLUMBING REPLACING FIRE LINE/BACK FLOW DEVICE. NO VIOLATION.	
05/23/2004	11:50- NO ACTIVITY.	RB
05/29/2004	7:21- NO ACTIVITY.	RB
06/05/2004	7:15- NO ACTIVITY.	RB
06/06/2004	NO ACTIVITY.	RB
06/12/2004	7:09- NO ACTIVITY.	RB
	8:04- NO ACTIVITY.	RB
	8:50- NO ACTIVITY.	RB
07/31/2004	07:20- NO ACTIVITY.	RB
	08:07- NO ACTIVITY.	RB
	08:47- NO ACTIVITY.	RB
08/07/2004	06:39- NO ACTIVITY.	RB
	07:25- NO ACTIVITY.	RB
	08:47- NO ACTIVITY.	RB
08/08/2004	08:25- NO ACTIVITY.	RB
	10:40- NO ACTIVITY.	RB
08/14/2004	06:44- NO ACTIVITY.	RB
	07:21- NO ACTIVITY.	RB
	07:59- NO ACTIVITY.	RB
	08:50- NO ACTIVITY.	RB
08/15/2004	10:30- NO ACTIVITY.	RB
08/21/2004	07:12- 4 MEN CREW TRIMMING INTERIOR DRIVEWAY TREES WITH LADDERS.- RB	RB
	08:47- SAME AS EARLIER.	RB
08/22/2004	06:44- NO ACTIVITY.	RB
	07:44- NO ACTIVITY.	RB
	09:19- TREE TRIMMING CREW USING LADDERS ONLY.	RB
	12:59- TREE TRIMMING W/LADDERS.	RB
09/13/2004	USING CHAIN SAWS AND CHIPPER TO TRIM TREES. NO VIOLATION. FORWARDED TO MEL LEE. TREE TRIMMING IS REQUIRED FOR ALL PROPERTIES.	JG
10/16/2004	08:46- NO ACTIVITY.	RB
10/17/2004	07:40- NO ACTIVITY.	RB
	10:59- NO ACTIVITY.	RB
10/23-25/04	NO ACTIVITY.	RB
11/06-7/04	NO ACTIVITY.	RB
11/13-11/14/04	NO ACTIVITY.	RB
11/20/2021	NO ACTIVITY.	RB
11/27-28/04	NO ACTIVITY.	RB
12/4-5/04	NO ACTIVITY.	RB
12/11-12/04	NO ACTIVITY.	RB
12/18-19/04	NO ACTIVITY.	RB
12/26/2004	NO ACTIVITY.	RB

CASE #: PLANNING  
 DATE RECEIVED: JUNE 2004  
 STATUS: NA  
 DESCRIPTION: VIOLATION OF CUP  
 ACTIVITY:  
 06/25/2004 5:00- NOISE FROM LIFTS

INSPECTOR  
ML

EXHIBIT 1

CASE #: CODE ENFORCEMENT PATROL CHECK  
 DATE RECEIVED: 07/20/2004  
 STATUS: NA  
 DESCRIPTION: USE OF LIFTS  
 ACTIVITY: INSPECTOR  
 07/19/2004 LIFTS WORKING ON LOT ALL DAY DISRUPTING PEACHE AND RATTLING OUR HOMES. ML  
 07/20/2004 DECIBILE LEVEL WAS TOO ML

CASE #: CODE ENFORCEMENT PATROL CHECK  
 DATE RECEIVED: 08/21/2004  
 STATUS: NA  
 DESCRIPTION: TRIMMING TREES AND HANGING LIGHTS  
 ACTIVITY: INSPECTOR  
 08/21/2004 TRIMMING TREES, USING LADDERS . NO VIOLATION OBSERVED. BOB SPOKE WITH ONE OF THE WORKERS WHO TOLD BOB THEY WERE NOT GOING TO USE LIFTS. IF THEY DECIDED TO THEY WOULD WAIT UNTIL 8:30 TO USE THEM. BOB CORRECTED THEM AND TOLD THEM THEY WOULD HAVE TO WAIT UNTIL 9 AM. RB  
 08/22/2004 TRIMMING TREES AND HANGING LIGHTS, NOT USING LIFTS. NO VIOLATION OBSERVED. RB  
 08/31/2004 STACY SCHOFRO CAME TO COUTNER TO SPEAK TO MEL. SHE WAS REQUESTING A COPY OF THE CITY'S APPROVAL FOR THE PLANTING OF TREES ALONG TBN PROPERTY. I PROVIDED HER WITH A COPY THE LETTER SENT ON APRIL 25, 2001. ML

CASE #: PLANNING  
 DATE RECEIVED: OCTOBER 2004  
 STATUS: NA  
 DESCRIPTION: BUS PARKED ALONG WALL  
 ACTIVITY: INSPECTOR  
 10/15/2004 SENT FAX TO JOHN C. REGARDING BUS ABUTTING RESIDENTIAL PROPERTIES ML

CASE #: C04-4394  
 DATE RECEIVED: 12/22/2004  
 STATUS: INVESTIG  
 DESCRIPTION: OPERATING FORKLIFTS AFTER 5 PM, WHICH IS VIOLATION OF CUP  
 ACTIVITY: INSPECTOR  
 12/21/2004 SENT OUT LETTER RE: QUICK REFERENCE FOR RESTRICTIONS OF TBN'S OUTDOOR OPERATIONS. JG  
 12/21/2004 05:15 PM OBSERVED 2 FORK LIFTS PARKED UP AGAINST SOUTH SIDE OF TBN NETWORK BLDG. THE LIFTS WERE EXTENDED INTO THE TREE LANDSCAPING AREA UP AGAINST THE BLDG. SMALL CREW OF WORKERS WERE ON AND AROUND LIFTS WORKING ON THE WHITE LIGHTS WHICH DECORATED TREES. I APPROACHED ONE OF THE WORKERS AND ASKED FOR A SECURITY OFFICER TO SPEAK TO. HE ADVISED ME TO ASK INSIDE THE GIFT SHOP. THERE I WAS DIRECTED TO LARRY YORK, WHO IS BLDG MAINTENANCE SUPERVISOR. I EXPLAINED SITUATION TO HIM AND INFORMED HIM IT WAS A VIOLATION OF THEIR CUP. HE SAID HE WAS AWARE THAT THEY WERE IN VIOLATION, BUT THAT THEY HAD THOUSANDS OF LIGHTS THEY HAD TO PUT UP. I TOLD HIM I UNDERSTOOD, BUT THAT HE NEEDED TO SHUT THEM DOWN. HE SAID OK AND I GAVE HIM MY NAME AND TELEPHONE NUMBER. FG  
 12/22/2004 CITATION # 3770 ISSUED FOR \$75.00 WRITTEN FOR VIOLATION OF SECTION 20-4(b). CITATION SENT IN MAIL. FG

EXHIBIT 1

CASE #: C04-4394 CONTINUED  
12/22/2004 5:15 PM OBSERVED CREW USING ELECTRIC LIFT NEAR THE SOUTHWEST AREA OF THE CENTER QUAD. SPOKE WITH CREW MEMBER AND ASKED WHEN HE WAS GOING TO TO BE DONE WITH THE LIFT. HHE SAID AROUND 6.00PM. I ASKED HIM IF HE KNEW THAT THEY WERE NOT TO BE OPERATING ANY LIFTS AFTER 5:00 PM. HE SAID THAT THEY WERE TOLD THAT THE PROBLEM WAS WITH THE GAS-POWERED LIFT MAKING THE NOISE. I TOLD HIM THAT I BELIEVED IT HAD TO DO WITH ANY LIFT, BUT THAT I WOULD CHECK. I TOOK A PHOTO OF THE LIFT. I CALLED JIM GOLFOS, CHIEF OF CODE ENFORCEMENT AND ASKED IF THE CONDITION AGAINST USING LIFTS AFTER 5:00 PM WAS REGARDING ANY LIFT OR JUST GAS POWERED LIFTS. JIM SAID THAT WE NEEDED TO ADDRESS THAT QUESTION TO MEL LEE, CITY PLANNER, ON MONDAY. FG

12/27/2004 JIM GOLFOS, CHIEF OF CODE ENFORCEMENT ADVISED ME THAT ACCORDING TO MEL LEE, THERE WAS NO DIFFERENCE BETWEEN AN ELECTRIC LIFT OR A GAS POWERED LIFT PER THE CONDITIONS. NO LIFTS WERE ALLOWED TO BE USED AFTER 5:00 PM. FG

12/27/2004 SECOND CITATION# 3771 ISSUED FOR \$200 WRITTEN FOR VIOLATION OF SECTION 20-4 (b). CITATION SENT IN MAIL. FG

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CASE #: CODE ENFORCEMENT PATROL CHECK  
DATE RECEIVED: 12/22/2004  
STATUS: NA  
DESCRIPTION: FORKLIFT BEFORE 9 AM  
ACTIVITY: INSPECTOR  
12/22/2004 VERBAL WITH GROUNDS KEEPER REGARDING A RECENT COMPLAINT REGARDING USE OF A FORKLIFT BEFORE 9 AM. GAVE GROUNDS KEEPER A COPY OF THE CUP FOR THE SITE, AT THE TIME OF THIS INSPECTION THERE WERE NO VIOLATIONS OBSERVED. RJ

EXHIBIT 1

JIM

CIVIL CITATION Attachment 3 Page 16 of 61  
Costa Mesa Municipal Code Violation

12-21-04 5:30 TUE  
Date Time  am  pm Day of the Week Prior Citation

TRINITY CHRISTIAN CENTER OF SANTA INE  
Name (First) Middle Last

2442 MICHELLE DR.  
Residence Address

JUSTIN CA 92780  
City State Zip Code

Driver License Number State Age Birth Date

Sex Hair Eyes Height Weight Race

3150 BEAR ST  
Address Of Violation

COSTA MESA CA 92626  
City State Zip Code

20-4(b)  
Violation CMMC Sec. Violation CMMC Sec.

Fine \$ 75 <sup>00</sup>/<sub>100</sub> Fine \$

OFFICER'S OBSERVATIONS: On the date specified herein, the undersigned officer observed at the specified address, the following conditions:  
OPERATING FORK LIFTS AFTER  
5:06 PM, WHICH IS A VIOLATION  
OF ONE THE CONDITIONS OF  
APPROVAL.

VIOLATION NOTICE BY:

- Personal Service
- Mail
- Property Posted
- Person Cited Refused To Sign Receipt For Citation
- Violation(s) not committed in my presence, certified on information and belief

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED ON DATE SHOWN ABOVE.

X  
VIOLATOR: Without admitting guilt, I acknowledge having received the citation.

F. GAMBOA E 13 CODE ENFORCEMENT  
Issuing Officer ID Number Department

THE LAW REQUIRES THAT YOU COMPLY WITH THIS CITATION OR CONTEST THE VIOLATION. (1) TO COMPLY with this citation, correct the violation immediately, and pay the fine within 30 days (see reverse side). (2) TO CONTEST this citation, you must pay the fine, and request a hearing within 30 days (follow procedure on reverse side).

EXHIBIT If you have followed the procedure to contest this citation, your Administrative Hearing will be held at the Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, First Floor on the 1 day of MARCH 20 05 at 4:00 pm. Check in at the City Clerk's office. 1:30 pm

Jim

CIVIL CITATION  
Costa Mesa Municipal Code Violation

12-22-04 5:15 WED 3770  
Date Time  am  pm Day of the Week Prior Citation

TRINITY CHRISTIAN CENTER OF SAN JUAN ANA INC.  
Name (First) Middle Last

2442 MICHELE DR  
Residence Address  
TUSTIN CA 92780  
City State Zip Code

Driver License Number State Age Birth Date

Sex Hair Eyes Height Weight Race

3150 BEAR ST  
Address Of Violation  
COSTA MESA CA 92626  
City State Zip Code

~~20-4(b)~~ 20-4(b)  
Violation CMMC Sec. Violation CMMC Sec.

Fine \$ ~~75.00~~ Fine \$ 200.00

OFFICER'S OBSERVATIONS: On the date specified herein, the undersigned officer observed at the specified address, the following conditions:  
OPERATING FORK LIFT AFTER 5:00 PM, WHICH IS A VIOLATION OF ONE OF THE CONDITIONS OF APPROVAL.

VIOLATION NOTICE BY:

- Personal Service
- ~~ETM~~
- Property Posted
- Person Cited Refused To Sign Receipt For Citation
- Violation(s) not committed in my presence, certified on information and belief

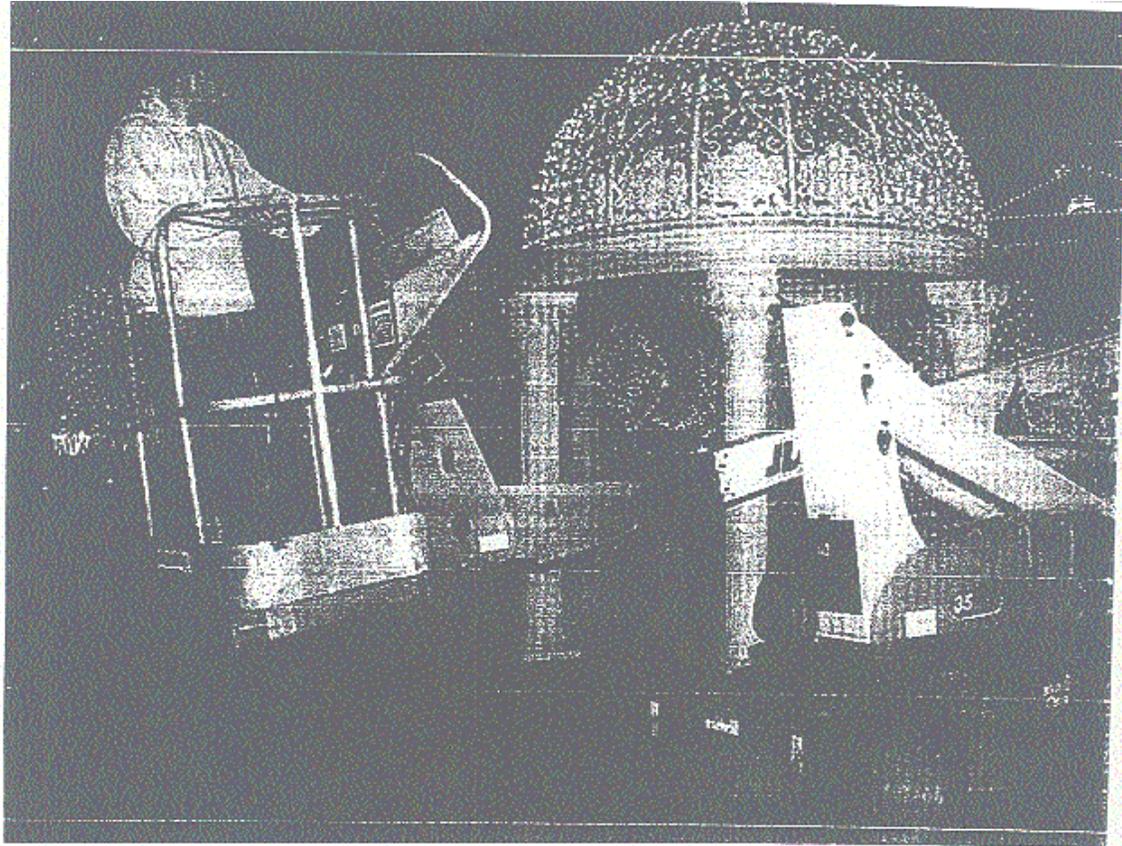
I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT, EXECUTED ON DATE SHOWN ABOVE.

X  
VIOLATOR: Without admitting guilt, I acknowledge having received the citation.

F. GAMBONA 13 CODE ENFORCEMENT  
Issuing Officer ID Number Department

THE LAW REQUIRES THAT YOU COMPLY WITH THIS CITATION OR CONTEST THE VIOLATION. (1) TO COMPLY with this citation, correct the violation immediately, and pay the fine within 30 days (see reverse side). (2) TO CONTEST this citation, you must pay the fine, and request a hearing within 30 days (follow procedure on reverse side).

EXHIBIT If you have followed the procedure to contest this citation, your Administrative Hearing will be held at the Costa Mesa City Hall, 77 Fair Drive, Costa Mesa, First Floor on the 1 day of MARCH 20 05, at 4:00 pm. Check in at the City Clerk's office. 1-21-05



3150 Bear St  
12-22-04 @ 5:15 pm  
By FG

Fork Lift in operation after 5:00 pm

Attachment 3  
Page 18 of 20

EXHIBIT 1

## COSTA MESA POLICE DEPARTMENT

### MEMORANDUM

TO: John D. Hensley, Chief of Police  
FROM: Jim Watson, Captain  
SUBJECT: Trinity Broadcasting Network (3150 Bear Street)  
DATE: November 17, 2004

There has been recent concern expressed about excessive noise incidents occurring at the Trinity Broadcasting Network located at 3150 Bear Street. A review of all recorded police department responses to the location over the past twelve months reveals the following information:

- 10/16/04 DR# 04-33929 Disturbance
- TBN Security officer is terminated from employment. Employer feels threatened and requested police assistance.
- 08/23/04 DR# 04-28088 Non Crime Report
- Citizen wanted police to document a lift was being used after 17:00 hours at 3150 Bear St. Officer contacted employees who said they would be using lift until 18:00 hours.
- 08/12/04 DR# 04-26771 Drug Paraphernalia
- TBN Security requests assistance with regard to a female loitering outside the main gate. Officers contact female and determine she is in possession of drug paraphernalia. Subject is arrested.
- 08/11/04 DR# 04-26739 Non Crime Report
- TBN Security requests assistance with a female on the property who refuses to leave. Officers contacted her and she left the property.
- 08/09/04 DR# 04-26481 Suspicious Activity Report
- TBN Security reports two suspicious individuals. Officers make contact with them and are advised that they are seeking spiritual guidance. They are requested to leave the property and comply.
- 07/25/04 DR# 04-24744 Suspicious Activity Report
- TBN Security requests assistance with subject climbing the fence. Subject is contacted and released to his mother.

EXHIBIT 2

06/19/04 DR# 04-20424 Suspicious Activity Report

- Suspicious male enters church and is acting in erratic manner. Subject is wearing a trench coat and dancing in the lobby. Subject leaves location prior to police arrival. He is not located.

05/27/04 DR# 04-17911 Suspicious Activity Report

- Individual seeking employment with TBN is asked to leave the property. Subject complies when contacted by police officer.

10/22/03 DR# 03-39342 Disturbance

- Individual refuses to leave the property. He complies when contacted by police officer.

Based on a review of the documented incidents, there does not appear to be an excessive number of complaints with regard to noise incidents.

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**JAMES D. WATSON**  
Captain, Field Operations Division

EXHIBIT 2

