

UOFFICIAL MINUTES  
POMONA HISTORIC PRESERVATION COMMISSION  
FEBURARY 6, 2019

CALL TO ORDER: The Historic Preservation Commission meeting was called to order at 7:07 p.m. by Chair Debra Martin

FLAG SALUTE: Commissioner Gonzalez led the Commission in the flag salute.

ROLL CALL: Roll was taken by Acting Development Services Director Anita Gutierrez

COMMISSIONERS PRESENT: Chair Debra Martin; Vice-Chair Jim Kercheval, Commissioners Jim Gallivan, Ann Tomkins, Jennifer Williams, Tamara Gonzalez, Alice R. Gomez.

COMMISSIONERS ABSENT: None

STAFF PRESENT: Acting Development Services Director Gutierrez, Lynda Lara, Assistant Planner, Sandra Elias, Assistant Planner

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ITEM D:  
PUBLIC COMMENT:

None

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ITEM E:  
CONSENT CALENDAR:

1. Draft Historic Preservation Commission Minutes for the January 17, 2018 Meeting.

Commissioner Tomkins reported changes; very minor, typos.

Anita informed Commissioner Tomkins if she reads them into the record they can still approve them tonight.

Commissioner Tomkins; pg. 2 it says half way down the page it says Commissioners – removed the ‘s’; further down where it says “Commissioner Tomkins asked new garage in a new location” – needs to remove “and” and take out the original one; pg. 4, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> sentence “ Design guidelines to address build outs” but it was supposed to be “bulb-outs”.

**Motion by Chair Martin, seconded by Commissioner Gomez, carried by a unanimous vote of the members present (7-0-0-0), to approve the Draft Historic Preservation Commission Minutes for the January 17, 2018.**

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PUBLIC HEARINGS:

ITEM F-1

PUBLIC HEARING – MAJOR CERTIFICATE OF  
APPROPRIATENESS (MAJCOA 11065-2018) TO ALLOW FOR THE  
DEMOLITION OF A PRE-1945 SINGLE FAMILY RESIDENCE ON  
A PROPERTY LOCATED AT 178 E. ALISO STREET.

Commissioner Kercheval recused himself for this item on the advice of counsel and in the abundance of caution because he may be interested in a salvage opportunity and he doesn’t want to have a conflict of interest.

Lynda Lara, Assistant Planner, provided a presentation on this item.

**Motion by Chair Martin to open the public hearing, second by Commissioner Gallivan.**

**Scott Jones**, resides at 160 E. Aliso, adjacent to the 178 property that we are speaking about. He has a question regarding the 5 foot tubular fence that is adjacent to the property. He doesn't feel that is going to stop any of the noise abatement that is going to occur if this house is demolished. Currently the hospital just acquired the rights to have medivac helicopter and a landing pad, the neighborhood has grown in noise exponentially. And now the two houses that stopped that noise from getting to his home will be gone. He would like to address some sort of noise barrier wall, instead of a tubular fence. If the Board find that this house can be demolished or both houses demolished there will also be substantial amount of light trespass onto the property adjacent which is his also, right now we have new parking lots that have been used (behind our house and to the side of the house) and without these two structures stopping it, he is fearing light trespassing onto his property. He would like to see that this is addressed. If those are addressed, he has no questions regarding the 178 property.

Chair Martin asked Mr. Jones if he attended all the meetings with Pomona Valley Hospital.

Mr. Jones replied no he didn't know about them.

Chair Martin confirmed he wasn't notified.

Mr. Jones replied the only notification he was given was for this meeting and a placard put on the front yard of 178.

Chair Martin replied interesting, she appreciates that information.

**Rick Kuyper**, Project Manager for Pomona Valley Hospital Medical Center – we have been working with the community and the City for a long time. Mr. Jones wanted to see what I could do about responding some of your questions right now. He can say in terms of the light trespassing, we have a continue running of our security team and they round our neighborhoods and throughout Aliso throughout the night as part of their standard rounds. The five foot height fence is going to be locked with no access with the exception of a locked gate for our landscaping crew to be able to go in and maintain the property and keep it looking good until one day we decide we want to make a change or do something different to it. Its part of our long term strategic plan to acquire the houses north of our property. We do reach out to our neighbors on a consistent basis, through our property management group, but we also do have occasional meeting (City Hall type), now we haven't had one in a while, the last time we had one was when we started to build the parking structure (helipad), we invited the neighbors to come in and meet with us; the time before that was when we built the outpatient pavilion, so we haven't had any real major construction projects to bring in the neighbors, although it is a practice we try to keep on a consistent basis. He is sure they will be having one pretty soon. These two houses that we acquired we would like to demolish and turn it into a nice greenbelt that will look good for the years to come because we don't have an immediate plan to do anything with that property. We have no need for the houses and that's why we want to turn them into a greenbelt. As far as the noise, the helicopters have a dedicated flight pattern, its west of the property, so there is not direct flight overhead and that is a directed flight by the FAA, they can't fly any other direction. If the wind shifts there is a dedicated flight pattern and they stay to the west of the property in question. We can look into barrier or a different kind of wall up along Mr. Jones property that is something they can look into. He thinks the fence that goes along his property is the one that is leaning over; that one is in bad shape and he was going to come talk to Mr. Jones to see how we could fix that for you. We have done that for some of our other neighbors. When we built out the outpatient pavilion, we did the big parking lot and the north section of the hospital and that property that's on Cadillac we rebuilt the wall for them, so that is something he would certainly be open to discussing.

Commissioner Gallivan asked Mr. Kuyper to describe what a tubular fence is.

Mr. Kuyper replied it's a square wrought-iron fence part of our standard we have throughout.

Commissioner Gallivan asked if the residents without a certain distance have been notified.

Anita replied they were.

Lynda Lara replied yes they were, the immediate adjacent, so she notified everyone on Aliso street as well as some properties on Cadillac, gave the buffer a little wider, with 30 day notice.

Commissioner Tomkins asked Mr. Kuyper if he gave any consideration at all to holding these properties and possibly renting them out since you don't have any immediate plans to build a parking garage.

Mr. Kuyper replied they do that now, with a lot of the homes they own. The homes that are right on Tate Street, we own 16 of those two rows of homes and we do rent those out, we rent some of them out to associates predominantly. Where these home are located they don't really fall into that category and the age and shape they are in it would be cost prohibitive and that's why we have chosen to demolish.

Commissioner Williams (Jennifer) as someone who lives near a rail line, she understands the concern about noise. She commented she is glad the trains aren't overhead. She is wondering if there is anything that could be done differently to better mitigate noise concerns. She understands they can't build a fence overhead, but there is also street noise. Are there things that can be done differently or is this an avoidable consequence.

Mr. Kuyper replied the only street is Aliso and there is an alley that goes into a back parking lot and a building that they occupy. There is not other streets and the rest is parking behind them for our associates. It's really an unavoidable thing.

Commissioner Williams asked if the only source of noise concern the helicopters, overhead noise.

Mr. Kuyper replied that could be considered, our helicopters are not that often, he estimated 0-4 in a month, it varies and had to judge. He noted the helicopters are on the other side of the property from this house.

Commissioner Williams commented that sounds like that is something that would necessarily be something you can mitigate on the ground.

Chair Martin replied to Commissioner Williams that they need to be a little bit more specific to these two houses that are getting taken down, its not about up in the air with the helicopters, it about these two houses; to clarify the Commissions responsibility.

Mr. Kuyper stated if it pleases the Commissioners and Mr. Jones if that fence line is something he would like to discuss, because they would want to fix that for him.

Commissioner Gomez asked about the greenbelt area...she likes the idea of the greenbelt near the hospital, she hopes it becomes a place for those that are having things at the hospital that they have a place to rest and "smell the roses"; she would hope its utilized for hospital staff and for people that do come and visit and you are somewhat protecting the area with the recent climate that we had of people that were abusing the privilege within Pomona and didn't really have a place to stay, but now that we are able to share some properties for them to be at, she'd hope there was a game plan thought of.

Mr. Kuyper replied they thought about that; honestly for the hospital it's a big liability to allow the general public to go and sit there, if somebody gets hurt it would cost us dearly, that is why they are fencing it off and closing it and only allowing it to be open for the landscape crew to maintain it and keep it in good shape. The landscaping was designed based of their Specific Plan, so it's all our existing plants they have and matches the property. Their landscaping company will go through and maintain it; for access for staff or public that is not their idea/plan, they want to keep it safe so nobody gets hurt, if somebody fell and broke their ankle, then that's a different story, that would be difficult for them, we want to keep the general public out of there.

Commissioner Gomez confirmed its going to be a viewing place from far.

Mr. Kuyper confirmed, yes from a far.

Chair Martin asked for interior photos. She stated in the past when the Commission makes recommendations for demolition, we like to have the opportunity to go in, the preservation community, and be able to remove some of the items before demolition. She can see there are probably hardwood floors in there, etc. Was there any photos taken on the inside?

Anita replied she doesn't believe so; Lynda Lara confirmed she did not take any photos of the inside. She stated when they did the notices they did notify all the historical groups for salvage purposes, so they are aware of that opportunity.

Mr. Kuyper replied they are open to salvage.

Commissioner Gallivan asked how high the fence is going to be.

Mr. Kuyper replied five feet.

Commissioner Gallivan asked if that was high enough to protect the cars parked there.

Mr. Kuyper replied it will be high enough to keep everybody out and still park alongside it.

Chair Martin made final comments; it's really important to work with the residents, because as we know, it can impact their quality of life. That's her main concern right now. She supports Pomona Valley Hospital 100%; however, she also supports the community. She hopes that you can work with Mr. Jones and if there are any other neighbors that are not here tonight for some reason, because they missed the letter, that they can have a meeting together about this, because having a retaining wall versus just wrought-iron that is next to their home can make it feel more secure and comfortable and to get used to the idea that someday there maybe a parking lot next to their homes. In the future, that's what the vision is for Pomona Valley. She encouraged Mr. Kuyper to exchange contact information with Mr. Jones.

**Chair Martin closed the public hearing.**

**Motion by Commissioner Gallivan, seconded by Commissioner Tomkins, carried by a unanimous vote of the members present (7-0-0) to approve Major Certificate of Appropriateness (MAJCOA 11065-2018) to allow for the demolition of a pre-1945 single family residence on a property located at 178 E. Aliso Street.**

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ITEM F-2

PUBLIC HEARING – MAJOR CERTIFICATE OF  
APPROPRIATENESS (MAJCOA 11066-2018) TO ALLOW FOR THE  
DEMOLITION OF A PRE-1945 SINGLE FAMILY RESIDENCE ON  
A PROPERTY LOCATED AT 190 E. ALISO STREET.

Commissioner Kercheval recused himself for this item on the advice of counsel and in the abundance of caution because he may be interested in a salvage opportunity and he doesn't want to have a conflict of interest.

Lynda Lara, Assistant Planner, provided a presentation on the item.

**Chair Martin opened the public hearing.**

John Clifford, 182 Monroe, he wanted to bring up a technical point because this is all new staff and they haven't heard me say it before, some on the Commission have. When you say that a project is exempt from CEQA, you are saying that is categorically exempt under existing structure, however, historic building is not categorically exempt from CEQA. It is this Commission's job to determine whether this is a historic property or not, so it's actually not exempt if it passes this body and goes to the Planning Commission at that point, yes it's exempt from CEQA. At this point, it's not. There was a brief period of time when City staff got it, but City staff has changed a couple times since then, so he wanted to bring it up again – literally there is no exemption until this Commission determines there is. He requested staff that this into consideration for the future. He also wanted to mention this is a 1941 house; we really need to see interior to see if there is historic material within the house to see if that adds to the historic nature of the house. Did you know that in 1941 it was WWII, there was practically no construction going on at that time, so this has a unique situation with its age and it would be really nice to see what's inside of it to see if there are things that might take it over that edge into being unique within the historic framework.

Chair Martin dittoed exactly what Mr. Clifford has to say about this, because in the past, it is under CEQA until we make that decision. She reiterated the need for interior photos to make their decision.

**Rick Kuyper**, Project Manager for Pomona Valley Hospital Medical Center; stated this was the house that triggered us to come in for the meeting tonight. When we acquire the house if it doesn't meet our needs to rent it out we go through and demolish and ask for the permits. It's the same concept at the previous item. Turning this area into a greenbelt will make it look much nicer for the years to come, it will stay in good shape, all of the houses that we do own, you will see their landscape is in impeccable shape because our landscape crews go through and maintain them consistently – we will do that until one day down the road until we decide to expand parking or do something different.

Commissioner Gonzalez asked for the image of the aerial of the property and the properties surrounding. She asked about the thought process is for purchasing homes and why these three homes in this part of the community were selected for purchase?

Mr. Kuyper replied they have a strategic focus for all of the homes below Aliso Avenue from Garey Ave to Orange Grove. We want to eventually acquire the whole space. If you think of future growth, right now our plan for growth brings us South of the hospital, we will be coming forward for a new tower here within the next year, but as we go

through and move forward 20-30 years in the future, the property is going to move back around and the buildings will be built back around towards the north, so it only logically make sense that we work towards acquiring those spaces above us, that's right up above Aliso, that's our border, that's a high up as we want to go and take that triangle all the way down to where we meet at by the freeway and then up to Aliso Ave.

Commissioner Tomkins asked if they are just waiting for a home to go on the market and then you acquire it.

Mr. Kuyper replied they ask for first right of refusal with all the neighborhoods and we come in and offer fair market value to anybody that's coming up for sale.

Commissioner Gomez reminded...the understanding is there to make the Pomona Hospital vibrant and beautiful for the community and so yes you do have to acquire additional properties to do that; she can see that, the added reminder that she would like to go along with that...as you said you went out and extended your talks and the like to the neighbors...to definitely, as Pomona Staff, that we continue to send out those notices that there is a possibility of this coming forward; also, to stress that the invite, if there is a demolition to occur, that the historical society of Pomona Valley and the historical preservation group, come through and be invited to look and see what's there; that's the other part that really helps this group on the dais, that we see the pictures and we can tell right away why someone would like to demo, but that's a good chandelier or bathtub and somebody else can make it wonderful in their home. She just can't stress enough the importance of extending that additional to the those that need to hear that and see it in print and what the additional she would like to see is that we get the notice that says it was done (that the invitation was sent out) and then when somebody comes to us we know and we share the news.

Anita stated they can talk about that under the Commissioner Communication part of the agenda.

Commissioner Gallivan commented back to Mr. Clifford...make sure we are not going to have problems downstream if we approve this...but according to section 3 that we are actually approving the certification of Appropriateness. Are we actually in the process of what we are doing, basically covering ourselves with respect to CEQA relative to what's written here? Since it is somewhat up to us to make that decision, is that decision also legally included in what's being written up in the section here.

Anita replied that the decision before the Commission is to either approve or deny the major COA and the resolution that is before you is to approve the permit to demolish the structures and the findings you are making (that are before you) are to say that the structure does not meet any of the levels of significance for a historical structure as stated in the historical ordinance.

Commissioner Gallivan asked if they are at least partially then as a group saying that CEQA wise that we are agreeing that this can legally proceed forward; Anita stated that is correct.

Marco Martinez Stated if you look at section 1 of your standard resolution that is the area where most of the time you will make that determination; for example with this resolution Section 1 says "the Historic Preservation Commission hereby determines..." and states exactly that you are making that determination as part of this action, when you adopt the resolution.

Commissioner Gallivan clarified besides approving it, we are also confirming CEQA.

**Chair Martin closed the public hearing.**

**Motion by Commissioner Tomkins, seconded by Chair Martin, carried by a unanimous vote of the members present (6-0-1-0), to approve Major Certificate of Appropriateness (MAJCOA 11066-2018) to allow for the demolition of a pre-1945 single family residence on a property located at 190 E. Aliso Street.**

GARAGE. THE PROPOSED PROJECT INCLUDES A NEW 1,200 SQUARE FOOT ACCESSORY DWELLING UNIT (APPROVED UNDER A SEPARATE MINISTERIAL PERMIT) ON A PROPERTY WITH A CONTRIBUTING SINGLE-FAMILY RESIDENCE LOCATED WITHIN THE LINCOLN PARK HISTORIC DISTRICT IN THE R-1 6,000 ZONE LOCATED AT 590 E. KINGSLEY AVE.

**Commissioner Kercheval rejoined the Commission on the dais at 7:43 p.m.**

Anita introduced, legal counsel, Marco Martinez with BBK law group who is representing the City of Pomona.

Sandra Elias, Assistant Planner, provided a presentation on the item.

Chair Martin invited Debra Clifford forward.

**Debra Clifford**, additional dwellings on properties in historic district make her very sad. She has various questions about this...how far off the property line from the next-door neighbors this building is, because if it sits right there on the fence it really begins to impact the value of the homes on either side. What kind of setback do they have for this garage and additional family unit?

Chair Martin informed Ms. Clifford they will answer her questions after public hearing.

Debra Clifford stated if this house is larger than the one in front of it, then it begins to dominate and the one thing, if she remembers correctly the State does not require that you allow things to be built which will negatively impact the value of the historic properties and so its looks like they have done a reasonable design in terms of matching the style of the house, but how close it sits to the fence, how much larger it is, the lack of windows on the west side for those neighbors at the back of the garage; all of this changes the impact of the historic property, not only the one being built on but the one next door as well, and so please consider these things. She stated she knows the State says you have to allow these projects; however, we are actively pursuing a city statute to not allow these in a historic area and so how do we manage them so we don't ruin what we already have.

Terry Valles, the project manager, designer and applicant; working on behalf of the homeowner Lily Lu; as he heard earlier today the State is allowing these projects and so we did our best to meet the guidelines and match the architectural characteristics of the existing home as much as possible; that setback that you mentioned is 5-6 feet off the side yard, the adjacent house sits off the property line by more than 20 feet, because he worked on the adjacent home as well. He has worked on a number of historical homes in the Lincoln Park area. He is available to answer questions.

Chair Martin asked....slide presentation she didn't see a front view with the new structure design in the back, to see from the street what the visual is going to be like.

Mr. Valles replied this house sits behind the existing house more than 35 feet, it's a really narrow deep lot, so he doesn't think there will much visibility from the street frontage. The front house faces north and in this orientation...if you look at the site plan, the front door where the addition will face east; there will not be a lot of visibility of the new structure that is in the back.

Chair Martin was looking at the north side; there is a lot of windows that are missing, is that because it's a garage?

Mr. Valles stated the west facing is the back where there is not a lot of windows...Yes, on the south elevation where there is not windows there is a garage; that is something can still be added.

Chair Martin commented she really feels that additions that have this big blank wall and then some windows really make it not balanced so somehow she recommendation is to have a balance of windows that would fill in there somehow, so there is four right now.

Mr. Valles yes that the side yard elevation that is closest to the neighbor that was mentioned. We could add more windows there, but that blank area is the garage.

Chair Martin commented it would add more lighting to the garage and talking about historical design, a lot of garages back in that era had the windows to let the natural light in; that would be one of her recommendations.

Mr. Valles replied that would be a great recommendation; He noted pink wasn't his first choice of colors but he tried to match the existing windows, characteristics, eave overhang, the shingles.

Chair Martin reminded the Commission that the square footage of the front original house?

Mr. Valles responded 1,035 square feet.

Chair Martin asked about the back house.

Mr. Valles responded 1,200 square feet.

Commissioner Tomkins asked if a detached garage was considered.

Mr. Valles replied that is a possibility. They can still look at that.

Commissioner Tomkins commented in that era, primarily the garages are detached, rather than attached, its one way to differentiate new construction from old, but at the same time, it's a question of compatibility with the neighborhood to have a detached garage.

Mr. Valles replied in this case it a little tricky with the lot layout, but it could be possibly worked in there.

Commissioner Gallivan would like to know more about the history of the existing garage.

Mr. Valles replied he doesn't know a lot about the history of the garage; he could take a look at it. It doesn't look like its original with the siding, it might of just been an open carport.

Mrs. Lily Lu replied the top she put caulking the raining days...floors are wet during big rain, can't do anything; on the side there is just aluminum attached there; nothing there now; since the rain it all muddy and water; the wood is rotted.

Chair Martin commented the roof is falling apart.

Commissioner Gallivan asked if there were any records of the garage being built or replaced.

Sandra Elias replied in the building jacket that we have on file we have no permits found for that garage, so there was not way to tell when it was built or anything.

Commissioner Kercheval said thank you for how you have been working with the staff since the decision is made ministerial for the home potion, the only purview we have in over the garage itself and what he is seeing is he is doing the best he can to mimic what's out front and try to keep the fabric the same. Since we do have some purview over the garage, he is wondering about the gable treatment, it looks good, except its not exact and he is wondering if you are going to putting some of that lower floral trim on the vent or is it just not depicted there.

Mr. Valles responded it's just not depicted.

Commissioner Kercheval agrees with putting windows on the garage as well; he thinks the neighbors would appreciate it so it doesn't look like a large massive wall and it seems like you are agreeable to do that, so we appreciated that.

**Chair Martin closed the public hearing.**

Commissioner Gallivan commented he would really like see that garage to be separate, it's the one thing we have control over and to see that suddenly tied into the house and part of that house is losing the fact that we had that garage there. If the garage at all looked like it was original, he would not even be for letting it go down, but then to letting it suddenly become part of a very larger structure, even when we had the ADU before, that was what happened, suddenly a very big blob that was put back there, as opposed to preserving the idea that there was separate garage; he is personally foregoing with a separate garage and going certainly minimal with the number of windows, enough to get light but not to make it look like its livable or part of a house.

Commissioner Gonzalez Agrees with what Commissioner Gallivan is saying, she thinks they want to keep in the same tone of the homes built in Lincoln Park; she thinks the other thing is the overall size and you may not see the property from the street, she thinks in keeping with the size of the original home; when you separate the structures she doesn't know if the garage can be scaled down a little bit, just so it doesn't seem so much bigger than the original home and the footprint is larger. She thinks this is something to consider, we won't know what it looks like until it's there and we can't get rid of it once it's there, if we can be cautious in these changes and additions because it does affect the entire community. She thinks we need to address that.

Commissioner Kercheval agrees with those comments; he is wondering...it's hard for him to see them make a case for a three car garages in the 1920's; that's a new phenomenon, so he is wondering if that could guide us a bit; He stated it's fine if it's attached, because there are attached garages in this era, so a good case could be made for a 2 car configuration.

Chair Martin replied Victorian style homes were definitely like horse and carriage, detached garages, so with that said, maybe eliminated that other half of garage and having a space in between with the loss of that square footage; it would still be a two-car garage but it would be better.

Commissioner Kercheval stated it's hard to make a case for attached or detached because he owns a home 1926 home that has an attached 2 car garage, so it did happen. To have the carriage style is more common yes.

Commissioner Gonzalez stated but this is a 1905 Victorian, which is significantly different from a 1926 home and it's also in Lincoln Park and off the top of her head she cannot think of a home in Lincoln Park that has an attached garage, so that's why it's important that we keep the significance; maybe in a different part of the community yes it was built that way, but on a Victorian home you wouldn't have that, it would definitely have been a separate structure and even if what's currently there wasn't originally there, it just shows at some point it was probably something; so if we can go for just a two car garage, take that square footage back and separate the two buildings it might be a viable solution for it.

Chair Martin agrees.

Commissioner Gomez stated Commissioner Gonzalez (and maybe Kercheval) made mention of the fact that usually the home in the front is the largest of the buildings, the home in the back is a little bit smaller. This way when you see this it does not appear that this is going to be the case with this property and she knows you mentioned the garages (the two) and like you said...she doesn't see them connected together property wise; she doesn't see it as a unit as a front and back that kind of look the same; it's totally different.

Anita the size of the second unit, ADU, is allowed per state code ADU pursuant to state law and maximum size is 1200 square foot and that's a ministerial action so that is not something that we can require to be changed; so what's within your purview is the garage, which you have been appropriately been discussing.

Mr. Valles replied he likes this idea...he stated what they will do is detach the garage as you mention, that would break up that massing and then reduce. It wouldn't overscale once you had those two separated from one another.

Chair Martin asked her fellow Commissioners if it would make them feel more comfortable to move this item to next month and have them come back with a new visual with the garage detached and then make the decision or do you feel comfortable letting our staff work with what we are recommending.

Commissioner Gonzalez stated she would prefer to see a 2<sup>nd</sup> look at it and see a fresh set of drawings.  
Commissioner Tomkins supports that.

Anita stated they should ask the applicant if they can provide new drawings by March 6, 2019, otherwise the next meeting is April 3, 2019.

Ms. Valles replied possibly; Chair Martin stated she doesn't want to hold up the project that long, so if you can get them done that would be ideal.

Mr. Valles replied he will work for March 6, 2019

Commissioner Gallivan requested if windows are put in that they definitely look like garage windows now house windows.



Mr. Valles clarified if they are going to detach the garage, if the Commission still wants a pair of windows;

The Commission replied yes, absolutely.

Commissioner Gonzalez/Martin suggested a door might be suitable.

Mr. Valles confirmed a door and asked if windows should be on all three sides or just the rear of the garage. Now that's its detached is going to have four sides, so we have our garage door in the front, a door on one side and now we have two other sides that are blank.

Commissioner Tomkins replied whatever is typical for that era; she commented she only has windows on one side of her garage.

Chair Martin stated she has windows on both side...but there are garages without any windows; what's most important is what is most aesthetically pleasing and make the applicants property more valuable.

Anita reported there was one additional speaker for this item.

Paula Lantz, 458 E. Jefferson, Pomona; she wanted to...having sat through a lot of parking conversations recently at Council meeting, she noticed they were taking the three car garage and suggesting a two garage, she likes the idea of having it as a separate garage, but this is another dwelling unit and you already have a dwelling unit, so if you want to make it a two car garage and there are two cars with each of those properties; she knows you are not required with the ADU's to provide parking, but the reality is if you build units and don't have adequate parking you are going to create some of problems that were created in the past when we didn't know how many cars were going to go with the unit; she requested the commission consider keeping it a three car garage even if its separated, otherwise you are going to have those cars on the street creating difficulties on the street that was not build to accommodate all of those cars; just for the record doesn't have a man door or windows and its original too.

Commissioner Gallivan commented ADU's in historical district are not allowed to consider what the influence of parking on the street will be; Ms. Lantz replied but you can consider the garage.

Commissioner Kercheval asked if the Commission can request the applicant provide drawings for a three car option and a two car option.

**Motion by Chair Martin, seconded by Commissioner Kercheval carried by a unanimous vote of the members present (7-0-0-0), to continue this item to a date certain, March 6, 2019 with recommendations to come back with two different designs; two-car detached garage and three-car detached garage; both designs with additional windows and a door to balance out the sides.**

**Aye: Tomkins, Martin, Gonzalez, Williams, Gomez, Gallivan, Kercheval**

**Nay:**

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ITEM G:  
DISCUSSION:

Anita requested a 5-minute recess; we have a special consultant (legal counsel) joining us over teleconference for this next item.

Commissioner Williams given that she is the sole employee of the Historical Society of Pomona Valley, which manages several historical sites in the City and given that some of these stables insurance proceeds may be used to repair or care for city historical sites, out of an abundance of caution she will not participate in this discussion and she will be recusing herself from the proceedings to avoid any potential conflict of interest.

Commissioner Gomez reported she is a board member of the Historical Society of Pomona Valley and may need to recuse herself as well; Chair Martin stated Commissioner Gomez has no financial gain in sitting on the board and asked legal counsel for their opinion.

Marco Martinez responded she doesn't, however, she would need more information; it depends on how much of a contributor is the City to this non-profit, how was it established; there are a variety of factors we would need to look at that he is not sure we are going to be able to do tonight and so out of an abundance of caution he would agree with whatever advice the Commissioner received before regarding some of these items. What we plan to do, because apparently this is a recurring issue, we are going to be looking at it and providing a more detailed analysis for the staff to provide to you, so that we know that in the future when these issues come up we will have an established answer; but the fact that she is a board member of a non-profit could be an issue.

Commissioner Gallivan asked at which time will this discussion happen where you are able to be given the information and a decision can be made.

Marco replied they are hoping for the next meeting. They will provide the information to staff and they will have it for your next meeting and if she wants to agendize it you can have that discussion as well or we can provide a privately to all of you.

Commissioner Gallivan stated there will be a total of at least three that will be impacted.

Marco stated the issue isn't the decision the options, the issue is what to do with the proceeds. So, if there was not decision about what to do with the proceeds, here wouldn't be an issue.

Commissioner Gallivan reported he specifically asked last time when this was to go forward that there be nothing proceed wise associated with the society at all. They if anything would be advisory to how it would be done, but they would have no control over the money, it would be applied through the City only.

Chair Martin clarified what Commissioner Gallivan is trying to say is that...in the future he would like to recommend to the Commission to put it on the agenda to discuss the Commission being the oversight of the money instead of the historical society.

Marco stated yes, in speaking with Anita our intent is to provide that guidance to all of you, so in the future you know with some confidence what you can and can't do.

Commissioner Gomez asked if she needs to recuse herself; Marco replied he can't advise tonight, but his understanding is that you have gotten advice from prior legal counsel regarding that issue and the advice was to recuse herself.

Commissioner Gomez replied yes and she understands the fact that we do have an employee, but he is a board member and for that reason she was given the information that she has and will read before you.

Commissioner Gallivan replied that was for a different situation.

Commissioner Tomkins stated she is confused about what it is precisely the Commission is being asked to do on this item, because her understanding when she watched the initial City Council meeting was that they were asking the Commission to come up with a variety of options for the City Council to consider with respect to the stables and she knows that there was some discussion at the City Council meeting about using the insurance proceeds possibly for other purposes, besides restoring the stables, she sort of thought our focus was really on options as to what do with the stables, to present to the City Council as to what is more historically appropriate or what different options they have.

Anita replied that is correct; what the discussion item is, is to provide a recommendation by this Commission to the City Council on what to do with the Stables of the 11 options provided or others you would like to present. What do with the stables and/or the additional funds that may be leftover from whatever action is recommended to do with the stables and that's where the potential conflict of interest is.

Commissioner Tomkins replied right, but her understanding was it wasn't a recommendation of just one item, that they were looking for multiple options. She did go back, today and watch the video of the City Council meeting as to what the City Council motion was...

Anita interrupted before they get too much into this item, she wants to be able to bring our legal counsel on, so maybe we just hold; are we going to get recusals here?

Commissioner Gomez stated that is what she would do; she'd rather be seating here, but she doesn't want something to happen down the road; she commented legal is going to look at this seriously and then their won't be people having to leave the Board.

Chair Martin commented tonight, with our discussion, if we make any recommendation; examples...we are going to have a financial return on it, she doesn't see...if any of the Commissioners aren't going to go in that direction, than she doesn't know what they would be recused, if they are not talking about the financial return. If they chose to...if they are recusing themselves because they feel like they are going to go in that direction, so it's kind of a grey area.

Marco stated not really the mere fact that they specifically aren't talking about it, really doesn't matter. They are going to be participating in a decision in which somebody else might be talking about it, so it's the entire body; if somebody brings it up its at that point that the red lights go off; he thinks the only possibility tonight is to make clear the discussion of the options of what to do with the insurance proceeds is not on the table, but that is not something the City Council wants you to do, because they wanted some direction from you; if that is on the table then he can't guarantee you that you don't have a conflict of interest those of you that are Board members or employees of the historical society of Pomona Valley; it may be that you don't once we have taken a detailed look, but tonight he can't guarantee that.

Commissioner Gallivan recommended tabling this until we find out what their actual status is.

Chair Martin disagreed, they really need to do this discussion tonight; it's been since last June, we should have been making a decision and its this many months later. She really feels they need to have a discussion tonight.

Commissioner Kercheval commented he doesn't understand the issue.

Chair Martin stated counsel recommending that the three of you recuse yourself tonight; sorry.

Commissioner Gallivan he's like to say that in case it turns out that legally, will anything be decided tonight or recommended?

Chair Martin we are not sure yet, because after the presentation again, we are going to discuss.

Commissioner Gallivan stated if anything was recommended and if we are eliminated from that process and it was determined that we should not have been, then he thinks that would be in an injustice.

Chair Martin agrees.

Commissioner Tomkins stated they have raised this issue in the past about having sufficient advance notice of matters coming before the Commission so that we can take the appropriate steps to seek opinions from the FPPC or whoever else so we can be in a position to do our jobs.

Anita stated this item was continued from last month; Commissioner Tomkins stated she realizes it was continued from two weeks ago, but it takes three weeks to get a FPPC opinion, even if you get adamant about it; although they do say if they don't get back to you within three weeks they won't come after you; at least we would have some idea of how they would look at it; this is something that has been sitting out there since last March when the City Council asked that it promptly be taken to the Commission to get recommendations and it wasn't done.

Anita asked if the Commission would like to hear the item this evening; where do the Commissioners stand. Commissioner Gomez?

Commissioner Gomez stated she understands that its going to be heard, but as she said before she is a board member with the Historical Society and she was once told that this is something that I shouldn't be and she needed to recuse herself; this is not what she wants to do, but virtue and all honest she doesn't want something to come back to the dais, the people here or herself.

Marco responded he understand and apologized for the lateness of how this is going, but it sounds like in that situation prior legal counsel did look at whatever that issue was. He hasn't; all he can tell you is his antennae goes up even if you

tell me that you are unpaid Board member of a non-profit; he can't tell you if you do or don't without receiving more facts and doing the research, but it sounds like his predecessor may have done that already.

Commissioner Gallivan replied not for this case; that was for other cases and not what we are doing right now with the City property; he feels the Historical Society is part of the city is ways, they have a mutual...(cut off).

Marco and those are all factors that he thinks might mitigate it, but we would have to look at hat.

Chair Martin commented they could abstain from the vote; Marco stated they can't.

Commissioner Kercheval confirmed four would be a quorum.

Chair Martin replied yes.

Marco offered if that does turn out to be the case, is that you could still have your voice heard when this matter goes to the City Council, as individuals.

Commissioner Gallivan stated that would not help to shape as it went...and we believe that is, because so much of our soul is in the saving of the town.

Marco stated he understands he is just trying to find a way if this doesn't work that there is another way to get your voice heard.

Commissioner Gallivan commented that usually does not...that's a whole separate complicated effort where then you can't change things; we have gone that route before on other things.

Chair Martin confirmed there were speaker cards tonight.

Commissioner Gonzalez quick question...if we are going to make a decision, would it be prudent for us in the meantime if we are going to table this, till we find out more about partners here that are part of the historical society to create a sub-committee to come up with our own potential solutions; that might be in conjunction with what the City has provided us because she feels like they haven't had ample opportunity as a group to come up with our own ideas, other than what we discussed at the last meeting.

Chair Martin replied, she sees what you are asking and she thought tonight was more about education and discussion from Mr. Guerrero because of our new Commission, which actually one is recused, so we'd only have one new Commissioner to highlight what the different options are and because its under "Discussion" she didn't believe they were going to make a final decision tonight; it was all about education.

Rene replied he doesn't think it matters whether its on the normal agenda or discussion, the intent of us being here tonight was really to get a recommendation from this Commission; there was a request to add another option and we did add that other option and we have rough cost estimate for that option as well, so instead of the 11 options provided at that last meeting we now have 12; he was going to briefly go through the presentation (because he did it already) to remind you of the budget, look at the options that were provided at the last meeting, show the 12<sup>th</sup> option as requested by the Commission and it was really then for the Commission to discuss and hopefully come to a recommendation that then staff can take to City Council

Anita added this and the education piece of CEQA; at the last Commission meeting there was significant discussion about CEQA implications, so in that regard we brought on a specialist in CEQA law and historic preservation CEQA law and that is who she is trying to get on the phone. If anything we'd like to continue with that piece, even if the Commissioners have to recuse themselves, that is something that is taped on audio and they could always listen back to it; but she thinks the education pieces on the CEQA component is crucial and she feels a lot of Commissioners had questions on that.

Marco stated so at least everybody can hear the mini staff report, the discussion from his associates regarding CEQA and historic preservation; you could ask your questions. The Commissioners that recused can then listen to that portion to the extent that they want to and then hopefully we will have the information for them as to whether or not they can fully participate for the next meeting.

Commissioner Gallivan commented when someone does speak quite often being able to interact with that person is very important, just listening he will wonder about.

Marco replied he understands to the extent that the Commissioners that might be recused have separate questions regarding those issues we can taken them, you can send them to Anita and she can send them to Sara; he wants to make sure we don't lose Sara tonight. She actually in the Walnut Creek BBK office and specializes in historic preservation as it relates to CEQA, before she was with BBK she spent 4 years as general counsel to the City of San Francisco Landmarks Commission. He doesn't want to lose her tonight in case she may not be available for the next meeting.

Chair Martin agrees. She apologized to her fellow Commissioners but if you would like to be recused, please step into the other room.

Commissioner Gomez stated she is Board member of the Historical Society and she feels in good conscious she has to recuse herself; she looks forward to the next meeting, getting the information that clearly won't allow something. She knows there are a lot of people out there willing to speak on this issue to carry forward.

Commissioner Gallivan stated for the record that he is not sure he has to be recused, but due to suggestions and hoping that nothing is going to be decided that he would not have an input into that would be significant from not feeling; Anita added out of an abundance of caution.

**The Commission took a five-minute recess.**

1. Discussion and consideration of the disposition of the Pomona City Stables building, located at 636 West Monterey Avenue continued from January 16, 2019.

Anita introduced Sara Owsowitz, BBK and previously General Counsel to the City of San Francisco Landmarks Commission.

Rene Guerrero, Acting Public Works Director, provided a brief staff presentation on the item; designed in 1908 by Pomona architect Fernand Davis, built in 1909 as a two-story unreinforced brick structure. He displayed pictures of what it looks like current. The City stables were originally used to house up to 26 City horses until 1937, it stored Police and Fire wagons, after that it was used as a warehouse for Civil Defense emergency equipment and in the early 1970's this building was condemned. In 2004, the building was added to the National Register of Historic Places and fast forward to 2017 the building suffered a major collapse and since then the building has been temporarily reinforced; he displayed pictures of what it looks like currently (west end of the building being held up by braces, near the east end looking north; one of the two cupolas that is on the roof; same east end storage container, a picture from White Ave looking west towards the building – the whole east wall half of it is in rubble. Back in March 2018 City Council approved the creation of the CIP project and also directed staff to review project options with the Parks and Recreation Commission and HPC; currently the project is funded with \$949,380. That is not what we are going to end up with for whatever this body recommends and what city Council will approve; of that money staff estimates \$100,000 will be used for environmental review and another \$30,000 will be spent for the purchase of that bracing. In April 2018 the Parks and Recreation Commission recommended the structure be removed and that the building materials be salvaged cost permitting and whatever remaining project funds there are be spent on site improvements at other historical sites in the City. Considering the recommendation of the Parks and Recreation Commission even with the salvage possibilities, the removal of the structure does trigger environmental review due to its historic designation as a landmark; the cost for the required environmental process ranges from \$80,000 to \$100,000 and could take approx. six months to a year to complete. After Parks and Rec made their recommendation, City Staff worked with the state office of historic preservation requested that the historic designation be removed, that request if granted would have enable the City to utilize more of the insurance proceeds for the City's public historic buildings that have significant maintenance needs; unfortunately after review of the documents and photos and after several conversations the request was denied, so as a result an environmental review must be completed. Good Segway into the discussion of the environmental review....what he presented at the last meeting was 11 total options, we did get a request to add a 12<sup>th</sup> option; that option has been added; as staff understood was to preserve and reconstruct the east wall (east elevation) – the rough cost estimate of \$646,716 would to reconstruct that east wall and some length of the return walls on either side to help with stabilization.

Commissioner Kercheval if there is some option chosen where the stables was kept a portion of it or the entire thing, the EIR would not have to be done or there's an EIR no matter what choice we do.

Sara (with Best, Best and Krieger for 6 years now, degree in American History with a focus on architecture from the University of Chicago and when she started her career she spent 5 years as Counsel to the San Francisco Landmark association advisory board and honestly historic buildings are her favorite thing on earth; she commented Pomona has a very pretty one, because its unreinforced masonry and in earthquake land has suffered. She provided the CEQA view on this (what she does daily). The way CEQA works as to historic resources, the designation of the property as a Nationally Registered property makes it a "per se" meaning as a matter of law historic resource, so to the extent under CEQA that any proposed project will result in a significant adverse effect to the environment that requires either mitigation or an EIR. The way CEQA measure whether there has been a significant impact to a historic resource is by asking whether there has been a material adverse change in those elements which contribute to the building's significance. So to give you a silly example – If you had a historic building and all you lost was the bare walls, well perhaps you might not of lost the material or significant elements of the building, so you might need to do an environmental impact report (EIR), you might do an exemption or a lesser document called a negative declaration. The more material aspects of the historic resource are lost then the more likely an expert is going to find there has been a significant adverse impact to the historic resource and require either mitigation or require the preparation of a new environmental impact report and the designation of the significant and unavoidable impacts. Looking at your options, many of them would remove the structure and place bricks at an offsite location, generally speaking almost all of those options would result in significant adverse impacts to the historic resource and require that an EIR which is the \$80,000-100,000 cost document; be prepared mitigation as feasible recommended and any significant and unavoidable impacts disclosed before the approval of any projects that would result in these significant impacts. You do have two options that perhaps would not required an EIR, the first is construction to stop further deterioration (the \$3 million dollar option) and preservation and reconstruction in place including improvements to make space usable, assuming that is done consistent with the Secretary of the Interior standards for historic preservation, that options (\$5 million dollar option) likely also would not require preparation of an environmental impact report, but be very general about it, but safely the rest of the options, even with some preservation likely would result in the loss of materially significant pieces of the building and therefore would require preparation of what she would call a "focused EIR" meaning we are not concerns about impacts to agricultural resources or mineral resources or noise or transportation, so you would do a focused EIR looking at the impacts to this historic structure. That's the big picture, but she is here to answer any questions they might have about this.

Commissioner Kercheval asked Sara to comment on Option 12.

Rene read Option 12 aloud for the attorney's purpose; Its preservation and reconstruction of the east elevation and north and south return of 8 feet; basically reconstructing the east wall and then reconstruction at least 8 feet of the two side walls to help hold up that east wall.

Sara replied think of it like a mathematical equation; you would look at the National Register (she believes your building has also been designated as a local landmark), you would look at those documents and you would look to see if you are preserving through that option the aspects of the building which justify its listing on the National Register or its listing as a local landmark. If you were preserving those material aspects of the building you might not need an EIR. She doesn't know because she doesn't have the National Register documentation or the local designation documentation, if that would be sufficient to preserve the material aspects of the structure, but if were, the yes you might be able to avoid an EIR, if you preserve those material aspects. She can't guarantee it. You would probably still need to do some level of CEQA. Would it be an exemption? Which is the cheapest, she doesn't know. You would certainly need to have some kind of historic resources study done no matter what to confirm your choice. Are those things that made the building special to be designated going to be saved, if they are, that's great and really helpful and you may avoid an EIR, but if you are losing too many aspects of the building to justify its historic status then you still need to do an EIR.

Commissioner Gonzalez asked who would make that determination if we chose Option 12 that the part of the building that we were saving has significance to the building; who makes that decision? Does the HPC?

Sara replied its going to be a multi-part decision. First, she would recommend that the City retain a historic resource consultant to provide their expert opinion based on the scope of the projects that you have proposed. Once they have made their decision, then the final call belongs to the City of Pomona. In other words you are the lead agency,

when she says the City of Pomona she means your Commission and any other relevant City Commission as they make recommendations to the highest decision making body, which in Pomona is the City Council and then you would decide whether the expert advice you received and staff advice you received led to conclude that the building would retain its historic significance and therefore could be processed by a categorical exemption or a mitigation negative declaration. Typically that process doesn't go all the way up to City Council, usually it's a discussion between staff and the historic resources expert, but she can see them seeking Counsel from your expert and any other expert.

Commissioner Tomkins asked a question about CEQA but historic preservation and our ordinance because in general if the City or if this was a private party who wanted to demolish a historic structure they would have to come before this Commission for a demolition COA and so is that the case here, where it's City property and would we treat the City the way we would treat any other applicant? For example we have a section of our ordinance on de-listing a property, we have a section on demolition, we have a section on if there is economic hardship. We would be applying those to the City the same as any other applicant?

Sara replied that is a two-part question. Even if you processing a COA for demolition, locally – she admitted she is not an expert if your local COA process, you would still need to do CEQA to process the COA. So the fact that you might be processing it through your local landmark ordinance and allowing the demolition, its still a national registered structure and you'd still have to do environmental review commensurate to the level of demolition your proposing.

Marco stated the other difference in that hypothetical is that the property owner that is coming to you with the project has already determined what the project is. The difference we have here is that you've got 12 options and haven't determined what the project is, so we can't go forward with CEQA until we know what the project is.

Sara in the same way that an applicant couldn't submit an application for COA until they decided what they wanted to do with their property.

Commissioner Tomkins stated she was thinking if they are going to recommend an option that is then going to have to come back to us and the Commission must deny it because we can't approve it under our code, it might look a little silly.

Commissioner Kercheval asked if Sara was going to provide an explanation of CEQA; can you back up a little bit and just tell me in 1970 when this was started what was the point? Help him understand why CEQA is helping him as a common citizen, instead of being a hindrance.

Sara replied...the story begins with Ronald Reagan. He signed CEQA into law in California, but when he signed it into law he thought it would only apply to buildings owned by public agencies (it would have included your stables), he thought it was a way to reign in public spending on new projects and a few years later the Supreme Court of California stated they felt it applies to all buildings, public or private; California legislature at that time agreed with the Supreme Court and the amended CEQA so now it applies to all projects, public and private in California. The most useful way she has heard it described (helpful in thinking CEQA vs. Permits), is that CEQA is not a permit to do anything, CEQA is an informational process you have to go through before you decide you want to say yes or no to a permit. She stated of course if you want to say no to a permit, you don't have to do CEQA first because you are saying no so what's the point, but if you want to say yes with any conditions or mitigations you have to do CEQA first and what CEQA means (California Environmental Quality Act) is "the idea is to rub the environmental impacts in the faces of your public elected decision maker, so that when they vote yay or nay on the project, the public knows they are voting yay or nay on these impacts". In other words know what the impacts are before you vote on them, make public what the impacts are before you vote on them. However, CEQA does have a couple of ways of improving a project. The idea is maybe I propose a project, but I propose it in a way that it qualifies for what we call a categorical exemption, meaning the state has decided this kind of a project is so minor we don't think its going to impact the environment; a classic example would be 1 single-family home; we think those are exempt from CEQA. The other thing CEQA does, it says you public agency before you yay or nay to a project that its exempt, you need to adopt all feasible mitigations and mitigations is harder for historic structures than for other types of projects; probably the mitigation you are most familiar with is dust control for the construction of the new building or traffic improvements (road widening) around a new development. That's all considered to be mitigation to reduce the impacts of the project on the environment or maybe a sound wall because the new project is going to be noisy and we want to keep it from impacting other people, so we are going to make them build a brick sound

wall or something to protect the rest of the community from sound. That's CEQA you can say yes or no but first you have to disclose the environmental impacts in your project, have your nose rubbed in and adopt all feasible mitigation. When she says feasible, technically possible, legally possible, economically possible; a classic example of an infeasible mitigation measure would be a sound wall where you can't build the whole wall because you don't own all the property and a sound wall with big gaps in it doesn't protect you from noise. The idea of CEQA is to disclose, disclose, mitigate as best you can and then vote yes or no.

Marco stated there could be circumstances even with an EIR that you identify impacts that cannot be mitigated at all, you've looked at every potential option and there is just not a way to mitigate the impact because there are not mitigation measures or the mitigation measures are infeasible, that still doesn't mean you can't approve the project. You can still approve the project.

Sara stated that would be called a significant and unavoidable impact.

Marco stated in those cases you can still move forward and approve the project even though you find that there are impacts that cannot be mitigated, but you have to inform the public why you are doing that through a "statement of overriding considerations"; He asked Sara to explain.

Sara explained... you are rubbing the decision makers nose in the phases of impact of the impacts and they respond by adopting what we call a SOC or statement of overriding considerations; this statement is not about the environmental impacts of the project, it's about what the public entity considers to be the benefit of the project; so it says we disclosed all the impacts, we've mitigated everything we could but there is still some significant and unavoidable impacts that we can't feasibly mitigate and so we are going to say that we are going to override those impacts by declaring that there are all these benefits to the public of the project and that those benefits warrant us continuing on and approving the project, even though it will have some unavoidable unmitigable impacts.

Commissioner Tomkins replied she understands it, but is struggling to look through these options and figure out and actually apply it to this situation with the stables. For example, one of these options would be to adaptively reuse the stables for office space. That would preserve it, so then probably we would not need an EIR for that one.

Sara replied you may think so, but that may not be true. She stopped Commissioner Tomkins here because there are a lot of controversies in the historic resource world about adaptive reuse. Some people feel and some experts feel that the amount of adaptation that needs to be done to make a building usable again, destroys its features; so it isn't always guaranteed that just because you preserve it for reuse that you are still not destroying the material aspects of the building that make it historically significant; grant you its likely you are preserving it, but she can't guarantee it.

Commissioner Tomkins replied that's a dispute over whether you have complied with the Secretary of the Interior standards, right?

Sara right, that again is an expert determination.

Commissioner Tomkins stated one of the other options that they have here is actually taking the stables down and relocating them on another site. She understands that's not from a historic preservation perspective the ideal, so say that option was chosen.

Sara replied if the relocation happens depending on your experts support for it and the degree to which its site was critical to its designation, it may or may not be considered a significant impact, even with relocation. In this case, she has read the staff report and she doesn't know where the new location might be, but she wouldn't guarantee that relocating the entire structure would be no significant impact.

Commissioner Tomkins stated moving it would be an impact. So what would the cities obligation be then to mitigate that impact?

Sara replied you can't and that is the one thing that's unique about historic resources; that's why we know that demolition is a per se significant impact.



Commissioner Tomkins stated but the issue then is how would you; if there is not feasible... the only reason why we can't restore it is money is the bottom line, so are you saying we can just say it's not financially feasible to restore the building and therefore we can destroy it.

Sara replied she is working with some generalities, but yes, economic feasibility is around for finding mitigation to be infeasible. For instance, if you did an EIR for demolition, one of your alternatives might be preservation, but preservation though not significant in its impact, but be economically infeasible. Now it's often difficult for a private project to demonstrate economic infeasibility, but it is not difficult for a public agency to demonstrate it, because its bank accounts are public record. What it has available to it and doesn't is a matter of public disclosure and if it literally cannot find the funds to preserve the building, then that would be the definition of economic infeasibility.

Commissioner Tomkins confirmed it is easier for a public entity to say that they don't have the money, even though, it's just a political decision not to spend the money that way.

Commissioner Kercheval asked wouldn't it be the other way around.

Sara replied it would only be a political decision in a sense that public law, once you designate money for A you can't just move it B. for instance the City has committed monies to roadway improvements and approved this, it can't suddenly move that money somewhere else.

Commissioner Tomkins reflecting on their recent election where we were looking at a \$10 million structural deficit and passed a tax measure is going to bring a lot more money in and trying to think of that in the context of saying we don't have any money.

Sara replied that everything is evidentiary based; she is not telling you, you don't have money, she is saying that is typically what might be the grounds for rejecting a mitigation measure, if you are a public agency and you don't have the money.

Anita stated it can also be that maybe the City has other priorities that the City wanted to spend on.

Commissioner Tomkins stated that is a good point and takes us back to the idea of taking the money and applying it to other historic sites. How does that fall under the CEQA?

Sara replied it would not be considered.

Commissioner Kercheval asked...let's say we were to do option 12 hypothetically and put a structure behind it, like a steel building right behind it, that it would retain its original use as a warehouse/stables. He is wondering if the Dept. of Interior Standards, he has seen phrasing before where when you put old with new or reuse that the Dept. of Interior it says something along the lines...it comes up in other things we've done in the City (house addition on a historic home, in a historic district), the Dept of the Interior says along the lines of it cannot match, you have to be able to tell there is a difference. He finds this troubling because the new materials scream out its new, but wondering why the Dept. of Interior doesn't want it exactly the same and in this case with the stables, does this apply as well.

Sara replied. Spoke about false historicity; in other words the dept. of interior doesn't want us to fake it. Knox, secretary of historic preservation officer for the State of CA several years ago, she went to a lecture on false historicity and if you think about it this way its simpler; you don't want to see Mt. Vernon but its all made out of plastic, in other words, its historic if its real, but what's not historic should be clearly distinguishable from what is historic. Now you can absolutely put that addition on the house, as long as it's clear that's it's an addition and it doesn't impair the historic nature of the rest of the house or the city decides they are ok with it being impaired. An example in the bay area was the ferry plaza building was stored with space false bricks because you can't build anything with brick anymore, so they put false brick and the secretary of the interior had a fit; because that call that false historicity. So that's the idea, it doesn't have to be incompatible with the rest of the building, for instance the steel building Commissioner Kercheval mentioned could be in complimentary color, complimentary style, but it has to be clearly distinct.

Commissioner Gonzalez commented part of the reason they do that as well is that there is not confusion what is the significantly historical building versus what is the modern addition, that is part of the reason that is in place, so there is a visual designation for somebody that would walk by; most laypeople don't even notice it (siding 1/2" versus 5/8") but anybody that understand the structure of the building itself would see that significance and see the change that's there.

Chair Martin asked Rene have they torn down the two story water building that's all made out of steel and metal.

Rene replied that has not been torn down yet.

Chair Martin stated that is part of the designation that is going to get torn down in the near future for mitigation for contamination underneath there; so that building is substantial size and the steel that holds it together is beyond description, that type of example that was built... this building was in the 20's 30's and on the same property, it has to be demoed because of the mitigation of contamination, so if that portion of the structure is moved to property site where the stables are, would that declare ....she knows it wouldn't be historically exact, it would be another historic pieces of that whole property and you put it together and make the brick design on the exterior look the same as the original, how does that go under the description you were just saying, because its not new, its old and historical on the same property, but it has to be demoed and its not designated.

Sara replied there are two issues here; 1) CEQA has an exemption because the public would be in danger; there are provision for emergencies that applies to the building you are discussing. If you will manage the two historic structures together wouldn't be any different than putting a fake building behind the historic building.

Commissioner Kercheval asked...lead agency for CEQA; in this case is the City of Pomona or the Planning Division the lead agency on this and they are the ones who conduct the EIR and they are the ones that are getting paid? Who's getting paid the \$100,000?

Sara replied under CEQA the lead agency is either the agency issuing the permit or the agency carrying out the project. In this case, Pomona is issuing the permit and carrying out the project; typically when it comes to preparation of the CEQA documents, the city isn't getting paid anything because they are hiring an outside consultant unless they have a massive in house Planning Division that can prepare an EIR, but that is very rare, so typically that money is paid to a bid out selected environmental consultant.

Anita confirmed that would be the case in this situation, correct City of Pomona is the lead agency.

Commissioner Kercheval confirmed the lead agency on the stables is not the state, when it comes to the historic designation.

Sara replied no; a good moment to tell a sad story. California has absolutely no laws in place which prevent on a statewide level the demolition of historic structures. There is a state law that requires a special process for the demolition of state owned historic structures and then you the City of Pomona have your local law, your COA process is very similar to San Francisco's but CEQA itself absolutely does not preclude the demolition because its not a permitting law. It does not prevent a lead agency from authorizing the demolition of a historic structure.

Commissioner Kercheval replied isn't there legal counsel going to stop them, don't they have to fulfill the CEQA law.

Sara yes, but going back to our concept of significant and unavoidable impacts, if the City prepares the EIR and supports that the demolition of the building is the significant and unavoidable impact to historic resources the City can still approve the demolition if they adopt a statement of overriding considerations based on the benefit of the project to the City.

Marco stated there could be instances not relating to historic preservation or maybe with historic preservation but there are instances in which other agencies also have to issue a permit and in those cases while the City of Pomona may be the lead agency those other agencies, because they also have to issue a permit (ex: Cal Trans), they will use the CEQA document (they are called a responsible agency) that's prepared by the City of Pomona as the lead agency to justify the issuance of their permit as well, that could happen.

Sara talking about CEQA and she keeps talking projects...she wants to be really clear that until you know what the project is you don't know what the CEQA is, unless you select an option to study you don't know what the CEQA will be.

Chair Martin thanked Sara

Anita asked if the Commission wished for Sara to stay on the phone while they close out the item.

Chair Martin asked that Sara stay on the phone, because they have public comment and perhaps you have an answer.

**Mr. Ion,** he thought about this and knows there is going to be a lot of developments downtown in Pomona in the near future and hopefully your group get their crap together and does actually builds something; seeing as that might be the case, we might be able to use that façade on wone of the buildings, perhaps where the hole is right now or some other place downtown and incorporate it into a project because they seem to now have a project just yet. He likes to propose that as an option and keep one of those bells to put in front of such a façade one of the faces of one of the buildings that might go downtown, that would be a very attractive way to preserve and maintain some of the stables and make them more visible to public. He had a couple more recommendations 1) The City put up on those Bear signs with historical sights on the freeway, we don't have any that he has seen and the City has quite a number of historical buildings in this town that nobody knows about. 2) He suggested charging developers some kind of fee per square foot for historical preservation, maybe a .25 or .50, that would go to fund historical sites and buildings in Pomona because we have a lot of builders here and we are about to increase fees with Parks and Rec because they were only charging \$600 as of the 80's and time has passes and they can't afford to keep our parks. Maybe a small fee can be attached to every development in Pomona in real estate or commercial, that would perhaps mitigate a small cost of historical preservation of buildings, because we have a lot of historical buildings.

Chair Martin replied they do that with public art.

Mike Schowalter; no longer in attendance.

**Debra Clifford,** President of the Historic Society of Pomona Valley; the hardest part with this building is how long its been on the red tag list. It was red tagged in 1975 for 43 years you have had City Council after City Council, Mayor after Mayor ignore it because they didn't have the money of the will or the focus, whatever you want to say and now you have a what is a pile of bricks and I get why Mickey Gallivan wanted it on the historic register, that last hope, if there was somebody out there who could save it, because it looks like it was a cool building. The challenge now, after the rain in 2016, is that its really becoming cool pile of bricks and to take it down and to keep enough to make a small building or to put up a wall, the City still doesn't have the money, not a lot of it anyway nor do they have the will and so what do you do? The Tessiers, Spectra they looked at that building after the 2016 rain, shook their heads and walked away. The only way they would look at it from what I hear, is if the City paid them \$3-\$4 to put it back together, which we don't have. To put all the brick away to stack it and save it, who's going to come help that building. Historic...you could give me \$5 million dollars (City calculation) and she would still not have a cent left over to spend on that stable building; \$5 million just to pull everything back. That's a side issue, but there is such deep need. She doesn't see anybody coming. They went to State senators, they went to assemblymen, they combed the state of California looking for something that would hold this building backup and restore it to its former glory, they found nothing. So that as you think about these pieces, the last thing she would like the HPC to do is recommend something that will cost the City more money than they have in the insurance pot, because they can't afford it. If you choose between the stables for additional money or do you ask for more policeman; do you chose the stables, or do you fill potholes. If you think of the need in the City and the tax increase, it's huge. You have such a limited pot of money, choose wisely. Regardless of what happens with historic and all the other buildings, choose wisely.

**Chair Martin closed the public hearing.**

Commissioner Tomkins asked if they were at the stage of making recommendations of what we want to recommend to the City Council.

Chair Martin replied if we want to make a recommendation tonight, with a second for the future of the stables or we can do a recommendation to table it for one more month, so that Counsel can come back to confirm that the other two board members are legally able to sit here or not. She wants input from all of you.

Commissioner Tomkins stated she wanted a little more information...at the last meeting they spoke about the other office building that was going to be demolished for the water department. As she remembers when they came before the HPC they were going to have office space, they were building a new building, what is the status of that. She thought she heard something about the fact that they got an estimate for the cost of that space. Do we know what the size of the space is and the cost is?

Rene replied he doesn't have that information, it is a project that is being managed by a different department; the Water resources Department. The construction plans for that building are at a 30% level, right now and what they did once they reached 30% is they went out for bids from design builders, they were looking for consultants that could finish the design and also construct it the same entity and the lowest proposal was millions of dollars over their budget, so they are in the process right now of working with the consultants to see if they can sharpen pencils more, in the meanwhile there is some litigation of some soil contamination, so they are in the process of doing that, but they are no where near final plans or construction.

Commissioner Tomkins commented from her perspective, she thinks that is something we should look and see if there is a possibility that the stables could be repurposed for office space for our own employees that are right nearby there, as one option. She is not saying it's the option we should choose, because we don't have any information as to what kind of budget they are looking at. If we are looking at it being \$5 million dollars to fix this building and maybe to convert it to a high-tech office space or whatever they need and we say no we don't have that money and then we turn around spend more than that on new office space for the Water Dept. she thinks you are going to get some backlash and if this is going to take a year anyways; she doesn't know where this stands compared to that and its something that didn't come up at the City Council meeting, the idea of that office space...she's not saying it's feasible or her choice, but its one of the options the City Council might want to look at. She also thinks that using it as office space for City workers, the location is such, that it's not worth the money to spend millions of dollars to put it back and just sit there and not be really used, in her view; so she'd be more inclined to look at the option of taking it down in a way that it could be put back together and putting it out there for somebody who might want to put it back together and make it available and if they don't then make bricks available for other projects. That's where she is leaning. She thinks ideally it would be best to keep the stables, because part of when it was registered was being City used on the City yard and that was part of what it was, yes it was Stables but over time it was used for different city purposes. Her first choice would be to use the building for city purposes.

Chair Martin asked Rene...that part of the property is more for the Public Works side (streets, sanitation) employees, they are not the ones looking for the new building, it's the Water Dept. correct?

Rene replied that is correct; so logically the Water Resources Dept. where it sits right now on the yard is completely on the opposite side of the yard than where these tables are at, so to reconstruct the stables potentially and have the Water Resources Dept. use that building instead of them spending Millions more on a brand new building; logically may not work for them and he also thinks financially, Water Resources Dept. their enterprise funded and it's a completely different world of funding and finances than it is with Public Works and the City; not that they are not a separate entity unto themselves, its just a different source of money and how their budget works and what kinds of money they are using for their project he doesn't know, but there is issues logically with potentially using that stables building for Water Resources that probably would not make it feasible.

Commissioner Tomkins clarified it is the City that owns all of that land; Water Dept. and Public Works.

Rene replied that's correct.

Commissioner Gonzalez (confirmed) agreed with Commissioner Tomkins; she is not intimately familiar with the entire parcel, but she thinks people move offices all the time and she doesn't know if it would be a huge inconvenience, but she agrees because it would be quite a frustrating experience to know that on the same parcel of land we have spent millions of dollar to construct a brand new building that has no historical signification to our community and the history of our community and we have allowed another one to just decompose (demolition by neglect). She agrees this is something to explore and she really thinks as a Committee (Commission) we haven't come together, other than our discussion at the last meeting and this discussion to really come up with what we would like to see and she thinks we should have a sub-committee come together to come up with our own suggestions for what we could do with this building and whether it be at the location its at or not, she personally believe that the building should, if we are going to save it, we should try and relocate it to an area where it can actually be used by the public and it can generate income and profitability to pay for itself. She thinks there is some

significance to the location; she doesn't think it's the most significant thing about the building. She thinks architecturally speaking, the architect and what it was built for at the time it was built speaks to more of that so she thinks they could find reason to potentially relocate the building or a façade of the building to another part of our City, but her main recommendation is to create a sub-committee to come up with own solutions and ideas we can present back to the HPC and City Council.

Commissioner Kercheval stated he likes the sub-committee idea because it just needs a little bit more discussion that we can put our heads together on this. While he recused himself he was thinking about this a little bit and the possibilities, but before he goes on with that. He was wondering if he could share...we never received the revised version in our package, wondering what Option 12 would cost to have the main East wall and some supporting wall left behind.

Rene replied the rough cost estimate comes out to \$646,716 to preserve and reconstruct the East Wall, east façade, east elevation and then some length of both side walls to help in keeping that façade up. It will probably include some bracing internally.

Commissioner Kercheval wondered if there was a possibility of squeezing in some type of steel building behind it to create a warehouse on site and the use it would have is a repository for salvaged items from all the homes that we demo in the City and it'd be a place where siding, wood floors, doors, hinges, hardware and all those things could be kept in an environment that's a warehouse, it's not a place to office, no A/C, no HVAC, there's an exhaust fan to get the heat out in the summer, but it's a bare bones warehouse, but it has a use where it promotes...its green in nature, cause its recycling, put solar panels on the roof, so it doesn't have an electric bill, it seems like there would be a way to create a place when people think where do we put and store the things that are precious to us and we have access to; like this ADU that came up, wouldn't it be great to take some of the artifacts that are from that warehouse and put them back into the district that these infills are happening. The \$600,000 sound like if they sharpened their pencils, they could get a steel building in that and we could actually...and would this thing generate some income too?

Commissioner Gonzalez like the old Riverside Foundation.

Commissioner Kercheval exactly... he was in LA last week and he went to an architectural salvage and they are making hand over fist just on a profit motive. He is just wondering for us, even it was non-profit. He asked Sara if something like that was proposed, there is no way to know what the CEQA is until we choose, but what do you think the outcomes when it comes to CEQA.

Sara replied if you are preserving three walls of the building and putting another building behind it, its quite possible that you might need an EIR you might be able to do a mitigated negative declaration, because there is a finding by our historic resources expert that the historic aspects of the building have not been significantly impacted, but she can't guarantee that and it could go the opposite, even with that new steel structure and warehouse its still bound to be significant and unavoidable impact.

Chair Martin thanked Sara for her input and Sara left the meeting.

Chair Martin asked if Commissioners would like to have tour of the property.

Commissioner Kercheval replied not a tour, he was thinking a sub-committee.

Chair Martin clarified to see the steel building she is talking about that they are going to have to tear down; it's on the same site. She really would like for all the Commissioners to see it.

Commissioner Kercheval asked what steel building.

Chair Martin replied the one that's on the water property and its approximately 400 feet from the stables.

Commissioner Kercheval reported he looked at that building when it came before the Commissioner before; he's walked through the entire building and saw it and it's a great building. He doesn't understand how that applies to this.

Chair Martin replied because you are talking about a steel building and that's going to be demoed and that would be a reuse of materials.

Commissioner Kercheval stated there is enough materials on the site currently with the stables, if we only kept the three walls and tastefully put a steel building within the three walls, then we don't know to ship in more bricks from the other site.

Chair Martin replied she is not talking about bricks; it's a solid steel building.

Commissioner Gonzalez confirmed talking that steel building and reusing it.

Commissioner Kercheval if that's possible yes; instead of building a new steel building your want to modify the old and bring it over and use the materials.

Chair Martin, possibly; reassembling it.

Commissioner Kercheval just being a layperson, it seems like it would be more expensive option, but certainly willing to entertain it.

Chair Martin it's not about having a more expensive option, it's just an option to reuse steel beams. She'd love to Commissioner Gonzalez and Tomkins to see it. She is having this feeling, she sees three people who want to be on the sub-committee, but she would like to ask who would like to be on it.

Marco interjected they need to agendize the fact that they are creating a sub-committee or an adhoc committee in this case.

Commissioner Kercheval asked Marco go guide them through the process so they do it properly.

Marco recommended directing staff to bring this back at your next meeting, with both options (just in case) of either making a determination regarding the list or creating an adhoc committee and then you would give that adhoc committee direction on you want them to bring back to you as far as recommendations; he reported by calling it a sub-committee it has more jurisdiction than it does, which means that the Brown Act requirements all apply, which means that we have to have an agenda every time the sub-committee meets, but calling it an adhoc committee its much less formal and its not going to have its meeting schedule established by this body, and its going to have very limited subject matter jurisdiction, meaning just this one issue, so the proper term is adhoc committee.

Commissioner Tomkins asked if it's adhoc can they do it now, or do they have to agendize it.

Marco replied they still must agendize it.

Chair Martin requested to have the creation of an adhoc committee agendize for next month.

Commissioner Kercheval asked if they are up against any deadlines, is this pushing anything back? And is your consultant, pressing on him, are adhoc committee comes up with this is what we really want to do, it may have some costs, correct?

Rene replied more than likely incur additional costs that would just come from this pot of money, which would then reduce the amount of money you have to play with; but if we are talking about options that are viable but may go beyond the budget or maybe there is another source of money you recommend and ask Council to find; but yes, we may incur additional costs from the consultant.

Commissioner Kercheval is wondering are we just pie in the sky, you said \$600 in change, if we get something close to that, he would want to stay under the \$800 at this point, its somewhat feasible.

Rene it could be.

Commissioner Kercheval stated doesn't want to do an adhoc if we are this would be great and then told we don't have the money and then be told we have to go find money, which is not going to happen.

Rene replied it could be feasible, he doesn't know. He'd have to rely on the consultant to help us come up with that estimate again to see what that is. He doesn't have the expertise to tell you if adding a steel building or relocating a steel building only going to \$150K therefore you are still under the budget...he can't do that.

Commissioner Kercheval asked if the adhoc would happen as part of next HPC meeting or separate.  
Chair Martin replied it would be separate meetings, but it will be voted on publicly who is going to sit on it.  
Anita stated March 6<sup>th</sup>, they will put on the agenda adhoc committee you would be able to select the members at that item, in between that meeting and April 3<sup>rd</sup> you would hold you adhoc committee meetings.

Marco or you would just continue with the discussion or decide regarding the options; both options would be on the table.

Commissioner Kercheval stated he doesn't think anyone on the Commission likes the options at this point in their current state.

Anita replied they will put this on the agenda.

Marco asked the Commission if they would want Sara available at the next meeting.  
Chair Martin replied yes, if the remaining commissioners can sit it.  
Commissioner Tomkins stated any advice she can give regarding our options and the consequences would be helpful.

## **2. Status of adding finishing touches to the Lincoln Elementary School fence continued from January 16, 2019.**

Anita reported Commissioners Gallivan, Gomez and Williams rejoined the Commission at 9:51 p.m.

Anita provided an update; At the last meeting the Commissioner directed her to contact the school district to see if they can pursue another bid that was more feasible option. She did reach out to the School district, Fernando Meza, and he indicated that he did not know of any businesses in the area that could provide an estimate. He asked for recommendations from this Commission and if there are any he would be happy to pursue.

Chair Martin replied absolutely, they will bring them back and we will email them to Anita.

Anita replied she will pass them along to Mr. Meza.

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### ITEM H: HISTORIC PRESERVATION COMMISSION COMMUNICATION:

Commissioner Gomez spoke about the brief bio that was supposed to go into the booklet they had, she had some questions because there were some errors on a one.

Anita replied she going to comment on that during her communication; she stated there was discussion earlier that you had another noticing.

Commissioner Gomez not unless she let you guys know we have an upcoming event in March with the Historical Society.

Commissioner Williams reminded Commissioner Gomez it was about the thirty-day notice prior to demolition.

Commissioner Gomez replied yes.

Chair Martin stated what Commissioner Gomez was talking about is when we recommend a demolition and then it's going to be a notice....room went dark...it's about noticing the public for demolition.

Commissioner Gomez stated anytime a home is going to be demolished and it's a certain age that a letter was sent out to this Historical Preservation and the Historical Heritage and the Historical Society letting them know that there was there was salvage and the possibility of receiving that along with that, that any time there is a possibility of something being demoed we needed to be aware of those notices going out and that just means a letter to each one of us says the date and then we see that you have sent something out.

Anita clarified that in the past the Historical Societies were notified and they are currently not being notified?

Commissioner Gomez stated correct.

Anita replied she can establish a courtesy list, that has all of your addresses on it plus the three historical societies that you mentioned and we will add that to our labels, so anytime we sent out our 30-day notice for demolition the courtesy list will also receive that, which would be yourself and those three historical.

Commissioner Gomez stated the additional thing is that when something is presented that we clearly see the inside. That was something we have really pushed on; we need to see the interior photos in the presentations before they vote on demolition.

Anita replied staff will attempt to get those and more diligent to try and get those, it's not possible at every time, but we staff will attempt; she asked for the Commission to name the three historical bodies.

Commissioner Gomez replied the HPC (us!), Pomona Heritage, The Historical Society of Pomona Valley.  
Anita confirmed and will add to the courtesy list.

Commissioner Tomkins wanted to ask if there is a possibility of having a study session just devoted to ADU, because we still haven't gotten any information as to how many have been approved in our historic district.

Anita replied she has that and had a map created for them; there has been one officially approved and two are pending in the historical districts.

Commissioner Tomkins replied it's not that many.

Anita apologized, she created a map but forgot it, she will send that map to you all.

Commissioner Tomkins looking at what some of the other cities have done, there does seem to be some different viewpoints on what can and can't be done and so it would be useful to have a meeting that devoted just to that.

Anita replied they plan on bringing a discussion to the Planning Commission on February 13<sup>th</sup> regarding ADU's as well, we came here first. After we have that discussion with the Planning Commission we can come back to the HPC and do a study session. Would you want it take the entire Commission Hearing?

Chair Martin add to it...because she really feels the PC and the HPC are interlocking, it's a Citywide issue, so we need to come together to talk to options and create architectural ordinances for the historic districts and possibly something that can be an overlay of the entire city that can be an architectural design; they can have 1200 sq. ft. but if it's a residential area that is all one-story lets push it in the back, not up, so its doesn't start creating a new landscape for that residential area. Those kinds of things we need to know the legalities, if we can recommend architectural standards without taking away their opportunity, like you said before you brought in Santa Barbara's ordinance and Glendale's and so educating us and the PC together as a study session would be great, two in one, and make some recommendations and send it back. Are we going to have to hire a consultant to write up?

Anita replied they are hoping not to, to be able to do that in house.

Commissioner Tomkins agrees, one of the concerns she has is just clarifying what the rules are, because the 1200 sq. ft. is that only because we don't have an ordinance, can it be smaller if we did? We could limit it to make it more proportional to the existing home.



Anita replied, yes, you can limit the size that is within the purview to regulate within an ADU ordinance.

Chair Martin commented this is emergency level to start working on it, so as soon as possible.

Anita replied she understands that is why they brought it to the HPC last month; it's her priority and that is why she is taking it to the PC on February 13, 2019; so when she goes to the PC she will suggest a dual study session and they can organize.

Chair Martin asked to pick a date for the study session to take to the PC.

Anita asked the Commission to pick a month; March, April or May.

Discussion ensued about a date selection; the evening of April 17 suggested and most Commissioners agreed tentatively.

Commissioner Gomez when they are presented to us, they usually have District...now Sandra presented her's not only listing the District but she also listed the Council Person; on her PowerPoint presentation. On the past that was done and it really kinda puts you in the right District rather than just a number.

Anita replied if they would like to have that staff can certainly add that; she was taking it out to depoliticize it, he personally preference for staff reports done; if its helpful she can put it back in.

Commissioner Gomez replied she doesn't look at it as political she looks as historical.

Anita replied they can have that for the presentations they can add that back in.

Commissioner Gallivan at the last meeting (or meeting before); if we knew of properties had had trees removed that had never been replanted. He sent a list to Anita.

Anita confirmed she did receive them.

Chair Martin shared they have an adhoc committee comprised of herself and Commissioner Gallivan working on the historic policy of the trees in this historic district. With that said we wanted to update just one thing; we weren't able to add to the agenda, so if we can mention it tonight. It's in regard to removal of trees that aren't in a historic district. We really feel that trees that are older than 50 years are historical and if they are a specimen of trees that are on the list (i.e. Camphor tree removed a couple weeks ago and Councilwomen Cole was up on arms, because there is not permit process of it); we are thinking maybe we can do something to add to the policy that is being worked on, if the tree is over 50 years old and the diameter of the trunk of the tree is at least 20 inches, then it would require a permit and that would be city-wide. We already have a protection in place for the historic districts and that is 10 inches in diameter. We are making it a larger diameter and the tree canopy that we are losing on a monthly basis is scary, so this tree was 100% healthy (photos) and to staff (Anita confirmed Michael Sledd received them). The cities hands were tied because there is no protection. She requested to add this to the agenda for next month.

Commissioner Tomkins requested there be a requirement that trees that are removed be replaced, because we are losing a dramatic amount of our tree cover in the City right now because we don't have a replacement policy; we do have a requirement that they be replaced for public trees, but not for private trees and that's something she'd like to see in place quickly.

Anita stated she took the comment and will add discussion at next months meeting.

Chair Martin reported the conference will be coming up in March; they will have one more meeting before the conference, but wants to confirm who is going? Commissioners responded; she reported 6 out of 7 attending and Alice will let her know. She hasn't heard from Nancy to confirm anything.

Anita replied she will follow up and make sure she sends it out tomorrow; they have been reserved to the Commissioners that have responded to us.

Chair Martin reported she is going to work on taking a Metro-Link train (simple ride) and Anita will vouch for it; Anita Red-Line to the Blue-Line to the Expo Line; take it from North Pomona, leave at 5:30 AM or 6:00 AM and the difference between the two times is we will get there a little bit early before it starts if we leave at 5:30 a.m. and if we leave at the 6:00 p.m. time we will arrive right in front of USC at exactly 7:30 a.m.; and find the building from there, the train drop off is pretty much a straight walk; work on that next month to tentatively find out who wants to come on the train \$24 round trip.

Commissioner Gonzalez asked if there are any special classes we should be signing up for.

Anita replied you are just signing up for the conference, any tours, there are no other special classes, but tours are extra; so that would be at your own expense, but beyond that no.

Commissioner Kercheval stated the reason he is going, is he really want to make sure that our Body is more trained and the level of training increases. Can you continue to make us aware of those things as they come up? He is very motivated to get the training, because as he is filling his resume here, its pretty much is degree and that's it; its not in Urban Planning or architecture.

Anita replied she is happy that you are able to take advantage of the training opportunity, she will bring attention to more training opportunities with the caveat that we do have a limited training budget; she is trying to bump up that training budget for next fiscal year, but this probably the end of our expenditures for 2018-2019; so for 2019-2020 they will look for other opportunities; separately we should talk, were you planning to go with the City, because she didn't get a response back that you wanted to go.

Commissioner Kercheval replied he is checking on his work and he is good now.

Anita responded the date that we needed to reply by (Feb 1) for the rate, so let's talk separately.

Chair Martin brings it up...we need to update our city ordinance for demolition. Right now its pre 1945 and when we created that is was 50 years older (back in the 1990's) when we chose that date; so now what is 50 years old...we need a new date pre-??;

Anita asked if they could work it 50 years from the current date.

Chair Martin stated it's very important to update that; maybe next month you can bring back that information.

Anita replied they are doing a comprehensive zoning update to our entire zoning code; undertaking that effort in about a year and she thinks that would be the most appropriate time to address that recommendation, without having to bring a separate ordinance forward; she made a note.

Chair Martin the water department and Darron Poulsen are working to rehab the fountain in the Civic Center. He is going to be coming in sometime in the next couple months to get some input from the Commission; ideas without costing a million dollars. Whenever you have time, she encouraged them to walk by the large fountain next to the Court House and start thinking about it.

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ITEM I:  
PLANNING MANAGER COMMUNICATION:

Anita reported each Commissioner received a packet on your dais; it's for the annual report for the certified local governments' annual report and that allows the City to apply for grants. We did not submit one last year for 2017-2018 and she heard from various Commissioners that there was work done and almost being submitted, there was nothing submitted and so we are starting from scratch. We are behind on minutes, as many of you have mentioned before. We are putting those together; We have one that was approved today and then we are vigorously working to put together draft minutes that we will submit for the package as well, so we are getting caught up for the whole year. There are 10 that we are doing and then we will be bringing those to you in March; we will be submitting a draft minutes, but what we need from you is...within each of your packets there is a form for you to list your professional discipline, resume attach if you have it and then there's a description of any types of training you have received. Additionally, in your packet there

is a sample resume, staff in order to provide something that was more uniform...she believes the last time things were collected, it was in various forms, so staff put together a standard resume template and put in what information we had. The ones that do have a draft is based on any information we previously had and that's all we had, so if you have more information please add, if you see any inconsistencies or errors please make note (handwrite) and hand it back or email it back, whichever is easiest, and they do need it back fairly quickly. Our deadline to submit this is February 15, 2019 (next week), so we are trying to get this in so we are doing as much as we can from our end, but we need some information from you. The last page is statement of qualification which simply a yes or no question and then summarize any qualifying education, professional experience or attached a resume. Please return as soon as possible.

Commissioner Gomez actually dates of training that we did submit was not there.

Anita shared she understands they may have submitted information in the past, but all she has information that Commissioner Tomkins provided for an annual report in 2011, she thinks that is the last time they did one, but there is all new Commissioners from that time, so if there was information you submitted we don't have it. Please resubmit.

1. Minor Certificates of Appropriateness for January 2018.

Commissioner Tomkins commented she thinks there are more minor COA than what is being listed on this list.

Anita replied they use their energov permitting system and that is what they have in the timeframe.

Commissioner Tomkins replied that is something they need to address, because she has seen a lot of projects in that month going on.

Anita replied just because they are going on in that month, doesn't mean they were approved within that timeframe.

Commissioner Tomkins replied that raises an issue because most of the work in the City isn't getting a COA, so we need to come up with a process for how to deal with that then, because there is a lot of work going on and they are not getting COA's.

Anita replied it would be a code violation and the remedy would be to pursue a major COA.

Commissioner Tomkins replied, right, so every time we see work we have to call code enforcement

Anita if you believe it is not being done legally, code enforcement is the mechanism to cite for that.

Commissioner Tomkins stated she thinks they want to develop a different process, but we can bring it up at the next meeting.

Commissioner Gallivan commented at one time before they redid the sound walls...on the interstate 10 we used to have signs that pointed to our historical sites, when they put up the sound barriers they got rid of those; so things like the Palomares Adobe used to have signs that were there, which should be put back up again.

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ADJOURNMENT:

Chair Martin adjourned the meeting at 10:24 p.m. to the next regularly scheduled meeting of the Historic Preservation Commission on March 6, 2019 at 7:00 p.m. in the City Council Chambers.

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Anita Gutierrez, AICP  
Acting Development Services Director

Jessica Thorndike, Transcriber

The minutes of this meeting are filed in the Planning Division of City Hall, located 505 South Garey Avenue, Pomona, CA, 91766.