



*City of Arts & Innovation*

## **CULTURAL HERITAGE BOARD** **DRAFT MINUTES**

Cultural Heritage Board: June 15, 2022  
Agenda Item: 2

THURSDAY, MAY 18, 2022, 3:30 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

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### BOARD MEMBERS

PRESENT: J. Brown, M. Carter, J. Gamble, P. Horychuk, C. McDoniel, C. Tobin

ABSENT: N. Ferguson,

STAFF: D. Murray, S. Watson, A. Beaumon, F. Andrade

Chair Gamble called the meeting to order at 3:30 p.m.

### ORAL COMMUNICATIONS FROM THE AUDIENCE

There were no comments from the audience.

### CONSENT CALENDAR

The Consent Calendar was unanimously approved as presented below affirming the actions appropriate to each item.

### 2022 – 1<sup>st</sup> QUARTER REPORT ON HISTORIC PRESERVATION ACTIVITY

The Board received and filed the 1<sup>st</sup> Quarter Report on historic preservation activity.

### MINUTES

The minutes of the meeting of March 16, 2022, were approved as presented. Correction to the agenda indicating the April 20<sup>th</sup> minutes, should be the minutes of March 16, 2022.

### CULTURAL HERITAGE BOARD ATTENDANCE

The Board excused the March 16, 2022 absence of Board Member Ferguson due to business.

A motion was made by Board Member Brown, Seconded by Board Member McDoniel; to approve the Consent Calendar as presented.

Motion Carried: 6 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Brown, Carter, Gamble, Horychuk, McDoniel, Tobin

NOES: None

ABSENT: Ferguson

ABSTENTION: None



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### WORKSHOP

UPDATE ON THE CALIFORNIA CITRUS STATE HISTORIC PARK IMPROVEMENTS – Friends of California Citrus Park

Mr. Watson announced that the representative from the Friends of Citrus State Historic Park had an emergency and asked that the item be continued.

### DISCUSSION CALENDAR

CULTURAL HERITAGE BOARD RULES FOR THE TRANSACTION OF BUSINESS AND CONDUCT OF HEARINGS – ANNUAL REVIEW

Mr. Watson announced the item was continued from the March 16, 2022 meeting. There were concerns with Article XIV, which addresses board members addressing City Council. Staff met with the City Clerk's office, and it was recommended to amend the Rules to comply with the policy in the recently approved Boards and Commissions Handbook. Based on this, staff has provided the recommended language: "Board members may address City Council in accordance with the official City Boards and Commissions Handbook".

Mr. Tobin stated he was not prepared to vote on this today as he has not seen the Boards and Commissions Handbook. This isn't close to what the Board was expecting. He expected two things: 1) That by a majority vote, a member could appear before the Council on behalf of the Board and 2) with regard to Board Member Brown's concern, a board member can address City Council as an individual and have the opportunity to indicate any groups or organizations he may be a member of, including this body.

Board Member Horychuk indicated she was satisfied with the proposed language.

Board Member Tobin stated he would have brought that language to the Board for their review.

Board Member McDoniel stated that she did review the document last night. She asked if staff could put the relevant sections on the screen, that would make sure that we are all very clear on what is being proposed.



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Mr. Beaumon, Deputy City Attorney, stated that since the Board and Commission's Handbook was not part of the agenda, he would recommend bringing this back at the next meeting after everyone has had a chance to review it.

Motion made by Board Member Tobin, Seconded by Board Member Horychuk, to continue this item to the next meeting. It was requested that the Handbook also be included in the staff report.

Board Member Brown stated that it would be appropriate to include the handbook in the packet. The handbook is well written and shows that a lot of time went into this document, and it would expedite the discussion.

Motion Carried: 6 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Brown, Carter, Gamble, Horychuk, McDoniel, Tobin

NOES: None

ABSENT: Ferguson

ABSTENTION: None

### CLARIFICATION OF DIRECTION FOR THE TITLE 20 SUBCOMMITTEE

Mr. Beaumon noted that during the last Title 20 subcommittee meeting, it appeared evident that maybe the actual charge/duties of the subcommittee was not that specific. The suggestion was that this return to the Board so that you could define exactly what the items are that the subcommittee is supposed to consider, any questions and issues to be discussed and recommended by the subcommittee.

Board Member Horychuk stated that her initial understanding was that the subcommittee review the changes to Title 20 that staff had recommended. She indicated that the entire document was in question. The most basic intention of that process was to go line by line of the document and the suggested amendments to it.

Chair Gamble added that during that discussion the subcommittee could come up with issues that they believed needed to be highlighted such as Title 20, Mills Act Resolution and the Historic Preservation Fund.



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Board Member Tobin stated he felt they were pretty much on target. The subcommittee has met 3 times and is about  $\frac{3}{4}$  of the way through the document. When the subcommittee was established by the Board, on the agenda and as part of package, was also a page that reflected the Board's generated concerns. He felt that the motion made at the time to create the subcommittee included both the staff and board generated concerns, however, the Board can reclarify this.

Mr. Beaumon stated that the issue was more precisely that the subcommittee had concerns that the entire board was not having the ability to voice their concerns to the subcommittee.

Board Member Tobin agreed with Mr. Beaumon and stated that the subcommittee is still open to any recommendations made by any individual board member. The subcommittee is still in the review process. He asked that any recommendations should be emailed to Scott Watson or Dave Murray who can present the recommendations to the subcommittee at their next meeting.

A Motion was made by Board Member Brown, Seconded by Board Member Tobin: That the Board clarify the direction of the Cultural Heritage Board to the Title 20 subcommittee to consider: first all staff prepared, generated, memorialized comments and concerns, Secondly, that any previously expressed and memorialized Cultural Heritage Board concerns, comments or questions be considered by the subcommittee. Also, any other Cultural Heritage Board comments be sent to staff only (not to the board members) prior to the next Title 20 subcommittee in the event there are any additional questions or concerns that need to be made.

Board Member McDoniel inquired if "additional comments" would include any comments arising during the subcommittee meetings from the subcommittee itself?

Board Member Brown stated that it was implicit, the whole process is intended to inform the discussion and debate and final recommendations of the subcommittee.

Motion Carried: 6 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Brown, Carter, Gamble, Horychuk, McDoniel, Tobin

NOES: None

ABSENT: Ferguson

ABSTENTION: None



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### COMMUNICATIONS

CITY COUNCIL DISCUSSION ON MILLS ACT CONTRACTS, JUNE 7, 2022 – CHB REPRESENTATIVE(S) TO SPEAK AT THE CITY COUNCIL MEETING

Dave Murray, Principal Planner, stated that staff is considering an amendment to the number of Mills Act contracts received each year and extending the application deadline.

Mr. Watson stated that currently we accept a maximum of 10, average of 7 applications a year. Council person Cervantes has requested a discussion on June 7 to discuss the potential of increasing the applications and to extend the application deadline for this year and the following years.

Board Member Tobin said he understood the City Council would be looking to make adjustments through a minute order, correct?

Mr. Beaumon clarified that the current action would be done by minute order and the minute order would make the changes as necessary for this interim period. The minute order would also include recommendations on a going forward basis.

Chair Gamble indicated she had a prepared statement that hopefully will clarify the issue. “During recent subcommittee meetings on the Title 20 changes we discussed amendments to the current Mills Act Program and ways to allow more flexibility for applications. Simply, we were interested in extending the time of applications for residents for more than 30 days, and secondly, increasing the number of applicants processed on an annual basis based on anticipated applications received this year and the future in support of the program. City Council will consider a short-term change to the program for 2022 on June 7th. This discussion item will focus on expanding this year's application period from June 1, 2022 through July 31, 2022 and allowing whatever number of applicants are received this year only be processed, anticipated to be up to 15 applications this year. At a later date, City Council will consider a change to the Mills Act Resolution to allowing applications to be submitted January 1 thru May 31, five months of each calendar year and increasing the average number of applications that can be approved from 7 to 15 each year. And moving from no more than 10 a year, due to roll-over, to 20 if applicable. Cultural Heritage Board representatives at the City Council on June 7 is important so our voice is heard. We will also want a Cultural Heritage



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representative at the later Council meeting when the revised resolution is considered. We should discuss the appointment of a representative of the Cultural Heritage Board to attend and represent the board at these meetings. She pointed out that this will be an afternoon session, not an evening session.

Board Member Horychuk inquired whether the fee issue was being discussed at this meeting?

Chair Gamble responded that at this time they are not open to discussing fees.

Board Member Tobin noted that there are two parts to the fee issue. There is a \$404 fee for submitting the application. There is a fee for if you are awarded a contract, for the on-going administration of that which is \$3,274. That second half we were told by the Community & Economic Development Director is under active review and something will be discussed in the second half of the year enough so that any applicant awarded a contract this year than would not fall under the existing but whatever that revised number would be.

Mr. Murray also added that the City is currently undergoing city fees and licensing analysis. That will be completed later this year, City Council will weigh in on that make a determination and final action to approve those fees and yes, we assess whatever fees are applicable at the time.

Board Member Tobin stated that he fully expects there will be a revision to the fees. The first half \$404 will stay in place. The Council Member has asked the Cultural Heritage Board to make a motion that incorporates those two steps, extending the application period from 30 days to 60 days and secondly that the Council authorize taking all eligible applications received this year. With respect to the question of who should attend from this group, at the very least the Chair and anyone else interested in joining the Chair.

Board Member Horychuk added that anyone that sits here right now, needs to be aware that they are the historic preservation program in this city. There is not a lot of dedicated staff or money so the Board needs to take an active role.



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Board Member Brown disclosed that his home in the City of Riverside is subject to a Mills Act Contract. He was told that it was legally permitted because of the fact that the contract is approved City Council not this board. Through the first process of review, he found staff to be enormously helpful in completing the application. Secondly, when it came time to submit the annual report of expenditures, he also found the staff to be enormously helpful. At least on that end of the process I think there is a practice consistent with both the Chair's summary of the kinds of things we want to call to the City Council's attention as well as the fee concerns and issues raised by Board Member Tobin. He found staff to be very flexible in terms of assistance as to what needed to be on the report. He was heartened to know that no one is cutting margins on the Mills Act contracts. He added it up the work he had done on his home last year, in part because he is retired, and was assured that could fill out his report for the remainder of his contract term, in terms of the dollar spent. We all know what it costs to paint a Victorian. His comments are that this additional information, whether the Chair's summary, which was excellent, the request of City Council to look at the fee situation, the timing of applications, the processing and the and number of applications is good input. He would be supportive of the Chair and possibly another providing input to the City Council meeting.

Board Member Horychuk expressed her concern that only seven people within the city limits get help with those funds. That is really the only program for historic preservation that makes it to the citizens of Riverside. It's not much of a historic preservation program, so yes absolutely we need more people to benefit. We need to do more, and City Council does needs to be aware of our concerns in those areas. There is not going to be what we have now if we don't make these efforts.

Board Member Tobin noted he agreed that the number should be much higher. The issue is that every public jurisdiction has a tax base, and their concern is whether this program erodes that tax base. Chair Gamble has polled what other jurisdictions do and many jurisdictions have a much higher number approved every year. That documentation has been helpful because it has gone back to City staff to give them a clearer picture of what is going on.

Board Member Brown noted that this isn't limited to taxes. The end result of the Mills Act Contract is a reduction in property taxes. But the fact of the matter for those who go through the Mills Act process and in the spirit of the Mills Act begin to undertake the work,





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a \$65,000 contract for painting, \$15,000 - \$20,000 for the replumbing of a house, all go to the benefit of local businesses.

Board member Tobin agreed. The tax reduction base is small in comparison. So, if we could pass that motion about the 60 day and then also take any eligible application that would be the motion.

Gamble looking for a representative willing to speak

Board Member Horychuk motioned to nominate Chair Gamble as the Board representative and to include the direction that the Chair forward the comments made by the Chair today and the comments made by the board members at this meeting to the City Council, Seconded by Board Member Carter

Motion Carried: 6 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Brown, Carter, Gamble, Horychuk, McDoniel, Tobin

NOES: None

ABSENT: Ferguson

ABSTENTION: None

### **BROWN ACT TRAINING**

Anthony Beaumon, Deputy City Attorney, provided the Brown Act Training for the Board.

There was no formal action taken by the Board.





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### FEBRUARY 1, 2022 CITY COUNCIL MEETING FOLLOW-UP

Board Member Horychuk stated that the Board had numerous concerns regarding the Draft EIR for RCTC Metrolink Station. A subcommittee was created for this issue and Councilwoman Cervantes was able to agendize the item at City Council. They were requested by Councilwoman Cervantes to appear before the City Council. This didn't work out as planned and she was very concerned about this. The subcommittee met with the City Attorney, City Manager and City Clerk regarding this issue. Going forward, she wanted to say she initially had serious concerns on a personal level about their interaction with staff. She would like to make the recommendation that going forward, perhaps the members of this Board report back to their council person with regard to the goings on at the board meetings. Especially with the state of the preservation program, the board member should make it a point to report back to their individual council member. Her remaining concern is that she doesn't know that Council or senior members of the charter are aware of some of the things that we as individual members of the board are aware of with grant opportunities, provisions of the CLG. The City Planner and Historic Preservation Officer have done a good job of staying on top of those minimum requirements are met and things are handled. She felt that historic preservation is not at the forefront of our city leaders at this time and that would be the Board's job. To address this and make sure historic preservation is not an addendum to someone else's important work as a staff member. She would like to see more funding get to the people and get more public involvement. She felt that the Riverside everyone regards as a unique place, is because, in large part, the historic preservation efforts of those that came before them.

Board Member Brown sensed that there was some debate at the City Council meeting about the appropriate role of the board or commission conveying such information. What was your sense of reluctance from the majority who opposed that?

Board Member Hoyrychuk indicated this was why she was upset, they were not allowed to be present to answer their questions. She felt that they followed directions to make the issue about the report they generated. She understood they wanted to make Council aware of what they found in hopes that the Council would be inclined to act as the City to go forward with those concerns or further research into it. We were unable to answer those concerns and that never did get answered in the meeting.

Board Member Brown said he understood her frustration. He raised this issue with former Mayor Loveridge. He expressed to me, he is a political scientist of 55 years, he expressed



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grave reservations of boards and commissions getting out in front of an ultimate decision body. There is has to be way to work around that.

Board Member Horychuk said it was never the Board's intent to speak for the City. We were merely trying to present what we had found to Council so that they could, if they decided, make a statement for the City. We weren't there to answer that so that was very frustrating.

Board Member Tobin stated that the subcommittee members met with the City Attorney, City Manager and City Clerk and the message he received was that the City very much wanted to address how to make this work better, not only on this issue, items brought forward by any board or commission, but also with respect to historic preservation working better in the City of Riverside. Subsequently, the City Manager has accepted another position so they will have to wait and see.

Board Member Horychuk stated that some positive things did come out of it. She thanked staff and charter officers for their assistance. She noted that Councilwoman Cervantes got the short end of the stick and had present our item without being prepared to do this. She had agendized the item and asked the subcommittee to be present speak to it.

### ITEMS FOR FUTURE AGENDAS AND UPDATE FROM CITY PLANNER AND BOARD MEMBERS

Chair Gamble asked if there were any future updates from staff and board.

Mr. Murray updated the Board on upcoming items. He also reminded the Board that the Mills Act Program would be on the City Council agenda June 7, 2022.

Board Member Tobin requested to agendize a discussion regarding landmarks. With respect to landmarks, Title 20 has a section regarding duty to maintain. What does this mean, how do we track this? How many landmarks are there?

Mr. Watson replied that there were 145 landmarks.

Board Member Tobin noted that the duty to maintain is an important item. This is an important provision to agendize and discuss. Is there is a reporting procedure where that applicant is asked to provide an update annually as to the status of the landmark. Not



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so sure it should be an annual report, but somehow we need to ascertain what is the condition of those 145 landmarks. It all goes back to the question of financial tools and how can those financial tools in Title 20 could be connected to help landmarks survive. He would like to start the dialogue with "duty to maintain" what does that mean?

Mr. Murray asked if this would be discussion for the whole board or subcommittee?

Board Member Tobin stated it could start at the whole board.

Board Member Carter noted that it should be discussed at the subcommittee first then brought before the Board.

Chair Gamble asked to look into buildings for landmarking.

Cheech - *Already a landmark*

Sears building – *not designated*

Chair Gamble the Sears building is mentioned in the amazing document discussing mid-century buildings.

Women's Club – *Staff is assisting with the application*

Historic Districts – consider the Cowboy Streets (this has also been surveyed)

Chair Gamble thanked Mr. Watson for giving up his Saturday and providing a Mills Act training.

Board Member Tobin agreed with the area identified by the Chair but there are many other areas that would benefit from a district designation. This would be a good time to remind ourselves where these districts are, the boundaries and history. Another issue that came up were the Neighborhood Conservation Areas (NCA). Can NCAs be elevated to the level of districts. Also, what new districts should be looked into. Can additional NCAs be identified?

Chair Gamble asked, with regard to the Mills Act, that the Board promote the program whenever possible.

### ADJOURNMENT

The meeting was adjourned at 5:00 p.m. to the meeting of June 15, 2022 at 3:30 p.m.