

**RESOLUTION NO. 2022-191**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA  
APPROVING A MILLS ACT CONTRACT FOR PROPERTY LOCATED  
AT 573 E. KINGSLEY AVENUE.**

**WHEREAS**, Section 50280 – 50290 of the California Government Code and Section 439 – 439.4 of the California Revenue and Taxation Code authorize cities to enter into contracts with owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief;

**WHEREAS**, Section .5809-13.I.2 of the City of Pomona Zoning Ordinance authorizes the use of Mills Act contracts to foster the preservation of historic buildings and assigns administration of such contracts to the Planning Division;

**WHEREAS**, on February 11, 2002, the City Council approved Resolution No. 2002-32 adopting standards and review procedures for implementation of the City of Pomona Mills Act Historic Preservation Tax Abatement Program;

**WHEREAS**, on April 21, 2008, the City Council approved Resolution No. 2008-39 adopting the City of Pomona Revised and Restated Mills Act Historic Preservation Tax Abatement Program (Mills Act program);

**WHEREAS**, in June of 2022, the applicants and property owners, Alexis Reyes and Ruben Reyes, submitted an application for Mills Act Program Certificate of Appropriateness MILLS No. 018568-2022 for a Restoration, Rehabilitation and Preservation Plan that includes a schedule of projects to be completed during the first ten (10) years following execution of a Mills Act contract for the property located at 573 E. Kingsley Avenue;

**WHEREAS**, consistent with the Mills Act Program, the subject property is considered a “contributing” structure within the Lincoln Park Historic District, which was designated as a historic district by the Pomona City Council on May 4, 1998;

**WHEREAS**, at its regular meeting on September 7, 2022, the Historic Preservation Commission of the City of Pomona, after giving notice thereof as required by law, held a public hearing; carefully considered all pertinent testimony and the staff report offered in the case; and adopted Historic Preservation Commission Resolution No. 2022-17 approving the requested Mills Act Program contract MILLS No. 018568-2022 for a Restoration, Rehabilitation and Preservation Plan, subject to conditions; and

**WHEREAS**, the City and the property owners, for their mutual benefit, now desire to enter into a Mills Act contract to limit the use of the subject property to prevent inappropriate alterations; to ensure that the character-defining features are preserved and maintained; and to require the execution of the approved Restoration, Rehabilitation and Preservation Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pomona as follows:

**SECTION 1.** The City Council finds that, pursuant to the Guidelines for Implementation of the Environmental Quality Act (CEQA), the proposed project meets the criteria for a Class 31, Section 15331 Categorical Exemption in that the project involves rehabilitation of a historic resource in a manner that meets the Secretary of Interior's Standards for the Treatment of Historic Properties.

**SECTION 2.** Pursuant to Section B.9 of the City of Pomona Revised and Restated Mills Act Historic Preservation Tax Abatement Program (Mills Act program), the City Council makes the following findings regarding the Restoration, Rehabilitation and Preservation Plan for the subject property:

- 1. Based on information contained in the program application including, but not limited to, the Restoration, Rehabilitation and Preservation Plan, cost estimates, estimated tax savings to the property owner and other related information, the approval of the Mills Act contract will serve to compensate the City for the reduction in property taxes received.*

Staff has determined that the estimated tax savings during the first ten years of the Mills Act contract for the subject property will be approximately \$24,273.20. The Restoration, Rehabilitation and Preservation Plan includes projects with an estimated cost of \$51,500 as follows:

Exterior painting of the home	\$10,000
Installation of Ducted HVAC System	\$35,000
Repair of 11 windows and 2 doors	\$6,500
<b>TOTAL</b>	<b>\$51,500</b>

As indicated above, the estimated cost of the projects included in the Preservation Plan exceeds the estimated tax savings over the first ten years of the Mills Act contract. Furthermore, completion of the projects will extend the life of the subject residence and help to restore its interior historic appearance. Staff has estimated that this Mills Act contract will cost the City of Pomona \$5,667.70 over 10 years.

- 2. The Restoration, Rehabilitation and Preservation Plan will extend the life of the structure(s), protect the historic and aesthetic value of the property, and comply with the rules and regulations of the State Office of Historic Preservation of the Department of Parks and Recreation; the United States Secretary of the Interior's Standards for Rehabilitation; the State Historic Building Code; and the City of Pomona Municipal Code, Historic Preservation Ordinance and Design Guidelines.*

As conditioned, the projects included in the RR&P Plan will extend the life of the subject residence, protect the historic and aesthetic value of the property and comply with the rules and regulations of the State Office of Historic Preservation of the Department of Parks and Recreation; the United States Secretary of the Interior's (SOI) Standards for Rehabilitation; the State Historic Building Code; and the City of Pomona Municipal Code, Historic Preservation Ordinance and Design Guidelines as follows:

The proposed repairs and HVAC installation do not propose the removal of distinctive features, finishes, and construction techniques or examples of craftsmanship.

**SECTION 3.** The City Council hereby agrees to enter into a Mills Act contract for property located at 573 E. Kingsley Avenue and authorizes the City Manager, or her designee, to execute said contract, subject to final review by the City Attorney.

**SECTION 4.** The City Clerk shall attest and certify to the passage and adoption of this Resolution and it shall become effective immediately upon its approval.

**PASSED, APPROVED AND ADOPTED** this 21st day of November, 2022.

**CITY OF POMONA:**

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Tim Sandoval  
Mayor

**APPROVED AS TO FORM:**

**ATTEST:**

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Sonia Carvalho  
City Attorney

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Rosalia A. Butler, MMC  
City Clerk

I, HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of Pomona at a regular meeting thereof held on November 21, 2022 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Rosalia A. Butler, MMC  
City Clerk

NOES:  
ABSENT:  
ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
City of Pomona, California, this 21st day of November 2022.

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Rosalia Butler, City Clerk