

OFFICIAL MINUTES
POMONA HISTORIC PRESERVATION COMMISSION
MAY 15, 2019

A. CALL TO ORDER:

The Historic Preservation Commission meeting was called to order at 6:05 p.m. by Chair Debra Martin

Chair Martin made it clear for the record that this Historic Preservation Commission meeting is being conducted pursuant to the Brown Act of teleconferencing provisions, Commissioner Ann Tomkins is at the following location; 15415 35th Avenue West, G104 in Linwood, WA 98087 and will be participating by telephone.

C. 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 (participating by telephone), Jennifer Williams, Tamara Gonzalez, Alice R. Gomez.

COMMISSIONERS ABSENT:

None

Chair Martin asked Commissioner Tomkins the following questions:

- Can she hear? She responded she can hear but not very loud. Chair Martin requested the Commissioners, public, and staff speak loudly.
- Do you have a copy of the agenda for the meeting? Yes
- Have you posted the agenda at your location? Yes
- Is your location accessible to the public? Yes
- Is there any member of the public there with you who would like to participate in this meeting? No

Chair Martin asked her fellow Commissioners to comment if they have not been able to clearly hear Commissioner Tomkins. She stated hearing no comment the record shall reflect that all Commission members are able to hear Commission Tomkins clearly. She advised the Commissioners and the Historic Preservation Commission secretary that any votes take during this meeting shall be taken by roll call.

STAFF PRESENT:

Development Services Director Anita Gutierrez, Water & Wastewater Operations Director Darren Poulsen, Acting Public Works Director Rene Guerrero

ITEM D:

PUBLIC COMMENT:

None

ITEM E:

CONSENT CALENDAR:

1. Approval of draft Historic Preservation Commission Minutes for May 2, 2018, February 6, 2019 and March 6, 2019.

Commissioner Kercheval reported he was unable to review the minutes. He requested postpone the vote until the next meeting.

Chair Martin asked staff if there would be a problem with any vote tonight if the Commission postpones the approval of the minutes.

Development Services Director Gutierrez replied it wouldn't hold anything up on the agenda this evening. She noted May 2, 2018 is on the agenda to add the revisions that Commissioner Gallivan requested.

Chair Martin asked her colleagues if they would like to approve tonight or hold off until Commissioner Kercheval reads the minutes.

Commissioner Gallivan replied he reviewed the minutes and the addendum had requested was to his satisfaction, so he supports voting to approve.

Commissioner Williams stated she is fine with postponing if there are any specific minutes Commissioner Kercheval would like more time on. She commented the May 5, 2018 and February 6, 2019 minutes had been presented on previous agendas, so she would support making a motion on those dates.

Commissioner Gonzalez agreed with Commissioner Williams

Commissioner Tomkins stated she reviewed two of the minutes, March and the May and only got halfway through the February minutes. She reported she has a lot of typos and corrections and would prefer to wait until next time.

Chair Martin stated since there is more than one Commissioner who supports postponing, she will motion to continue this item until the June meeting.

Motion by Chair Martin, seconded by Commissioner Gallivan, carried by a unanimous vote of the members present (7-0-0-0), to continue this item to a date specified on June 5, 2019.

Roll Call Vote: Commissioner Tomkins – yes, Commissioner Martin – yes, Commissioner Gonzalez – yes, Commissioner Williams – yes, Commissioner Gomez – yes, Commissioner Gallivan – yes, Commissioner Kercheval – yes.

ITEM F:
HEARING ITEMS:

None

ITEM G:
DISCUSSION:

1. Discussion and consideration of the disposition of Pomona City Stables building, located at 636 West Monterey Avenue (*continued from April 3, 2019*).

Commissioner Williams recused herself from discussion of the City Stables. She asked if she would be permitted to sit in the lobby so she can hear what is going on.

Development Services Director Gutierrez replied yes. She reported there is a presentation on this item by the City Stables subcommittee. She asked if the Commissioners would like to see that before opening the public hearing. She confirmed Commissioner Tomkins received a copy of this presentation.

The City Stables subcommittee provided a presentation on this item.

- Commissioner Kercheval reported he, Tamara Gonzalez, Jim Gallivan met as an Ad-Hoc Committee to look over our findings and then we went on to do research.
- Commissioner Gonzalez added community representative Mickey Gallivan provided some consultation.
- Commissioner Kercheval stated the presentation is the conclusion of their research and walking the property.

- Commissioner Gonzalez reported the subcommittee met with people from the State Historic Office, architecture resources group and several other historians throughout the Southern California region to gain a better understanding of what the Commission can do to drive home the need to save this building. She stated they are calling the presentation "Save our Stable" also known as S.O.S.
 - She shared specifications directly from Ferdinand Davis himself indicate what materials were supposed to be used in the building (measurements, concrete thickness). She commented this is a great building block for the City to use in order to rebuild the structure. She stated they have all the tools they need in terms of historical accuracy.
 - She reported the City has accurate and original blueprints of the building that specify how the copulas are made and how the barriers to the stall are to be made. She stated this is a great architectural resource that most cities don't have the luxury of obtaining. She noted these items will reinforce the historical appropriateness and accuracy of the building.
 - She stated the historic City Stables have been neglected for over fifty years by our City and have not been demolished due to the designation in 2004 by concerned citizens.
 - She commented the City Public Works Department has allowed the stables to be benignly mistreated by employees in the yard and the Water Department and Public Works staff leadership need to understand the value of reuse of the stables.
 - She displayed some pictures of the current condition, as well as, materials that are dumped around the stables. She pointed out two of the original window frames that can be used to adaptively reuse the building to show what the windows would have looked like in the original setting.
 - She shared a picture showing some of the early caving in of the brick structure before they lost the east end.
- Commissioner Kercheval presented next.
 - He commented how ironic it was that the recycling trucks are parked right next to the stables because the subcommittee feels supports a recycle and reuse the stables.
 - He shared details of a groundbreaking study done called *The Greenest Building*, quantifying the value of building reused.
 - He reported the studies key findings offer policy makers, building owners, developers, architects and engineers compelling evidence of the merits of reusing existing buildings as opposed to tearing them down and building new.
 - He stated when comparing buildings of equivalent size and function building reuse almost always offers environmental savings over demolition and new construction.
 - He shared the study reports that reuse results in economic and quality of life advantages, creates more and better paying jobs than new construction, and residents, businesses and tourists are drawn to communities that retain their distinctive character and heritage.
 - He stated building reuse offers greater environmental savings than demolition and new construction and noted it can take up to 80 years for a new energy efficient building to overcome the climate change impacts created by its construction.
- Commissioner Gonzalez continued with the presentation with a comparison of new construction and building reuse. She stated building reuse makes financial sense to our City.
 - **New construction.** She stated the new proposed Water Department building will cost around \$10 million and \$20 million for the entire project.
 - She reported our current insurance only pays \$1 million for the demolition and removal of City Stables which the City is slowly whittling down to little to no monies.
 - She stated according to City Council minutes, the Water Department wants to raise water rates because the staff found revenues are not sufficiently covering the cost of operations, maintenance and debt service. She noted they will also be unable to fund any future improvements to the system.
 - **Building reuse.** She stated the City consultant estimates that it would cost approximate \$5 million to build and reuse the stables into reusable administrative office space.
 - She reported insurance is willing to pay up to \$3 million to rebuild to pre-collapse state.
 - She commented they would be saving a nationally registered historic building built in 1909.

- She stated there are not many other cities in the State of California or in the United States that can say that they have a registered municipal stable as a building in their city.
- She stated there is potential for additional monies from grants or foundations to offset costs.
- She reported the subcommittee did an office space square footage comparison based upon Google Maps.
 - A rough estimate that the current Pomona Water Department building is approximately 5,000 square feet with 79 employees, equals approximately 60 square feet per employee.
 - She noted the subcommittee all agrees that square footage was subpar for space for the employees.
 - The proposed new administrative building with a \$10 million price tag is looking at an 18,000 square foot build and that is approximately 225 square feet per employee.
 - For the Stable Building reuse, it would cost approximately \$5 million for the Pomona Water Department and with a little bit of compromising of space we create that building and other buildings to 14,000 square feet which gives approximately 177 square feet per employee.
 - A comparison to two other businesses; Facebook Los Angeles office gives approximately 175 per employee and Instagram (with 550 employees) allots for 118 square feet per employee.
 - She stated reuse is a more economizing use of office space. She noted not every single person needs an office and administrative or support staff typically work in a hoteling or hot desk style environment, not seated in a cubicle because sometimes work changes and dynamics of workflow changes. She stated the City needs to be willing to adapt to that.
 - She reported the Federal standard is 190 square foot of usable space per employee.
 - GSA cited in 2013 a recommendation of 80 usable square feet per employee, it did this through creating shared work environments and efficient open space.
 - She clarified the subcommittee is not suggesting employees for the City of Pomona work in small confined spaces, however, they are looking at economizing what has been planned.
- Commissioner Kercheval continued with the presentation.
 - He stated adaptive reuse should be the default and demolition a last resort.
 - He commented Historic Preservation encourages sites to build on the assets that they have, unleashing the enormous power and potential of older buildings to improve healthy, affordability, prosperity and wellbeing.
 - He stated the mix of old and new buildings working together to fashion a dense walkable and thriving streets helps achieve a more prosperous, sustainable and healthier future.
 - He stated older buildings are a key and irreplaceable component of this future and a City is richer and stronger when they remain.
- Commissioner Gonzalez continued with the presentation.
 - She highlighted what the Historic Preservation Commission can do to save the stables.
 - Insist on the adaptive building reuse solution.
 - Educate the citizens of Pomona by conducting an S.O.S. media campaign and fund raiser led by the Historic Preservation Commission and other Pomona preservationists' groups.
 - Direct City staff to apply for grants and aide from CLG and the National Trust, as well as, inquire about the potential public private partnerships and capital campaigns.
 - Insist City Staff and legal counsel get the maximum insurance settlement to rebuild stables to pre-collapse state and then pay the difference (estimated \$2-3 million dollars range) and what would be a part of a \$10 million budget for new construction.

- Apply the State Historic Building code to offset code compliance challenges with adaptive reuse, saving \$100,000 right now and de-designating to avoid triggering CEQA and EIR studies.
- Creates transparency between the City and the community
- Make this building a priority for our community.
- She displayed an image of the stables reimagined to give an idea of the building back to life and housing people, with the windows replaced and the doors refreshed.
- She shared the committee spoke to architects and confirmed solar can be placed on the roof and the building can be economized and made to fit and work in today's working environment, includes greenspace, walkability and different environment for the city yards.
- She displayed interior pictures of other adaptively reused brick buildings throughout the United States.
 - A picture featuring the A-frame that is a character defining feature of Pomona's Stables, in an adaptively reused office space with reclaimed wood.
 - She noted there are a lot of ways make the building not seem like it was a barn, but attractive and a place people want to work and be creative.
 - Commissioner Kercheval commented these photos puts to rest the idea of working in a horse stable.
 - A picture of a stable reused in Seattle, built two years before the Pomona Stables. Commissioner Gallivan commented it was in horrible condition with all the windows gone and a private company came in and decided it was a wonderful place to put an office building and now its beautiful inside.
 - Commissioner Kercheval displayed a picture of red brick toy warehouse in Los Angeles that was repurposed to office space.
 - Commissioner Gallivan displayed a picture of the Comfort Inn on South Garey Ave. He reported this building started out in the wine area in 1904, then in 1912 prohibition happened and it was shut down. He shared it was reused by other people over the years and a lot of ugly things were built on the outside. He reported people came in to tear it down and the City approved demolition, but the Historic Preservation Commission notified the Historic Society and they did a study on it and found out that it was one of the very first wineries in the area. He stated it is now one of the most beautiful parks with a 5,000 square foot building and a great asset to the City. He noted the developer appreciated what it meant to the town and they had it historically designated.
 - Commissioner Kercheval presented a picture of the the Cal Poly Arabian Stables which was built in the 1920's and is here today as a converted administrative building for Cal Poly Pomona.

Commissioner Gomez thanked the Ad-Hoc Committee for their presentation. She commented everybody in the community should see this presentation to see why it's important for the Historic Preservation Commission to be out there saving historical buildings.

Commissioner Tomkins also thanked the Ad-Hoc Committee and commented she found it to be a very compelling presentation.

Chair Martin complimented the Ad-Hoc Committee on their presentation and invited those Commissioners back to the dais.

Chair Martin opened public comment.

Marisha Morris, community stakeholder; she stated she is here because she is against the disposition of the stables. She stated she believes that there are many ways to repurpose or reposition this property as well as other tracts to revitalize the City of Pomona. She shared there are several large commercial properties that are vacant along major corridors that should be kept because they would tell the story of Pomona, the second oldest city in the State of California.

Mickey Gallivan, commented saving the stables has been a tremendous effort as long as she has been in the City of Pomona. She stated she believes it is the oldest municipal building in California built by Ferdinand

Davis. She stated she initiated designation in 2004 and put the stables on the National Registry in hopes of informing city staff and leaders of how important this building was to our City, unfortunately that didn't happen. She shared she has been told the City does not have the money to do the rehabilitation, however, now they have \$20 million dollars for a new Water Department building. She agrees that the Administration office building could be put in the stables because she doesn't care what it looks like inside and is only interested in the outside (bricks, windows, doors). She commented she wants to be able to drive down White Ave. and look at that beautiful building and for it to retain the historic designation of the City Stables. She commented the stables would be smaller than the proposed Water Department building, but its right next door and the plan calls for separate buildings, so she suggested adding another smaller building for administration. She stated she was confused if the total cost was \$20 million or \$28 million, but if it the reuse can be done for a total of \$5 million and the administration building of the Water Department. was going to cost \$10 million then they would still be saving Pomona \$5 million dollars. She requested the Commission please save our stables.

Deborah Clifford, Historical Society of Pomona Valley President; reported at this year's annual meeting there three things she needed the membership to keep in their minds for a successful future. She stated the third item was the need to start an endowment. She commented the last couple of years it has been very clear to her that millions of dollars are needed to bring the Phillips, the Currier and other historic sites where they need to be, so she was preparing the membership for the idea of working on a major fundraiser. She commented when the Commission asked for a letter with the Historical Society's position on this issue, they realized their primary mission is to save a building like this. She commented the "Save Our Stables" is a lovely plan, but much more grandiose than the Historical Societies, so what they are proposing is that the City tear down, save all the historic pieces (the doors, the windows, the copulas) and then when the Historical Society puts together a museum at the Phillips they would clad it with the parts of the stables. She stated she is not sure the City will ever agree to rebuild where it's at. She reported in 1985 the City Manager's office planned \$285,000 to tear it down and rebuild it at the Phillips but that never happened. She stated if there is no way to rebuild on the existing site the Historical Society will take it, but they are going to need five years and would request the City to store all the pieces. She stated they will use all the windows and doors in all in the right places and place the copula on top to create a museum. She noted they are dedicated enough to this that they are willing to sell the Ebell which would generate about a third of the money. She stated they know it will cost \$1 million to build the museum and about \$250,000 to clad the building, so it's reachable. She stated they are offering this to the City because it's what they can afford and what they see is manageable and doable.

Chair Martin closed the public hearing.

Chair Martin asked staff if they have the two letters from Pomona Heritage and the Historical Society on their stance. She would like to read it into the record again.

Development Services Director Gutierrez replied they were read into the record at the last meeting and she does not have those letters with her tonight.

Commissioner Gomez shared her copies of the letters.

Chair Martin read the letters from the Historic Society of Pomona Valley and Pomona Heritage into the record.

Letter from The Historical Society of Pomona Valley, dated April 2, 2019, addressed to Debra Martin.

The Historical Society of the Pomona Valley is devoted to preserving the rich and colorful historic heritage of Pomona. As such we believe that the City Stables should be restored to its original condition. It is unacceptable that over the years the City of Pomona has chosen to demolish this unique building by neglect. While the Historical Society had the Stables placed on the National Register of Historic Places in 2004 in an effort to spur the development plan to save it and the grant money to do so, it has yet to materialize.

We are deeply aware of the cost and the effort that this restoration would entail. If such a restoration cannot be done, we request that the historical pieces that can be saved, including the brick, windows, doors and wrought iron, be use for building by residents in the city, thereby creating a legacy for the stables through future construction.

The above statement reflects the views of the Board of the Historical Society of Pomona Valley and is part of our minutes for 2-7-19.

Letter from Pomona Heritage, dated March 20, 2019, addressed to the City of Pomona Historic Preservation Commission Pomona Stables Ad-Hoc Committee.

Pomona Heritage is writing to the Historic Preservation Commission Ad Hoc Committee to recommend that the Pomona City Stables be re-built and put to the beneficial use. The Historic Preservation Commission work to put the stables on the National Register of Historic Places; therefore, it and the City of Pomona must continue to work to advocate for the repair of the building.

As an organization that works to protect historic residences, buildings and neighborhoods in Pomona, we believe that the Pomona Stables which are one of the last remaining municipal stables in California must be conserved. The City of Pomona has been ignoring the condition of the Ferdinand Davis designed Pomona City Stables for close to fifty years. It is time for the city to accept responsibility for its inaction and work to re-build this National Historic Building.

Pomona Heritage members will be happy to work with the City and the Historic Preservation Commission to help find funding for this important work. If you have questions, please let us know by contacting us at (number provided in the letter).

Signed by Megan Gearhart

Commissioner Kercheval commented the Ad-Hoc Committee tried to get an accurate number on what the Water Department is proceeding with in their presentation by looking at the actual architectural drawings. He asked for a response from the Water representative.

Chair Martin invited Water & Wastewater Operations Director Poulsen forward.

Commissioner Kercheval requested to talk about the numbers used in the presentation. He stated \$20 million is the overall number for the entire project including accessory buildings and the administration building, so the Ad-Hoc Committee did some quick math, based on square footage plus the intricacies of an administrative building and felt that \$10 million was accurate. He asked Water & Wastewater Operations Director Poulsen to confirm or provide that information.

Water & Wastewater Operations Director Poulsen stated he is not opposed to rebuilding the City Stables; it's a beautiful building that warrants being rebuilt. He stated there are complications above spacing and sizing. He reported the Stable sits on a piece of property owned by the City of Pomona not the Water Fund, so these are two pieces of property owned by two different entities and you cannot comingle funds. He stated to use Water Funds to rebuild a building that is not on water property is complicated, because a gift of funds from a water enterprise fund to a general fund would not be allowed per Prop-218. He noted they would have to re-parcel the property and buy the building. He expressed concerns that the square footage numbers presented were missing hallways, bathrooms and other amenities necessary in a building for 70 employees. He stated he could ask his architect to do that analysis, however, they have already spent close to half a million dollars on an architect to do the existing space analysis, as well as, hired a consultant as a negotiator to draw up the design build specs for the future buildings. He stated they are ready to award a design-build contract in the next thirty days and to be approved by City Hall and City Council sometime in June. He commented the City Council and past Commissions neglected the building, not Public Works. He noted Pomona has not been in a financial position to invest the necessary dollars. He applauded the Commission's passion for wanting to rebuild it, but agrees it is better as a public building and recommended working towards grants and putting it in a museum area. He stated if is reused for the administration building no public person would have access to it because of risk management, as well as, it would house 70 employees and while another 100 employees, a warehouse and all of the operational buildings are clear across the other side of the property. He stated it's not an effective use of a department and to do it right the design would have to be flipped, potentially costing even more money. He concluded by saying he serves the pleasure of City Council and the City Manager and will do what he is asked to do.

Chair Martin asked Water & Wastewater Operations Director Poulsen asked if some of the employees are always out in the field.

Water & Wastewater Operations Director Poulsen replied "always out in the field" is not an accurate statement. He stated there are approximately 40 field employees who are in office during the day. He noted those field employees get no more space than a chair and a piece of table, sitting around a round table with six people, getting about 16 square feet. He stated they went very ergonomically small in comparison to the City Hall director's offices which are around 400-500 square feet. His stated his new office in is probably less than 180 square feet.

Commissioner Kercheval replied the manager's office is 241 square feet according to architectural drawings.

Water & Wastewater Operations Director Poulsen replied he feels they went as ergonomic as possible and tried to cut costs as much as possible.

Commissioner Kercheval asked if the half million-dollar study included the possibility of using the City Stables.

Water & Wastewater Operations Director Poulsen replied it was not considered nor on the radar. He noted they brought the current design to City Council several times, as well as, to the Historic Preservation Commission.

Commissioner Kercheval replied that was before the Commission knew about this situation. He commented he is glad they caught it thirty days before groundbreaking and is feeling fortunate that they can put the breaks on it and get ahold of City Council to see what the Commission can do.

Water & Wastewater Operations Director Poulsen replied it's not the stable he is down turning, it's a comingling of funds.

Commissioner Kercheval expressed confusion over the number changes and asked Water & Wastewater Operations Director Poulsen to help him understand.

Water & Wastewater Operations Director Poulsen replied he thinks the Ad-Hoc Committee's numbers are inaccurate and doesn't think the City Stables building can be redone to the specs he needs it to house staff with all the electrical for \$5 million.

Commissioner Kercheval stated that number is on the Cummings report that the consultant prepared.

Acting Public Works Director Guerrero stated the Cummings report was paid for and prepared through the Public Works Department not the Water Department. He stated the \$5.11 million estimate for the preservation and reconstruction to make the space usable for office or storage space, it doesn't include costs for any HVAC, furniture, electrical.

Commissioner Kercheval replied it does and all the items Acting Public Works Director Guerrero listed are specified in the detailed report.

Acting Public Works Director Guerrero replied his understanding was that it didn't and just got the building ready for additional furniture and everything else that inside the building.

Commissioner Kercheval replied it was \$3 million to build to pre-collapse state. He reported the Ad-Hoc Committee spent two months looking at the Cummings report reviewing all the details pertaining to office space.

Water & Wastewater Operations Director Poulsen stated he serves at the Historic Preservation Commissions pleasure and the pleasure of City Council.

Acting Public Works Director Guerrero replied staff is requesting the Historic Preservation Commission make a recommendation for staff to take to City Council and will proceed from there.

Commissioner Kercheval expressed concerns that the insurance settlement was not fully presented to Commission and asked the amount of money that would be potentially be availed if the City chose to rebuild.

Acting Public Works Director Guerrero replied that was not information he had at the time and was a pure oversight. He stated the City's Risk Manager is here to answer detailed questions on the insurance coverage.

Commissioner Gonzalez replied to Water & Wastewater Operations Director Poulsen that she appreciates his candor but as a layperson this parcel of land doesn't look like its two different parcels and to spend \$20 million dollars on a new 18,000 square foot building for 79 employees when the City has lot of need seems excessive and wasteful. She agrees they currently work in very small and difficult conditions, but that there is a way to do this project without going overboard. She agreed the Ad-Hoc Committee has a big ask in requested they flip flop the way the Water Department currently does business and runs the City yard, but it's to save a historical landmark that is significant to the City, Country and the State.

Water & Wastewater Operations Director Poulsen replied he completely agree, but to say there is \$20 millions dollar available for that property is not accurate, you cannot co-mingle the funds, the law is very clear. The law was created so a City is not banking a general fund property, business, streets or assets on the backs of water rate payers.

Commissioner Tomkins replied often companies use office space on different properties that they don't own and that's not co-mingling. She stated she doesn't think it's a problem with two separate funds.

Water & Wastewater Operations Director Poulsen replied they would have to pay rent to occupy the City Building.

Commissioner Tomkins stated often time people build out buildings on lots they don't own and stated it could be written up appropriately.

Water & Wastewater Operations Director Poulsen replied looking at the way the building sits on the drawing he would have put all of the utility's vehicles around the building and to use a vehicle to go to City Hall they would be all bunched together and it was never meant to be bunched together. He spoke about the space the Water Department uses for vehicles to go to City Hall and stated they would have to move some of the trash or public works trucks to the Water property and rent would need to be paid for that. He stated it is not clean and that the separation is a clear for a reason. He noted every City he has ever worked at there has been a unique separation between the two.

Commissioner Gallivan asked if the land could be legally traded.

Water & Wastewater Operations Director Poulsen replied it could be.

Chair Martin commented she believes for one dollar.

Water & Wastewater Operations Director Poulsen replied they are asking the Water Department to operate extremely inefficiently.

Commissioner Gonzalez replied they are not asking for the Water Department to operating inefficiently they are asking for a change in the way they are thinking about doing the rebuild. She stated they are asking for them to take a partner and find an efficient way to make it worthwhile, while saving the City Stables. She stated they are not asking that the employees to go back and forth because she understands after walking the property that there is moving vehicles and could be safety issues. She clarified they are not suggesting putting any employee in harm's way, just asked to rethink a plan that includes using the City Stables as the administration building.

Water & Wastewater Operations Director Poulsen replied as Acting Public Works Director Guerrero mentioned tonight this Commissions role and what you have done is come up with an opinion that ultimately needs to be shared with City Council. He stated City Council will review and ultimately have that decision to make.

Commissioner Tomkins asked Water & Wastewater Operations Director Poulsen to repeat. He stated the Historic Preservation Commission's responsibility is to submit their findings to City Council and that they will review and decide.

Commissioner Kercheval requested to go through the numbers, so they are not communicating incorrectly to City Council. He stated if some of the numbers in their presentation need to be adjusted, they would like to make them more accurate, so they don't say things that are untrue.

Commissioner Gonzalez added they want to be totally transparent with the information but didn't have access to all of it in this presentation. She reported they did a gross estimate of the current office space of 5,000 square feet. She asked if that was accurate. She asked for a breakdown of the costs to build each building; administrative building, buildings with showers, locker rooms and a training room, and warehouse spaces, so they can have an accurate representation to educate City Council.

Water & Wastewater Operations Director Poulsen replied this is a design build project so there is a lump sum number and that is not finalized.

Chair Martin confirmed if Commissioner Tomkins could hear Water & Wastewater Operations Director Poulsen.

Commissioner Tomkins replied she didn't hear that last statement.

Water & Wastewater Operations Director Poulsen repeated that he did not have an up to date number of the exact costs because this is a design build project. He stated the designer has come in and estimated what they think they can build it for, but the Water Department is in the process of negotiating that cost.

Commissioner Kercheval asked where he is at now.

Water & Wastewater Operations Director Poulsen replied \$24 million and it is all funded right now through Water Fund dollars.

Commissioner Kercheval asked if the City or City Council is his boss.

Water & Wastewater Operations Director Poulsen replied yes.

Commissioner Gonzalez commented a presentation a few months ago stated the costs started out at \$15 million and then when it was presented to this Commission the the number was \$20 million and now, we are two months later and it's estimated to be \$24 million. She asked how much more expensive he feels it is going to be because it just keeps growing.

Water & Wastewater Operations Director Poulsen replied that the original \$15 million dollar was an estimate created 10-12 years ago when this project got started. He stated \$20 million dollars was staff's estimate based on growth and what we expected from the design build. The \$24 million is the current number from our selected design build contractor that staff are negotiating to reduce. He asked what the Commission wants him to look at their presentation and compare numbers.

Commissioner Kercheval replied yes, look at the presentation and write the correct numbers on it so they present it correctly.

Commissioner Gonzalez added specifically square footage.

Chair Martin stated they are pre-determining that the Commission is going to vote to save the City Stables. She stated they cannot start asking Water & Wastewater Operations Director Poulsen to do this type of analysis unless the vote goes that way.

Commissioner Kercheval restated, should the Historic Preservation Commission vote to save the stables that is what the Ad-Hoc Committee would want.

Chair Martin suggested adding that request to a motion. She commented she believes the Water Department can use those funds to purchase the building and land for \$1 or \$10. She stated that type of negotiation can be done, because she has seen land swaps in our City for decades and sat on a Commission who voted to sell property. She stated it's not impossible. She thanked and apologized to Water & Wastewater Operations Director Poulsen for putting him in that position. She asked Risk Manager Chris Millard to come forward to questions about insurance.

Commissioner Kercheval asked if the City chooses to rebuild the City Stables if there is a potential for insurance monies to be more than a million dollars. He asked if this was something that Mr. Millard would pursue or if legal counsel would be required.

Risk Manager Chris Millard replied his job is to purchase insurances and coverage for the City to protect it, which includes the property coverage in the event of a loss. He shared he is the one that deals with insurance companies to the maximum value in a settlement. He reported the City of Pomona received \$1,049,000 as a partial settlement for the damages caused by the collapse of the Stable. He stated under the City's property coverage, there is the option of taking the actual cash value which is the \$1,049,000 and walking away or change to rebuild the stable. He stated under the terms of the coverage the property carrier will only pay for damages caused by the collapse, so they would pay some of the cost to repair from the east side to approximately halfway on the roof line area and that includes building code upgrades. He stated there was a question if earthquake retrofit is in the building codes, they would cover the cost of that as well. He stated they will not cover any kind of work moving to the west side of the building that was not damaged as a result of the collapse. He used the roof as an example, stating he doesn't know of any way to replace half a roof, so a whole new roof would be needed, but the insurance company would only pay for half and the City would be responsible for everything else. He stated that would also be true with cracks in the building. He reported the consultant for the insurance company didn't care that the north wall is unstable, if that wasn't damaged by the collapse, they won't pay for the solidifying that. He stated they will not cover the cost of installing windows where windows are not, because that is betterment. He commented there are complications to return it to the pre-collapse state. He stated they can make a further claim with the insurance company; however, it will be an extremely difficult and long process because they are dealing with a very old building that is not in the greatest of shape, but it is possible. He stated it will require the City's consultant and the insurance company's consultant sitting down to come to an agreement. He reported the City would most likely receive extra money, but he couldn't say how much.

Commissioner Kercheval asked if Risk Manager Millard ever brings legal into the process. He shared he had a car accident and he had to hire a lawyer to get what he wanted.

Risk Manager Millard replied his job to handle any claims filed against the City and by the same token present any claims from the City to the insurance carriers. He shared has been handling claims since 1981 and negotiates every day to get the maximum recovery for the City or to save the City as much money and get the most reasonable settlement in the case of lawsuits. He stated the City gets attorneys involved if they feel there is a need to sue the insurance carrier, but that is an extremely long and costly process. He noted he would not be the one determining what the cost is, that's what consultants and experts are for.

Commissioner Gonzalez asked if Mr. Millard would be able to put cracks on the west end of the building as part of the claim of the collapse.

Risk Manager Millard replied they could present anything the City wants, its whether there is support for it and whether the insurance carrier agrees. He stated prior to the collapse there were cracks on the north end of the building that he had some concerns about and now they are now wider as a result of this collapse and since the bracing has been up. He stated his fear is that as soon as they take that bracing off a corner of the building is going to come down.

Commissioner Gonzalez asked if he has photo documentation over time of the cracks that you observed.

Risk Manager Millard replied he does not.

Commissioner Gallivan reported there was a trash truck that was driven into the north side of the City Stables that knocked a bunch of bricks. He reported after that was mentioned the City then put in some barriers.

Risk Manager Millard replied he was not aware of that and has been here since 2003. He asked if Commissioner Gallivan knew the date. He stated these would be damages not caused by the collapse which insurance would not pay for.

Commissioner Gallivan replied it is still an insurance claim.

Commissioner Kercheval asked Commissioner Tomkins to comment on how to proceed. He stated he thinks she was working on this.

Commissioner Tomkins asked if there was a requirement to provide something estimating the cost to restore the building to its pre-collapse state. She asked if the insurance expert had located that document.

Risk Manager Millard replied he is assuming she is asking about the Cummings report. He stated he saw that for the first time just a few weeks ago and presented that to the insurance company. He reported that for two years, the insurance company has asked the City what they are going to do with the building. He stated the City has an obligation to mitigate their losses and for two plus years it has allowed this building to sit braced. He stated if there is additional movement and additional dropping of the roof, those additional damages are not a result of the original collapse but a result of time and not doing whatever we needed to do, so there could be consequences. He reported comments have been made by the insurance company that since 2017 (when the Stables collapsed) the cost of construction has increased and so it is possible they could refuse to pay 2019 construction costs and instead say the cost to do this in 2017 and that's is all they will pay.

Commissioner Tomkins replied she thinks there are defenses to that as well. She stated we can get in an argument over what each side would argue, but she thinks an estimate today to restore to the pre-collapse state is an argument that's valid.

Risk Manager Millard replied that's where the consultants come in and sit in a room to figure it all out. He stated from risk management he doesn't want anybody to go inside that building but in order to get an accurate assessment of the damage access may be necessary. He stated the insurance companies will not pay for upgrades, such as HVAC's and electrical, that's betterment.

Commissioner Tomkins replied they are not asking insurance to build a new office space. She shared having gone through this with her own insurance company recently there are a lot of lawyers that specialize in insurance claims and it's very common for negotiations to happen over these issues.

Risk Manager Millard replied he is not making conclusions and yes if the City Council directs that we institute litigation against the carrier we can certainly do that. He noted is a very long and drawn out process.

Commissioner Tomkins asked if Mr. Millard has submitted a request to the insurance company to pay for restoring the City Stables to their pre-collapse condition.

Risk Manager Millard replied they have not.

Commissioner Kercheval asked why they haven't.

Risk Manager Millard replied because there has been no direction from this Commission or City Council informing him that's what they want to do. He reported when the collapsed occurred and the City received the settlement and options were presented to City Council of accepting that money or rebuilding.

Commissioner Kercheval asked how Mr. Millard makes assessment about the risk of dump trucks or trash truck hitting someone walking across the City property. He asked if there are traffic studies done within a property or if it's just a rule of thumb that one can't walk across the parking lot.

Risk Manager Millard replied this is a functioning working corporate yard with vehicles running in and out all of the time (trash trucks, police vehicles, regular plate vehicles). He stated there is not designated walkway for people to go through, as well as, there are blind corners right by the yard office. He stated you can't expose

people to that. He noted there isn't a set schedule that all trash trucks going out at 6:00 a.m. and coming in at 3:00 p.m., they are in and out all the time and it's just an unsafe condition.

Commissioner Gonzalez replied there are employees that walk on that property. She stated the employees parking the trash trucks must get out and walk to the administrative or restrooms or breakroom. She suggested a designated pedestrian area, nothing that's not uncommon or unrealistic.

Commissioner Kercheval clarified the reason this is being discussed is because it was brought up as an argument against. He stated he would like to know what's so compelling about it when they City is already living with this blind spot and hasn't created a designated pedestrian way.

Risk Manager Millard replied because the people using this lot are aware of the issues, however, visitors walk through the driveway or wherever and it's just an unsafe condition.

Commissioner Kercheval replied they could say the same thing about anything proposed. He asked if a designated pedestrian walkway with flashing lights is that feasible from a risk management standpoint.

Risk Manager replied it possible if done to proper standards, engaging experts in its design so that it would withhold scrutiny should the City get involved in litigation it could be defended.

Commissioner Gallivan asked if the trash trucks could be parked in a different place.

Risk Manager Millard deferred that answer to Public Works because he doesn't oversee that.

Acting Public Works Director Guerrero responded looking at the aerial now he doesn't see a feasible space that might reduce the risk to the public driving or walking on the yard.

Commissioner Tomkins commented if they are going to reconfigure the space between the Water Department and Public Works it would be better to park the trash trucks in the empty space on the Water Department side.

Commissioner Gonzalez agreed.

Chair Martin agreed and confirmed she was speaking about the contaminated area was cleaned up.

Commissioner Kercheval asked if, from a risk management standpoint, appropriate things could be done to mediate safety issues.

Risk Manager Millard replied yes, potentially.

Commissioner Kercheval confirmed it's not impossible.

Risk Manager Millard replied nothing is impossible if you put enough money towards it.

Commissioner Gallivan commented at one time he thought the amount of the insurance was less than \$1.49 million, is that correct.

Acting Public Works Director Guerrero clarified its \$1 million \$49 thousand and then the City has been using that money to get to where they are at today.

Chair Martin commented it's a logical reconfiguration to swap parcels and/or pay to purchase each other's parcels. She stated assuming there are four votes tonight, work could begin on the City stables and in the meantime folks still have their office building on the other side and there wouldn't be a big upheaval or a need to figure out where are they going to put all the employees. She asked Water & Wastewater Operations Director Poulsen about the plan to house the 70 employees temporarily when they demolish the old office buildings.

Water & Wastewater Operations Director Poulsen replied by pointing out buildings outlined in yellow on a map. He reported right this is where roughly 50% of his staff exist. He stated there are other office spaces that

exist within that property, so the land that's clear now to the west is where the new building would be built and then once that building was done we would move our staff from the yellow buildings into there and then they would demolish the other side.

Chair Martin confirmed its not being built on the same exact area.

Commissioner Gomez asked where the trash vehicles would be going at that point.

Chair Martin replied they are not going anywhere.

Acting Public Works Director Guerrero replied the trash truck aren't going anywhere right now. He stated should City Council decide the whole flip should happen, that's when staff will start addressing how and where to move trash trucks. He stated at this point, considering the disposition of the stables, he is not doing anything with trash trucks until a decision is made by City Council.

Commissioner Gonzalez thanked Acting Public Works Director Guerrero. She stated when Commissioner Gallivan mentioned the vehicles she thought that they could possibly be housed somewhere else in proximity. She made an initial motion to save the City Stables and encourage City Council to consider utilization of the City Stables for the Water Departments new building, potentially altering the current layout of the City Yard and Water Department parcels.

Development Services Director Gutierrez suggested adding language to include a walkway or operational changes to Public Works. She clarified the motion was to recommend to save the City Stables and to potentially ask City Council to have the Water Department utilize that building for part of their operations and to potentially consider any operational changes to Public Works that would come out of that change and/or potentially analyze any walkways that are needed to access that building.

Commissioner Kercheval requested the word 'safely' be added.

Commissioner Gonzalez asked the Ad-Hoc Committee if they feel the motion represents what they want.

Chair Martin recommended adding something about insurances to make sure that the City works diligently to get the most out of the insurance funds.

Commissioner Gallivan agreed with Chair Martin that the insurance money is a focus of what we have decided after extensive meetings and an analysis.

Commissioner Gonzalez suggested changing that the word "potentially" being used for the Water Department to "are" used for the Water Department new administrative building.

Development Services Director Gutierrez asked if everyone is amendable to the additions.

Motion by Commissioner Gonzalez, seconded by Commissioner Kercheval, carried by a unanimous vote of the members present (6-0-0-1), Commissioner Williams recused, to recommend to save the City Stables and ask City Council that the Water Department use the City Stables building for part of their operations and to consider any operational changes to Public Works that would come out of that change, as well as, analyze any walkways that are needed to safely access that building.

Voice vote: Commissioner Tomkins – yes, Commissioner Martin – yes, Commissioner Gonzalez – yes, Commissioner Williams – absent/abstained, Commissioner Gomez – yes, Commissioner Gallivan – yes, Commissioner Kercheval – yes.

Acting Public Works Director Guerrero reported staff intend to City Council on June 3, 2019 with the Historic Preservation Commission's recommendation.

Commissioner Gonzalez requested the City Stables Ad-Hoc Committee present to City Council. She asked what she would need to do to be able to do that.

Acting Public Works Director Guerrero replied this item will probably be a discussion item on the City Council Agenda and there will be an opportunity for the same presentation the Ad-Hoc Committee made tonight.

Development Services Director Gutierrez replied staff will take this back action to the City Manager and if she's in agreement, she will reach back out to the subcommittee and coordinate. She stated it would be an agenda item and the Ad-Hoc Committee would be called up to present from the speaker stand.

Commissioner Gonzalez asked Commissioners permission to speak if they are not able to do the Ad-Hoc presentation.

Development Services Director Gutierrez replied absolutely as part of public comment. She stated she doesn't see an issue with presenting, but she would like to run it by the City Manager.

Chair Martin asked Commissioner Williams to return to the meeting and requested to take a five-minute break at 8:09 p.m.

2. Status of City Hall Historic Designation.

Development Services Director Gutierrez reported the meeting reconvened at 8:15 p.m.

Development Services Director Gutierrez reported this item was a request by one of the Historic Preservation Commissioners. She stated in August 2, 2017, two years ago, an application was submitted by Mickey Gallivan to designate the properties within Civic Center Plaza as a historic landmark, then on August 29, 2017 an incomplete letter was sent out notifying the applicant that additional information was needed. She reported since that time there has been no further information submitted. She stated each building needs to be able to demonstrate how it is meeting the criteria for nomination and so they need an analysis and explanation of how each of the buildings within the Plaza does that. She noted additionally there was some minor information, such as radius maps being labeled, owner's consent notification, title reports and grant deeds needed for each of the properties included in the request.

Chair Martin invited Mickey Gallivan to come forward.

Mickey Gallivan provided an update. She stated the City is not going to sign because City Councilman must agree to sign, so she cannot give the owners signature until it goes before City Council. She commented she doesn't think that's a valid request. She reported she was asked to present the deeds for the various buildings so she submitted multiple requests to the City Clerk office, but has been informed they cannot find the deeds, so she went to the Hall of Records twice and still doesn't know where they are. She reported she has the deed for the library and the County Courthouse, but the Courthouse is not included because it's owned by a family trust. She stated she is planning to get everything else done to continue with the application soon.

Chair Martin requested Acting Public Works Director Guerrero look in the Public Works archives.

Acting Public Works Director Guerrero replied he would defer to the City Clerks office as the holder of all records, especially of all the deeds for buildings.

Development Services Director Gutierrez suggested touching base with the new City Clerk to see if there is a different outcome. She stated if not, she can work with Mickey Gallivan to talk about next steps.

Commissioner Gallivan replied he visited the new City Clerk's office less than two months ago and was routed through five different offices with no results.

Acting Public Works Director Guerrero stated public works doesn't typically hold on to deeds.

Commissioner Tomkins commented that the Civic Center was originally financed by a corporation and the deed might have originally been in their name. She asked if anyone knows where those records are.

Commissioner Gallivan replied those are the records that they cannot find. He noted they found out the Library got its land from the Pomona Unified School District.

Mickey Gallivan replied the corporation was a group of businessmen in Pomona that built the Civic Center and they leased it back to the City of Pomona. She reported she cannot find any of their records either. She stated they probably do still exist somewhere but doesn't know where to look.

Chair Martin suggested the County Recorder's office.

Mickey Gallivan replied they have been there several times.

Commissioner Tomkins asked if a search has been done under the name of that corporation.

Mickey Gallivan replied yes at the Hall of Records.

A member from the public stated she's an agent and offered to search.

Chair Martin stated they would love for her to help.

Commissioner Tomkins asked if that is a requirement in the City's ordinance for designation.

Development Services Director Gutierrez replied yes; she believes it is required but will double check.

Commissioner Gallivan replied it was listed in the reasons they did accept the application.

Development Services Director Gutierrez replied yes, its listed in the reasons, but she will double check to make sure it is a code requirement and not just an ask.

Chair Martin replied to designate the Fox Theater many years ago the deed not required, just the information from the owner of the building. She spoke about the importance of designating because the designer of the Civic Center Plaza and this Library, Welton Becket, is one of the most renowned architects of modern times.

Commissioner Gallivan shared the Civic Center will be showcased as part of the Pomona Heritage event this year.

Commissioner Gonzalez added the Civic Center and City Hall will be day one of the Pomona Heritage Home Tour on November 2 and 3, 2019.

ITEM H:
HISTORIC PRESERVATION COMMISSION COMMUNICATION:

Commissioner Kercheval asked staff to walk through the process of how the Ad-Hoc Committee will be permitted to present at City Council.

Development Services Director Gutierrez replied staff have agreed to take this item to City Council on June 3, 2019 and the City Manager has agreed. She stated she will let the Commission know tomorrow if there are issues with presenting.

Commissioner Tomkins asked Development Services Director Gutierrez when the City Council agenda for June 3, 2019 will be posted.

Development Services Director Gutierrez replied on Thursday, May 30, 2019 the agenda will come out with the agenda item number. She stated she will make sure to forward to this information to the Commissioners and if everyone agrees than the Ad-Hoc Committee will be able to present after staff.

Commissioner Kercheval asked who needs to agree.

Development Services Director Gutierrez replied she will be running this by the City Manager, because the City Manager runs the City Council meetings and she has a say of what goes on the agendas.

Chair Martin added that the Mayor has the final say.

Commissioner Gallivan asked if there was any input found with respect to the trees that were cut down.

Development Services Director Gutierrez replied yes. She shared that Commissioner Gallivan provided two addresses regarding trees. She stated she didn't find the second address, but she pulled the major Certificate of Appropriateness for 293 Jefferson as approved in 2013 and it asked for two tree replacements. She reported she forwarded the pictures Commissioner Gallivan sent showing no trees have been replaced, plus the conditions of approval for that major Certificate of Appropriateness to code compliance for follow up.

Commissioner Gallivan replied he will get the other address. He requested that items like this don't slip in the future and mentioned that Art's Market agreed to put in trees and but those are still not there.

Development Services Director Gutierrez replied she agrees and stated part of her overall goal to work on code compliance is to place condition checks to ensure that the conditions set in place are followed up upon. She stated she wants to include condition inspections at the time of approval, so that the applicants would then have to pay for a year or longer.

Commissioner Gomez commented this was unexpected meeting, but it had to be done. She thanked the City Stables Ad-Hoc Committee for their presentation.

Commissioner Williams reported Commissioner Gonzalez and herself have been reviewing the historic ordinance and looking at similar historic preservation ordinances that rely on age, like 50 years rather than a specific year (1945) like Pomona has now. She reported she has heard concerns from other members of the community about other parts of the ordinance so they will be needing Development Services Director Gutierrez to discuss the process of reviewing the ordinance.

Commissioner Tomkins asked staff had was able to provide the number of demolitions that had been approved by staff that don't come before the Commission.

Development Services Director Gutierrez replied staff has not yet complied that information. She stated she will work on that for the next regularly scheduled meeting.

Chair Martin comments that would be a good idea because the Commission has no idea about anything that's pre-1970 which would be 50 years or older.

Development Services Director Gutierrez thanked them for the reminder, she needs to work with Building and Safety to get that information.

Chair Martin thanked the Ad-Hoc Committee for all their hard work and presentation. She thanked Water & Wastewater Operations Director Poulsen's for his efforts these past few years in making the goals of the Water Department happen. She spoke about preserving the history, landscape and architecture of Pomona. She commented if the City continues to allow all these beautiful historic structures to be taken away, they won't have the heart and soul left. She complimented Development Services Director Gutierrez for trying to get a grant to survey Lincoln Park, and hopes they can do entire update to the Winchell survey so they can protect other buildings older than fifty years from demolition. She thanked Commissioner Williams and Gonzalez for reviewing the ordinance to see how to go about changing if from pre-1945 to pre-1970 going forward.

ITEM I:
PLANNING MANAGER COMMUNICATION:

Development Services Director Gutierrez thanked the Ad-Hoc Committee for the thorough presentation and for the staff recommendation. She reported staff was able to apply May 1, 2019 for a \$40,000 grant from the State to do a resurvey of Lincoln Park, Pomona's largest historic district, and to prepare the descriptions of the historic district which

had not been previously fully prepared per the State standards. She reported staff will know in the next thirty days if the City will be awarded those dollars.

1. Minor Certificates of Appropriateness for April 2019.

ADJOURNMENT:

Chair Martin adjourned the meeting at 8:37 p.m. to the next regularly scheduled meeting of the Historic Preservation Commission on June 5, 2019 at 6:30 p.m. in the City Council Chambers.



Anita Gutierrez, AICP
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.