



# Historic Resources Board

## Staff Report (ID # 14008)

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**Report Type:** Approval of Minutes **Meeting Date:** 2/24/2022

**Summary Title:** HRB Draft Minutes December 9, 2021

**Title:** Approval of Historic Resources Board Draft Minutes of December 9, 2021

**From:** Jonathan Lait

### Recommendation

Staff recommends the Historic Resources Board (HRB) adopt the attached meeting minutes.

### Background

Attached are minutes for the following meeting(s):

- December 9, 2021

### Attachments:

- Attachment A: HRB Draft Minutes December 9, 2021 (DOCX)



# HISTORIC RESOURCES BOARD MEETING

## MINUTES: December 9, 2021

Virtual Teleconference Meeting  
8:30 A.M.

### Call to Order/Roll Call

Present: Chair Caroline Willis, Vice Chair Christian Pease; Board Members, Michael Makinen, Margaret Wimmer, Gogo Heinrich, and David Bower

Absent:

### Oral Communications

1. Adoption of a Resolution Authorizing Use of Teleconferencing for Historic Resources Board During COVID-19 State of Emergency.

Ms. French explained that citywide boards and commissions are adopting resolutions so that they can continue meeting remotely. Since there is still a threat from the pandemic, the Council had directed the resolutions be adopted to be consistent with State law; therefore, a motion and approval of the Resolution shown in the packet would be needed.

Motion by Vice Chair Pease to adopt the Resolution. Seconded by Board Member Bower, the motion carried, 6-0, by roll call vote.

### Agenda Changes, Additions and Deletions

The minutes of the October 28, 2021 minutes will be available for approval at the next meeting.

### City Official Reports

2. Historic Resources Board Schedule of Meeting and Assignments

Chair Willis noted that the schedule is only published through the end of 2021, with this being the last meeting. There will be a retreat in January. The second meeting in January will be on the 27<sup>th</sup>. There will not be a meeting on the second Thursday in January; however, starting in February, the Board will meet twice monthly. She asked the Board members to put the meetings for 2022 on their calendars, and plan on accomplishing some things, although she added there may be a conflict with one of the meetings in December 2022.

Board Member Heinrich advised that she has a conflict with the date of the retreat. She has a scheduled vacation planned from the 20<sup>th</sup> through the 31<sup>st</sup>. She asked if the Board is meeting on the 6<sup>th</sup> or the 13<sup>th</sup> for the retreat. Chair Willis was hesitant to deviate from the second and fourth Thursday but said she would keep in mind that Board Member Heinrich will be out of town. Ms. French said the first February meeting is February 10<sup>th</sup>. If they wanted to have a Zoom meeting on the 27<sup>th</sup> and then wait for an in-person retreat on February 10<sup>th</sup>, that would be acceptable to staff. She thought that in February it would be possible to meet in person; however, it was not certain. Board Member Bower had a conflict with February 10<sup>th</sup> and would not be able to join online as he will have no internet service. Chair Willis polled the Board on who was available on January 27<sup>th</sup>. Board Member Heinrich clarified that she could attend a Zoom meeting on the 27<sup>th</sup>. The Board decided upon a hybrid meeting on January 27<sup>th</sup>, which will be the only meeting in January. Chair Willis encouraged Board members to try to plan to be available for future HRB meetings. Chair Willis said the only meetings she knows of that they are cancelling in 2022 are the first and the last.

3. Update on SB 9 Urgency Ordinance and Discussion of Topics for 2022 Historic Resources Board Retreat.

Ms. French updated the Board on the Urgency Ordinance which the Council adopted on December 6<sup>th</sup> and which is now in effect, implementing SB 9, enabling ministerial lot splits and duplex development in non-historic single-family zones in Palo Alto. SB 9 does not affect Professorville or any other historic district. Ms. French said there was a loophole created in 2020 that allowed deconstruction of a home prior to issuance of a building permit. Requiring a building permit, plans and review in conjunction with demolition had previously allowed a process where they did not lose homes or housing units. The loophole was plugged with the Ordinance adoption. Ms. French shared the Council's motions in this regard.

Ms. French explained that SB 9 has an effect on historic resources, because it's a ministerial process now on resources deemed eligible for National or California Register that are not actually listed. The Mayor's comments on Monday as well as a motion requesting staff to return to Council with the information necessary to update the city's inventory. Ms. French shared the motions. The interim ordinance will probably come back to Council in January to do a longer-range implementation. Within the motion was acknowledgment of the Eichler Guidelines as well as information necessary to update the Historic Registry. They will return to Council with a number of items. Staff put much effort into converting the individual review guidelines for two-story homes into objective design standards for SB 9 projects, so there are now some great standards in place that are objective, and not a discretionary review. She shared a link to the report.

Board Member Bower asked about the statement that "homes may be demolished without evaluations" under "The Way it Will Be." Ms. French said this deconstruction loophole had been fixed. The loophole was that people could come in and submit a demolition permit because it was called "deconstruction," and they would miss the opportunity to review the replacement home. Typically, when people come through with a two-story home it is a discretionary review, subject to CEQA, so there is an opportunity to require an evaluation of the home to ensure that it is not a California Register-eligible home. When discretion is taken away under SB 9 there is not an opportunity to stop the demolition of an eligible resource. They do have the opportunity to stop the demolition of a listed resource, which includes everything on the inventory, or the State or National Register. Board Member Bower asked for clarification that a home that could potentially be registered, under this New Emergency Ordinance, could actually be demolished. Ms. French said yes, starting Monday.

Vice Chair Pease asked what the "IR process" referred to. Ms. French responded that this is the Individual Review Guidelines and Individual Review Program. They call it a crosswalk in that there is a crosswalk from the IR Guidelines to the objective standards, and there are specific standards for Eichler tracts as well as non-Eichler tracts.

Ms. French opened the discussion on retreat topics. Chair Willis felt it was of great importance to get the potentially eligible structures onto the inventory. She has looked at the DPR forms for them, and there is a huge variety. She suggested that the Board explore how to get those on the inventory the most quickly. She felt they should all be called Category 4 to start, and they should work on getting on the inventory, and then do any updates they want to do from there. Ms. French asked if she meant to refer to ones that are eligible based on study. She said 'potentially eligibles' are basically unevaluated properties dating back before 1948. Eligibles are identified by the Dames and Moore survey of 1998 to 2000 as National Register-eligible. The ones identified since the Comprehensive Plan was adopted at the end of 2017 as eligible for the California Register are also considered eligible. She said the "potentially eligible" are basically the windshield survey – the unevaluated resources that might be eligible but haven't been studied further.

Chair Willis asked about the ones determined to be eligible for the National Register in which the work is already done. She felt these would be the most expedient to act on, so at they are protected. She felt that at every meeting they should evaluate five to ten properties to see if they should be put on the inventory. For right now, she thought they should work on getting those that have been determined eligible onto the inventory. Since the work has been done, she didn't understand why it would be a difficult process. Ms. French said in the Palo Alto Municipal Code 1649 there is a nomination process involving a recommendation from the HRB and Council. There would be outreach to the property owners, because being eligible is not the same thing as being subject to the Municipal Code, the ordinance that has some protection for at least Categories 1 and 2, and less for Categories 3 and 4, unless they are in Professorville or Downtown. Ms. French said they have reached out to their consultant and received an estimate for the work, which was estimated in the tens of thousands because of the multiple hearings with HRB and Council preparing the documentation. Some were evaluated in 1998 and need to be verified for integrity and other efforts. She said they've heard from the Mayor that there is interest, but they need to have information about it and technical direction on the work. She said the HRB could do some sort of straw poll or some kind of

message, because this is a Comprehensive Plan program that has not been started, to upgrade the eligibles to the actual inventory that is subject to the ordinance. She thought it would be something that Chair Willis could coordinate with perhaps a memo, a straw poll, and they could report back to the Council, and be authorized to commence the work.

Board Member Wimmer said there is a new requirement that she recently experienced. She did a project in College Terrace which was deemed potentially eligible on the parcel report. She has had projects that have had that listing for years, and it did not trigger any extra work. They simply acknowledged it, but recently the City has been requiring an extra step. When there is a project deemed potentially eligible, it cannot just be bypassed. They had to hire a consultant, Page and Turnbull, to send someone out to look at and review the property to determine if it was truly eligible. In this case the existing house was deemed not to be historic or didn't have anything to qualify it. She said the step is there as a safeguard. For all the houses that have been added to the list that was done in 1998, if anyone wants to alter them, they now have to go through the step to ensure that they're altering something potentially historic. Even though it is an extra step and expense to the owner, at least that measure is in place now, which is helping. She said if a property on the list of potentially eligibles comes up where someone wants to alter it, the City does want them to take a closer look at it.

Ms. French said Comprehensive Plan Policy 7.2 is the one that says if someone is looking to demolish a building, they have to first find out if it is California Register-eligible. This is what is different since January 2018. She reports on those to the Board each year and they are sent off to the State as actually eligible, rather than potentially, which is basically unevaluated. Vice Chair Pease asked if that still applies after January 1<sup>st</sup> or if the implementation of the new law changes that in any way. Ms. French said the new law has the ministerial process, whereas, prior to December 6<sup>th</sup>, there was a discretionary process for putting in these duplexes or buildings. Now it cannot be subject to CEQA, and that is why it is a fairly urgent matter to get the eligible resources for both State and National uploaded on an inventory of properties actually listed on a register, the easiest of which is the City's Register, which is what they call their inventory, Categories 1 through 4. The Categories 3 and 4 are not really protected if it is not an SB 9, unless they are in Professorville or Downtown. She summarized that they do not necessarily have a great Historic Preservation Ordinance. There has been agreement on this for a number of years, and it needs to be re-looked at.

Chair Willis asked if, under SB 9, because the 3's and 4's are on the inventory and are historic properties, they are exempt from SB 9. Ms. French said that was correct because they are listed. The SB 9 projects have protection from those in either historic districts or properties actually listed somewhere – local, state or national. If someone comes in with a single-story home, there's no protection for the 3's and 4's

Board Member Bower said, if under SB 9 a historic property is exempt, but the housing for the properties immediately adjacent to an historic property are not, in all HRB reviews of potential changes outside of historic districts, they consider context of any changes. So according to his understanding, someone could come right next to the Squire House and put in a four-unit apartment building, and not be touched by this. Ms. French responded that there is a variety of permutations and combinations of SB 9 but if what's next door to the Squire House is not on a local, state or national register, it could be torn down and an SB 9 project could replace it.

Chair Willis said this is one reason she is very interested in the mapping. Several potential historic districts were identified when they did the survey, and she felt they need to go back and evaluate those. A small historic property without much buffer zone will be impacted, so she is feeling pressure. Ms. French reiterated that the silver lining is the individual review guidelines for the SB 9 projects now have the crosswalk that basically allows them to do an individual review – including privacy, massing, streetscape and other items, so it's not just a building permit without requirements and there is the option if people don't meet the objective standards that they can go through the individual review process, so there is some manner of protection that looks at streetscape and massing and privacy.

Board Member Bower commented that he was distressed to see that the Emergency Ordinance requires that garage doors basically match in style and materials the entry doors. He said this is a disaster in an Eichler zone, or any Eichler house, because Eichlers intentionally use siding across the garage doors to diminish their impact. He said since this is an interim Emergency Ordinance, there should be some language that allows Eichler buildings to be exempt from that. He said he didn't know where that comes from and what the intent is, or why a garage door needs to look like an entry door. Ms. French agreed with this comment and said it was tricky to hustle to come up with the objective standards. With the discretionary

review there are conversations that happen during that process, and there is more flexibility, but trying to come up with objective standards, writing something that will help to not have very egregious garage doors was the attempt. She also stated that the Council did move to have them come back with guidelines related to the Eichler Design Guidelines to include in the objective standards in the next round. She said they can fix that issue for Eichler tracts and can tweak other ones that passed within the Urgency Ordinance.

Chair Willis returned the discussion to the retreat, saying there are many things they need to approach, and she felt they need some logical system to do it. She felt it would be good to have a shared semi-private website with which to work on the inventory, not only the Board, but also volunteers. She mentioned outreach to property owners that is needed, and a standard for digital preservation. She said she did not find the DPR forms very reader-friendly. She suggested looking at something else and looking at getting the current inventory and soon-to-be-enlarged inventory on the web, so that the information is available to people. She thought being able to go online and read about houses in Palo Alto, whether your own or one you're thinking of buying and its history would make it much easier for people coming into the community from outside to understand why this has value. She reiterated there are so many things, and so broad, she did not want to get bogged down and overwhelmed. She wondered if there was a way to make the work manageable.

Ms. French responded that there may be potential issues with having a private full-Board sharing, although if there is a subcommittee that may be acceptable in view of the Brown Act. Chair Willis replied that the DPR she looked at is bulky to send around and it would be nice if they just had access to those on the web. If they recruited people to help with the research to see if they're still standing or been significantly changed, it would be nice to have some sort of tracking tool, not necessarily a decision-making process. Ms. French said if they were to use the City's website and have a place on the website for subcommittee efforts, they could upload things under that if they wanted to publish some things. She added in regard to the DPR forms, the reason they are used is because if someone wanted to send their own DPR to the State to get listed - so that they could get advantages of tax credits, for example – then it's in the form that the State accepts and is the industry standard for those things.

Chair Willis said she has high expectations for some future Historic Palo Alto webpage, and she would like to see much more photographic documentations. She would like to see the DPRs attached but would also like to see a two-page summary of sorts with one or two pictures that is a kind of entry, and if more information is needed, it would be great to have that as well.

Board Member Bower said there is the PAST website that has a huge photographic component to it, and they have talked about the City linking that information to their website. Ms. French said the City website does have a link to PAST and constantly upon being asked they send out the DPRs, emailed, and also the link to the PAST website that has color photos. It is the same information as on the DPR forms. Chair Willis said she was aware of this but would like to see the HRB take ownership of that.

Board Member Bower offered to go back and give an update on the Mills Act. He said he has discussed this with Board Member Wimmer and he thinks it is actually, with a few editorial changes, ready for the Board to consider. It is a complicated strategy to get something such as this articulated in a way that answers all the stakeholders' questions, but he felt instead of waiting for the perfect document, they just need to move forward. The big hurdle will not be creating the document, because that is mostly done. It is, instead, getting the Council to believe that this is a worthwhile thing to adopt in the current environment of no money and no staff for historic resources. He said this could be a separate meeting topic, or a topic for the retreat, although he wasn't sure there would be time to do it at the retreat, as his experience with retreats is they get about one-and-a-half subjects addressed and then the time is gone. The retreats tend to drift in terms of focus, although they haven't had one in so long he wasn't sure it would look like.

Chair Willis said that was what she was trying to connect with some kind of enabler. She felt they the Board really needed to set priorities, for 2022 at least, and then perhaps beyond that. Someone who knew how to move through the process of the meeting would be very helpful. Board Member Bower likened it to a "herding cats" issue. He felt the Mills Act is a good topic for a regular Board meeting, with some tweaking by Ms. French, who has the original document, which could be distributed to the Board members to review before a meeting and move forward on it. Ms. French remarked that she thought she already distributed it to the entire Board electronically in a prior HRB packet, although it might be in the retreat staff report in the queue for January. Vice Chair Pease said she did send it and he remembered looking it over. He asked if she might consider re-sending it, and she was happy to. Board Member Bower added that the editing that

he and Board Member Wimmer discussed would be more valuable in a newer document, rather than taking the original and having to pencil it in. He said it's not much but was defining the terms a little better.

Ms. French advised that each subcommittee is welcome to reach out and contact her and provide if there is a way to email her something or have a Zoom call with her to walk through the version that she did send out and let her know what the Board is thinking. She said PDFs are editable so they could do that. Board Member Bower said he would scan this and share it with Chair Willis and confirm that the changes they are interested in pursuing, and then they could send it to her prior to scheduling a meeting. Chair Willis proposed scheduled the item for February 24<sup>th</sup>.

Chair Willis asked about progress on the mapping process. Vice Chair Pease said he put together a "trial balloon" proposal, but it was dependent on having a meeting with Mr. Rivera to try to understand what is possible in terms of integrating some databases. They were not able to do that. Other ideas that came up included a poster and different ways of creating visual aids, short-term doable projects, things that could be completed in advance. He said he would still like to understand what is technically possible with all the sources that are out there, but they were not able to put this together yet.

Board Member Makinen commented on his position on creating a poster. He felt it was beyond their capabilities as an HRB working group, and he recommended that they create a statement of work and go out to a professional organization like Page and Turnbull or Architectural Resources Group and have the poster made. He said he was involved in creating a poster at Moffett Field, and it is an enormous undertaking that needs to be done professionally. He felt it was unrealistic to try to do this as an HRB volunteer group.

Vice Chair Pease said he didn't mean to minimize the work. He felt the direction he was getting from the Chair was the idea of having an end goal and set of objectives and then trying to define a way to get started that was doable. There were other discussions relating to the idea of outreach and tools to enable them to better reach out to and educate the public about the value of historic resources. Board Member Makinen recommended on the poster project that they write the statement of work, but they are in no way equipped to do it as a volunteer group. Board Member Heinrich said she was waiting to see what they were going to come up with the City Council's information. She thought if they could do an overlay of the Housing Element's potential sites map with all of the historic sites, especially the Categories 1 and 2 and then having a special listing of ones they need to study right away, it would be an easy way to get started.

Chair Willis said that they need to contact the person in the City who knows how to do the mapping. She asked Ms. French to help enable this. Ms. French replied that she has connected the Board to Roland Rivera in the past and can reach out to him again in this regard. She suggested having a meeting after the holidays. She added regarding the City's processes, there are processes for allocating funds, going through Purchasing, contracting with consultants, which have to be factored into timelines, getting authorization to use resources, defining the scope, et cetera, for using consultant help. Chair Willis asked if learning how to use the map would require a consultant. Vice Chair Pease said they were not able within the timeframe to get everyone coordinated for a meeting with Mr. Roland. He thought this was the best path in the digital world, which was the direction he had understood the goal to be. Ms. French will let Mr. Roland know that they are still interested in meeting to talk through the technical side of creating the layers as discussed. Vice Chair Pease will send his ideas to Ms. French and Chair Willis again.

Chair Willis suggested, since the mapping will not be available by the retreat to help focus in on how to move forward as an enabling tool, to look at where to pursue historic districts and focus on which of the properties have been determined to be potentially eligible for a register. Vice Chair Pease said they were dealing with the urgency around the new State law and responding to that, but it is useful to have a roadmap to know where they are going and what the objectives are, for him to understand what is possible and have a person who is an expert to answer questions, because it is hard to take a guess at it. He wondered how to work out something for the retreat where they can come to consensus on how to balance the urgency of the new laws with what might be low-hanging fruit to get started without having at least a basic idea of where they are trying to go over time. He said trying to keep from being overwhelmed doesn't mean they have to cut off ideas, goals or plans by assuming there are no resources to support them before scoping out the resources.

Chair Willis said her biggest ambition for the retreat would now be to develop a serious work plan and back it up with either the details of how to get there, or the long-range work plan. She felt it is clear that the inventory is where they need to start since they have made a commitment to maintain an inventory. Given

the fact that they have all this information that has been sitting in a file box for 20 years, she did not feel they had maintained an inventory, so for her that was their first priority. She suggested the goal of the retreat be to define their work program and discuss how to get the properties that have been determined to be eligible for the National Register on the inventory. Vice Chair Pease agreed with this goal. He felt it would tie into the other things, and he would like to figure out a way to get a simple-as-possible set of points that they all agree to that would help them organize their thoughts and begin to prioritize the next step might be.

Chair Willis asked him to suggest the first point. Vice Chair Pease responded that looking at the inventory to define whether that means public outreach, standards, et cetera. The Mills Act provides a potential incentive if reaching out to homeowners.

Board Member Wimmer agreed that many of the conceptual goals they want to accomplish require not only their time, staff time, and probably funds to pour into the project. She said it's great to come up with the good ideas that they all want to achieve, but they have to pace themselves. She said that all the years she has been on the Board, they had made minor milestone steps toward their goals, but she didn't know if they would be able to race to any finish line. She thought identifying and continuing to refine the goals they already have would be an achievement unto itself. Also, along with each goal, they would need to define what it means. For example, updating the inventory. It is one thing to add residents to a list and have an ongoing list of potentially eligible houses, but in order for them to graduate from a list to an actually eligible resources they would have to hire someone like Page and Turnbull, and there is a cost for them to go out and thoroughly look at the resources and do the research to determine if one house is something that can actually be a Category 1 – 4.

Board Member Bower commented that Debbie Shepherd had pursued getting her house listed on a register. She contacted Page and Turnbull and they were happy to do it, but the fee would have been \$15,000. He said it is a huge expenditure and for most people probably out of reach. He wondered if there was a way that the City could simplify the process to get houses listed as Category 1 – 4. Ms. French noted she had reached out to their consultant and gotten an estimate of somewhere between \$20,000 and \$30,000 to simply look at the deemed eligible – not the potentially eligible. She clarified that there were 10 homes found eligible for the California Register that were formerly potentially eligible, or unevaluated, since 2018. There were many more found not eligible. Page and Turnbull had given an estimate and talked about the steps – how many HRB meetings, how many Council meetings, what kind of outreach, et cetera. Ms. French said she could see it being even higher, but any consultant's efforts would include looking at the Department of Park and Recreation (DPRs) state forms that have already been prepared for all of those deemed eligible. They would visit each site, see if the house is still there and has integrity, and have a report on just those, the 165, and those that have been found eligible since the 2017 Comprehensive Plan. Ms. French said that is doable, with authorization to proceed with the project, to take staff resources, do an RFP if needed, et cetera.

Board Member Bower commented that one thing the HRB could do is drive-by verification that the buildings are still there. PAST does this every year for their Centennial Awards where Board members go out, split up the city, the list of potential houses, and walk or drive by to see if they exist. He said half of them don't exist. The other problem PAST has is that they are using census and permit data, which is not very reliable, and some of the addresses are actually different. The address of the original building sometimes doesn't exist. He said it is complicated, but it is something, and if they just want to cross off the addresses that don't have a property on them, it would be something they could do as a subcommittee. Vice Chair Pease said Google Street View is an alternative to actually physically going out and doing this. They are reasonably kept up in an area like this. He felt at the end of the day, their responsibility is to get something back to the Council so they can act on it and make a decision. The question is how to get there sooner rather than later, how much detail is required for them to do that and perhaps an expectation that it will be iterative with them as well. He suggested that something is fairly straightforward be presented to them first; they will respond to it; and then the Board would have guidance. The urgency is correct. They want to get something tangible done this year. If they could create a larger context and then reduce it to a very manageable document and request, go through the correct channels to get it in front of the Council, and get a result back from them, whatever it is, they will know a lot more about where they really stand.

Chair Willis said this is one of her questions. She has become familiar with the 165 properties eligible for the National Register. A couple of them are owned by the City, and she wondered if that could be where they start. The notification process would be fairly expedient. She noted the Water Tower building and the

Pumping Station as examples and advocated approaching the City as soon as possible with this type of low hanging fruit.

Ms. French shared that the next time work plans would be due from Boards and Commissions would be April. She suggested this is an opportunity to work this out. If the Board did not modify this year's work plan due to SB 9, she said April would be the next opportunity to move ahead with the Comprehensive Plan program. Chair Willis asked if Ms. French thought they should wait until April, and Ms. French replied there is simply an opportunity to adjust the current work plan, and/or to focus on getting the information as per Mayor Dubois' note to find to what it would take to get the information about this project. If they need to look into submitting a grant to help with the project because it exceeds the initial output, there are all sorts of things related to that. Every May the Office of Historic Preservation has a grant program that they could potentially look into for some of this. She thought defining the scope and elevating this on the work plan ahead of other things would be something for the Board to consider, either at the retreat or in some other manner.

Chair Willis wondered if they asked Council to put the properties that have been deemed eligible for the National Register onto their inventory as Category 4's what kind of outreach would be necessary to property owners. Ms. French said that would be part of what they would have to look at. Just following the Chapter 16.49 about the nominations process as per the Code, it doesn't specify how the outreach occurs. There may be some skittish property owners, who knowing what they are doing is causing a property to be subject to the Municipal Code where previously it was not, they would need to have thorough conversations with, probably best done on a one-to-one basis with each property owner.

Board Member Bower said when they were developing the Professorville Design Guidelines and particularly the Eichler Guidelines there was a substantial group of people in the Eichler areas that pushed back very hard on any designation of historic notoriety, which astounded him. They continued as a Board at the time to encourage people to recognize the advantages of being considered an historic property. One resident in particular wrote him many times, telling him how wrong he was about historic designation, with examples from New York City that were 20 years old. He said it is a very, very touchy subject with some residents and he didn't know how to overcome that. He anticipated, if they were to ask somebody to be listed or designated in any way, it could trigger some unpleasant experiences.

Vice Chair Pease said there is a historic district which is all Eichler, so they were able to accomplish this. He agreed the outreach process is dicey. Board Member Bower added that the process was pretty simple and would have benefitted the Eichler tracts, of which there are many in Palo Alto. He was dumbfounded by the pushback, even to recognize Eichlers as an architectural style.

Ms. French agreed with this and said she was very much involved in that. They have gotten awards for their Eichler Guidelines, yet there was pushback. People didn't even want to have them attached to the individual review program for two-story homes and didn't even want that to be a mandatory use of those Guidelines. She said in Palo Alto everything is voluntary when it comes to historic.

Chair Willis asked how onerous it is to be on the inventory at this point. If the Council decided to put the 165 properties on the Palo Alto historic inventory, as Category 4's, how onerous would that be for any property owner? Board Member Bower said he has had a direct experience with one property owner who said, "If you put my property on any historic register, I'll sue the City." He said it was irrational and sad. They weren't even considering it, but because he was Chair, they found him and were very adamant about it, and it was a big deal to them.

Ms. French said somebody who might want to do an SB 9 project would not want to have their house on the inventory, because the act of being on a register of any kind – local, state or national – they are not able to pursue an SB 9 project. Chair Willis said at this early stage it seemed unlikely that anybody would actually own a property that they specifically bought to do an SB 9 on. She thought from that point of view they would be better doing it sooner rather than later, because later people might have actually purchased properties assuming they could use SB 9.

Board Member Bower thought they should move forward, do what they're going to do, and if somebody pushes back then they would just pull them off the list. There is no advantage to butting heads with anybody who doesn't want to be part of it. Ms. French said there is an advantage as far as if they are not doing an SB 9 project and they want to come forward with a two-story home. That is still a discretionary process. It becomes ministerial with multiple units.



Board Member Wimmer thought there was a big component of property owners who see a historic listing of their property as inhibiting them from doing anything, and they see it as a negative thing. She thought it would be great to create some incentive for these people so that they would want to have a historic listing. The Mills Act was one thing. They would have to come up with a big campaign to say how great it is to have a historic house in Palo Alto and how it is a badge of honor. She felt it is a psychological thing that people see it as a deterrent and not as asset, although she doesn't know where this attitude comes from. She thought it was because if they ever want to do anything they have to jump through so many more hoops and pay so much more money, and they see it as an obstacle or a hinderance. She wished they could reprogram them, or say, "Hey, this is something you should take pride in," but said the only way she could see doing it is to incentivize it somehow. She wished peoples' attitudes were different, because it is really the core of what Palo Alto is. Driving through Palo Alto now and seeing these beautiful old homes creates a historic fabric and creates a sense of place and preservation that what makes communities so desirable, and Palo Alto is one of the most desirable communities to be in. She wished that they could change the narrative for these people, and instead of them viewing it as a horrible thing, they should want to achieve that. They should want to have their house on a list.

Board Member Wimmer felt the way to incentivize would be the Mills Act. The only other way was if they wanted to do anything, such as waive their fees. She said they have to create some incentive. Ms. French responded that they do have an incentive for Categories 1 through 4 for additional floor area above the maximum. There is an incentive that exists that allows subdivision of a property if they have an historic resource on one of the properties that would remain after the subdivision. With ADUs, folks can now put an 800-square-foot ADU above their maximum FAR on any kind of property, so that may be something that encourages retention of the existing home. She said she sees emails daily for people that want to buy properties in Palo Alto, and the first thing they ask is, "Can I tear it down?" because there are people that don't want to move into somebody else's old house.

Vice Chair Pease said conventional wisdom for many folks is that their home is their largest asset, and they don't want to have somebody control that asset in a way that they perceive is going to be detrimental to them in that regard. He observed that the Mayor has asked what it is going to take to get this done, and asked how the Board can respond to that and how to provide that back to the Council and see what they have to say, and at the same time move forward with something positive in the face of SB 9 to at least encourage the preservation of historic homes.

Chair Willis said she thought she could round up ten properties on the list that want to be on the inventory. If she recruits ten property owners and they add a couple of City properties on that list and they go to Council with it and get the homeowners to make a request that they be added to the inventory, and maybe if other people see that happening, it would make their entrance easier. Vice Chair Pease wondered if she could ask them, or if she already knew why they are positive in that regard. Chair Willis said she got one herself, and she is positive. She said it is a great old house that she would hate to see torn down. She and her kids love it. Vice Chair Pease said until the law is in effect they don't know how the prospect of somebody coming and offering to buy your house for even more than a house costs in Palo Alto now for development under the rights they have under this law will reveal itself over time. It would be nice to understand what would make folks favorable to having their property listed. If there were ten folks willing to talk with them, he would be interested in having those conversations.

Board Member Wimmer thought it was a good idea to have a small group of people willing to be interviewed or have a conversation with them, perhaps a small group representing the greater community of people who do have potentially historic homes. She liked what Chair Willis was saying about finding a small sample group to start with and learn from. Vice Chair Pease added that they can begin to build a focus group that makes things more understandable to people who are more reactive. He said he is very interested to hear why someone would forego what many may consider to be a potential financial incentive in order to protect a property they own and live in. He thought that getting a group of first-movers together was a great idea. He advocated creating a success and deriving a way of answering the question of what it takes to get this done. Rather than doing it in a heated community meeting, do it quietly in a way that motivates people when they see both sides of the coin.

Ms. French had an idea that, because they do have people that currently own listed Categories 1 through 4 properties, and there may be people that have already gained the bonus floor area, et cetera, that they may be willing to share why they like being on the City's inventory. Chair Willis asked Ms. French to help her put together a list of such people that she could reach out to.

Chair Willis thought they would benefit from a strong organizational hand to help get some things done, so if anyone had ideas for her, to please let her know. Ms. French thought one thing that might be helpful was to look at the topics on the retreat list and winnow them down to perhaps two or three topics.

Board Member Wimmer said it sounds like Chair Willis was hoping to have even more frequent meetings, and thought that having even one a month could be dedicated to one of the retreat items. For example, the first meeting of the month could be reserved for their topics of interest. A whole meeting could be dedicated to the Mills Act, for example. Instead of being overwhelmed with so many different talking points, they could pick just one topic for each meeting. She appreciated the open conversation they were currently having and felt the Board needs these to specifically talk about things like the inventory. She suggested that a retreat seems very official, and they could instead just pick one topic per meeting, throw out ideas, learn together about the topic and review where they are at with it. What progress has been made? What progress do they want to make? She said Board Member Bower and she spent a long time on the Mills Act, and they still need to re-evaluate what they have accomplished, where they are at, what they are trying to do. Since there are new people on the Board, she advocated focusing on one thing at each meeting.

Board Member Heinrich like the idea of focusing each meeting on a special topic, so that they can all study what that topic is, as opposed to trying to hit everything at once and not getting anything done.

Vice Chair Pease agreed and said many of the cancellations in the last year were because there were no properties to evaluate. He said they could be spending the time differently and he also found the conversation very useful. Board Member Wimmer added they can connect and educate themselves and bring the new Board members up to speed, but even for herself, she has to be reminded. She said maybe they could even have two meetings on one project.

Board Member Bower also agreed with this notion. He wondered what the status was on finding a seventh Board member. Ms. French provided an update, reporting that Monday, the 13<sup>th</sup>, the Council was set to appoint someone to that seat.

Vice Chair Pease thought they had found a couple things that could be done in the short term that could be very useful, such as interviewing people that Ms. French could connect them to who live in historic homes and on why they had them listed, as well as Chair Willis' contacts that are open to this. He also thought they could also test some simple things, like whether Street View would be good enough to check on whether a structure is still there by each person taking perhaps five places on the list and going onto the maps and looking and then driving there to see if they are accurate. It would be spending a couple hours to get a flavor for whether its possible. If so, it makes parsing out the work much easier.

Board Member Bower commented that PAST covered the entire city to find the 100-year centennial houses during the pandemic last year just by parsing it out to the board members, so it was a very good idea. He also thought Street View would be a great place to start. If there is no building to see, it would obviously require a visit, but most houses can easily be seen on it.

Vice Chair Pease remarked that Chair Willis is correct in that they all want to get something done and build on what they do, not just react to someone occasionally coming in and requesting or who is being required to have a review. At the same time, he felt Board Member Wimmer's comments about dialog might help them be much more productive.

Chair Willis liked the idea of having meetings focused on specific topics, aside from projects bring to the Board. She said the History Museum has been on her mind lately. She thought it would be useful to have somebody from their Board come and talk to them. The Roth Building would benefit the HRB as well as the History Museum inasmuch as it could be a great symbol of preservation in Palo Alto if it wasn't so decayed. She felt there were other topics like that, such as a meeting where ten homeowners come and talk to them about their experience. She said Los Altos History Museum did that with five properties, which she thought were all Mills Act properties. The owners did inspiring presentations. She said it might also get other people interested in their meetings and build interest in preservation in Palo Alto.

Regarding the list of potential retreat topics, she asked to look at the list again and narrow down what they want to discuss at the retreat and what they would like to put on future agendas. Ms. French shared the list with the Board. Chair Willis advocated item 2, stated as "Develop a work program." She said her priority has become developing a work plan for 2022, and she felt this item could be developed collectively. Vice Chair Pease suggested using number five, "Survey Update," as the framework for the goals. In other words, all the goals were built around advancing the survey update, given the new laws and the urgency created

by them. Chair Willis added that they could incorporate the Comprehensive Plan as it relates to that. She said she would rather not get hung up on outreach but could be a topic they could have a special meeting on. Vice Chair Pease said with the new law and what the Council has said, all the other items orbit around it. Board Member Wimmer reiterated that the list is daunting, and they could spend a year on just one item, and focusing on one thing at a time would help.

Chair Willis asked Ms. French to remove item number three to talk about at the second meeting in February. She said they could delay the item pertaining to virtual presentation. She advocated deleting HRB outreach. Board Member Wimmer suggested reviewing the Historic Preservation Ordinance Chapter 16.49, not trying to change it but re-familiarizing themselves with it. Not trying to revolutionize it but just re-familiarizing themselves with it as a group and discussing it and maybe identifying areas that could potentially be improved upon. Also, there is the Historic Building Code which is something completely different, when a house is under construction there are some exemptions and things that are considered incentives, in that if you have a historic house and you are remodeling it, you are exempt from certain Code requirements. Becoming familiar with this code along with the Ordinance and become familiar with it would be great training for all of the Board members. Chair Willis suggested a presentation on the Historic Building Code at another meeting because it is a big topic and something they should be familiar with. Board Member Wimmer said it is a small chapter in the Building Code and she has an isolated PDF of it she could share. She didn't think they all needed to be experts on it, but just know that it exists.

[Board Member Bower left the meeting and Board Member Heinrich had technical difficulties barring further participation in the meeting]

Vice Chair Pease thought that could be a component within the framework of the inventory issue. The urgency is around the inventory. If the goal is to get to the Council around how to do this, it might be one of the most effective avenues. Board Member Wimmer wondered if this, therefore, was to be their most important subject. Vice Chair Pease said if they came up with a plan around the inventory from the retreat, it seems productive to him.

Chair Willis wanted to see them come up with a work plan very focused on not only updating the inventory with the properties they already have documented, but also a system for moving forward. When there are 50 years' worth of properties, their inventory is more than 40 years old since being updated. There needs to be a system in place to add to it systematically. She advocated, first, doing a work plan, and second, coming up with steps towards updating the inventory. Board Member Wimmer agreed, and Board Member Makinen felt they were on the right track, getting the list thinned down to a more reasonable level.

Vice Chair Pease said in the context of coming up with a way to do the inventory, it's a better way to focus. If somebody were to present it to the Council, they want to be able to answer their questions and be able to know what they are speaking to. He still felt there should be one topic, the inventory, and everything else that fits under that, and this would be the context of the conversation and decision-making process at the retreat. Board Member Wimmer like the format. He said this is a step towards how to get this done. At the end of the day, the Council decides where the resources go, how the money is spent, what the priorities are, not them, so for the amount of effort they have to put in to have the best return.

Chair Willis felt with planning they could get some things done. She was optimistic that they made progress through the discussion. Ms. French thought they had made strides. Vice Chair Pease asked her professional opinion on their thoughts on how to proceed. Ms. French definitely supports the HRB as one of the tasks of her job and she thought having the digestible one topic per meeting was good, but she felt like she has been asking the HRB to focus on the SB 9 and the fact that they already have a Comprehensive Plan program that they haven't begun. HRB is appointed by the Council. Council gives direction and reviews the work plan. The work plan they have, and placement on the inventory of the eligible properties is not on their work plan. There is an opportunity in April to add it to the work plan and an opportunity before April to report back to the Mayor and Council what it takes, what the process is, the outreach, et cetera, so she thought it was worthy of elevating, because it has gotten noticed by the Mayor.

Vice Chair Pease said clearly SB 9 and the response to it is a huge urgent issue for the City. Otherwise, there wouldn't be people out there trying to identify potential properties for additional housing that could be built under the terms of this law, so even though it is not in the current work plan, if it's urgent enough, he wondered if it called for them to rise to the occasion and do what is important. Ms. French said sure and the adoption and presentation to Council of the work plan back in June and July, so now the work plan can

be updated, so someone could craft something with her help and send it to Council. Since it has been requested having it go with information about what it takes, because that's been requested of them.

**Board Member Questions, Comments or Announcement**

Ms. French offered a reminder that oral communications is part of every meeting, although there were no members of the public who wished to speak at that time.

**Adjournment**

Vice Chair Pease moved to adjourn the meeting. Seconded by Board Member Wimmer, the motion carried, 5-0, by voice vote.