



CITY COUNCIL AGENDA REPORT

MEETING DATE: APRIL 17, 2007

ITEM NUMBER:

SUBJECT: REQUEST FOR WAIVER OF PERMIT FEES FOR CONSTRUCTION OF THE VETERANS MEMORIAL

DATE: APRIL 6, 2007

FROM: CITY MANAGER/ADMINISTRATION

PRESENTATION BY: THOMAS R. HATCH, ASSISTANT CITY MANAGER

FOR FURTHER INFORMATION CONTACT: THOMAS R. HATCH, ASSISTANT CITY MANAGER
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RECOMMENDATION:

That the City Council decide whether to waive all permit fees and deposits associated with the construction of the Veterans Memorial.

BACKGROUND:

A request has been received from Victor Bakkila, a member of the Costa Mesa Chapter of the Veterans of Foreign Wars, for a waiver of all permit fees associated with the construction of the Veterans Memorial (see Attachment 1). The amount of these fees, as estimated by the Building Safety Division, is \$ 2,078.99 (see Attachment 2).

ANALYSIS:

In April of 2004, the City Council approved the concept of a Veteran's Memorial. Bud Hohl, President of the Costa Mesa Chapter of the Veterans of Foreign Wars, requested that the City lend support to a proposed memorial to be constructed at Harbor Lawn Memorial Cemetery in Costa Mesa. The Memorial would recognize veterans of World Wars I and II, the Korean War, the Vietnam War and the wars in Iraq. The estimated cost at that time was \$131,392.

At the same time, Mr. Hohl approached the Board of the Costa Mesa Community Foundation. They agreed to support the concept and have raised \$8,688.36 to date.

In addition, Rose Hills, the company that owns and operates the cemetery, has agreed to placement of the memorial on the cemetery grounds.

The monument was to be constructed where a small memorial, consisting of a World War II artillery gun on a concrete pad and a surrounding walkway, now stands. The initial design consisted of a long walkway proceeding to a six-sided monument. Each branch of the service would be represented on one of the five panels. The sixth panel

would contain general information about the monument. From there a small walkway would lead to a pad containing a flagpole.

A small subcommittee, consisting of Mr. Hohl, City staff and members of the CMCF Board, began meeting to move the construction of the monument forward.

Subsequent to this, Mr. Hohl purchased a bronze cast eagle – six feet tall, six feet wide and four feet in depth - that he wanted to have anchored atop the monument. He also envisioned the monument to be larger than the original design given the size of the eagle.

At this point, discussions between the City, Mr. Hohl and CMCF stalled due to disagreement about the size and structure of the Memorial. Building the structure at the height Mr. Hohl envisioned was estimated to be considerably more expensive and logistically complicated than the original estimate and design.

In November of that same year, the City Council directed that \$135,000 of the \$200,000 allocated for the Huscroft House from the Home Ranch Development Agreement be reallocated to construction of the Memorial (see Attachment 3). However, in May of 2005, the City Council chose to re-allocate the \$135,000 to other city projects. The primary reason for the reallocation was the impasse regarding the logistics of design. However, there was also a question raised as to whether it was appropriate to spend public funds on a project located on private property (see Attachment 4). The City Attorney rendered an opinion that although there was no legal impediment, the donation of such a large sum for construction would require a number of complicated conditions and provisions.

Victor Bakkila, a Costa Mesa Police Sergeant and a veteran of Desert Storm, felt strongly about getting the Memorial built. He was able to work with an architect to modify design plans incorporating the eagle and the six-sided base as well as gain commitments for in-kind and cash donations for all phases and components of the memorial except the six plaques and the installation of the monument. The cost for the plaques is estimated to be \$30,000 while the installation is estimated at \$20,000 for a total of approximately \$50,000 still needed to complete the project.

On February 6th work began to demolish the existing structure. A few weeks later plans were submitted to the Building Safety Division for construction of the memorial itself. Although the City is assisting the VFW and the Community Foundation, the memorial is not a City project. Consequently, it is subject to payment of building permit fees. In an effort to defray expenses for construction of the memorial, a request has been submitted to the City formally requesting waiver of the building permit fees. Construction Access deposits are usually required in the event of any damage to public property, however the project is being constructed solely on private property. Pursuant to advisement by the City Attorney's Office, fee waivers may only be granted by action of the City Council.

The Costa Mesa Community Foundation continues its fundraising efforts. To augment this they are selling personalized bricks that will line the walkway of the Memorial site (see Attachment 5).

Mr. Bakkila is targeting Memorial Day of this year for partial completion of the Memorial to coincide with the ceremony in observance of this occasion.

ALTERNATIVES CONSIDERED:

1. Do not waive the fees and deposits associated with construction of the Veterans Memorial.

FISCAL REVIEW:

The projected amount of fees to be waived as estimated by the Building Division is \$2,078.99 per Attachment 2.

Waiving permit fee revenue in the amount of \$2,078.99 will increase the anticipated amount of resources appropriated from General Fund balance to balance the current year's budget and reduce resources available for subsequent or future year's appropriations by a like amount.

LEGAL REVIEW:

Not necessary at this time.

CONCLUSION:

The City Council must decide whether to waive all permit fees and deposits associated with construction of the Veterans Memorial.

THOMAS R. HATCH
ASSISTANT CITY MANAGER

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- ATTACHMENTS:
- 1 [Request for Waiver of Fees](#)
 - 2 [List of Project Fees](#)
 - 3 [Minutes of November 1, 2004 Meeting](#)
 - 4 [Minutes from May 17, 2005 Meeting](#)
 - 5 [Flyer for CMCF Brick Fundraiser](#)

DISTRIBUTION: Victor Bakkila, ALP 455
Bud Hohl, VFW
Cindy Brenneman, Costa Mesa Community Foundation
Khanh Nguyen, Building Official
Burt Morgan, Chief Plans Examiner