



City of Palo Alto

City Council Staff Report

(ID # 12028)

Report Type: Consent Calendar

Meeting Date: 4/12/2021

Summary Title: Approval of Corrected Resolution for Roth Building County Grant Applications

Title: Adoption of a Corrected Resolution for the Santa Clara County Historical Heritage Grant Program Authorizing the Application and Receipt of Grant Funds by the City of Palo Alto for the Roth Building (300 Homer Ave) Roof and Frescoes Rehabilitation

From: City Manager

Lead Department: Administrative Services

Recommendation

Staff recommends that Council adopt the attached resolution (Attachments A) to comply with an application for historic preservation grant funds from the County of Santa Clara to rehabilitate the Roth Building frescoes and roof.

Background

The Palo Alto Museum (PAM) has been working for several years to raise funding through various means including grants. In partnership with the City, as the owner of the facility, PAM sought and received the award of grants from Santa Clara County. The City Council has acted on these grant opportunities in the past including 2018 and 2020.

The City has continued its long history with PAM in partnership to develop the Roth Building. The most recent staff report from December 2020 can be found here [CMR 11832](#) which discusses funding options for a “warm shell.” The City Council took action to direct staff to pursue selling the Roth building, partner with PAM on a “warm shell” with no additional city money, research lease options and explore re-zoning, and return to the City Council in June 2021.

In 2018, the City first received a grant under the County’s historical heritage grant program in the amount of \$100,000 to cover a portion of the cost of replacement of the Roth Building roof. Through that application process, the City Council approved a resolution committing the project to park use for twenty years ([CMR 9767](#)), and the City executed a grant agreement with the County.

Discussion

Subsequently, the City in continuing collaboration with the Palo Alto Museum (PAM), applied for and was awarded an additional Santa Clara County Historic Grant ([CMR 11287](#)) for the roof replacement (\$200,000) and for the preservation of the art frescoes (\$105,000) at the Roth Building. On November 16, 2020 Council approved a resolution for grants for the Roth Building ([CMR 11653](#)). Due to a misunderstanding the City mistakenly adopted the incorrect form resolution for the applicable round of the grant program, and the County asked the City to correct it and adopt the proper form resolution. Attached to this staff report is the corrected resolution. Council approval of the corrected proposed resolution (Attachment A) would authorize the City Manager to execute the grant agreement and administer the grant. The resolution and grant agreement are the only outstanding items to be completed for the City to receive the awarded grants. The program guide for the grant can be found on the County's website at this [link](#)¹.

Approval of the overall project and partnership with PAM would still be needed by the City Council to begin work on the rehabilitation and draw on these grant funds. Should the City decide to pursue a different path with the Roth Building inconsistent with the County grant requirements the City could choose not to use the County grant funds.

Timeline

The Roth Building project was last reviewed by the City Council on December 14, 2020 ([CMR 11832](#)). Based on Council's direction staff is preparing to return to City Council this year. The timing of the grant funding related to this resolution would coincide with the construction of the building once started.

Resource Impact

Council approval of the resolution will allow the City to enter into the grant agreements to receive County funding for the roof and the frescoes once the overall project is approved. The roof portion of the project previously received Santa Clara County Historic Grant Program funding (\$100,000) in 2019. These agreements would bring the total grant funding for the roof to \$302,992 and \$100,000 for the frescoes.

Stakeholder Engagement

Staff has coordinated with the County of Santa Clara staff to prepare and finalize the resolution and PAM.

Environmental Review

The Roth Building rehabilitation project is Categorical Exempt from CEQA review pursuant to CEQA guidelines section 15331, Historical Resource Restoration/Rehabilitation, as a project limited to maintenance, repair, and rehabilitation in accordance with the secretary of interior standards for historic preservation.

Attachments:

¹ <https://www.sccgov.org/sites/parks/Documents/historic-grant-program-revised-procedural-guide-060419.pdf>

- Attachment A: Resolution Roth Building County Grant Applications

Attachment A

Resolution No. _____

Resolution of the Council of the City of Palo Alto
Approving City of Palo Alto's Applications for County of Santa Clara
Historic Grants for the Roth Building Roof Rehabilitation and Roth
Building Art Frescoes Projects in Heritage Park; Delegating Authority to an
Authorized Representative to Sign and Submit the Grant Applications to
the County of Santa Clara; Sign the Grant Agreements and Administer the
Projects on Behalf of City of Palo Alto; and, Committing the Project
Property to the Project Use for a Period of at least twenty years

R E C I T A L S

- A. The County of Santa Clara ("County") has established the Historic Grant Program to acknowledge and celebrate untold perspectives of underrepresented communities within Santa Clara County ("Grant Program"); and,
- B. The County funds the Grant Program; and,
- C. The City of Palo (the "Applicant") submitted Grant Applications to the County in order to seek Grant Program funds for the following Projects: 1) Roth Building Roof Rehabilitation and 2) Roth Building Art Frescoes Preservation (the "PROJECTS"); and,
- D. The PROJECTS will be located at 300 Homer Avenue, Palo Alto, California, 94301 (the "Property"), and said Property is owned or controlled by City of Palo Alto (the "Property Holder"); and,
- E. If the County-funded PROJECT is for a capital improvement of a structure or building of historic significance, then the County requires that the property on which the grant-funded capital-improvement PROJECT is located be continually used for a minimum of 20 years and be open to all Santa Clara county residents on a non-discriminatory basis; and,
- F. The Property Holder has granted permission (consent) to the Applicant to use the Property for the PROJECTS for the period of time ("Term") set out in the Grant Application, and said consent is evidenced by an attached grant deed, lease, license or other agreement granting such rights to the Applicant (Attachment 1); and,
- G. Applicant is required pursuant to the Historic Grant Program Procedural Guide to designate a legally authorized representative to administer the PROJECTS and to execute the Grant Agreements, along with any amendments thereto, on behalf of the Applicant; and

H. Pursuant to the County's grant requirements, the City Council adopted Resolution No. 9923, the County's form resolution, at its November 16, 2020 meeting approving the application for the PROJECTS; subsequently County staff informed the City that it had mistakenly adopted the incorrect form resolution and asked that the City correct that action and adopt the proper form resolution, which will be addressed by adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Palo Alto hereby makes the following determinations:

SECTION 1. The PROJECTS are located on the Property that will be continually used for the PROJECTS for the Term as set out in the Grant Applications;

SECTION 2. The City Council hereby delegates authority to the City Manager or designee, to sign and submit the Grant Applications to the County of Santa Clara, to negotiate, execute, amend, or terminate the Grant Funding Agreements ("Grant Agreement") and any other agreements in relation to the Historic Grant Program, and authority to administer and carry out all terms and conditions of the Grant Agreements and related agreements including but not limited to taking any all other necessary actions to complete the PROJECTS.

SECTION 3. By delegating such authority to the City Manager, the City Council acknowledges, agrees, represents and warrants that the execution of the Grant Agreements and any and all other agreements or amendments by the City Manager binds and obligates the City Council of the City of Palo Alto to comply with all terms and conditions of such agreements, without the necessity of additional approvals or conditions;

SECTION 4. The City Council has had the opportunity to seek the advice of its own legal counsel and other professionals in connection with the Grant Agreements and the Historic Grant Program Procedural Guide.

SECTION 5. The City Council agrees that the terms and conditions of the Grant Agreement and the requirements of the Historic Grant Program Procedural Guide are acceptable and the City Council is ready, willing and able to carry out the terms and conditions of the Grant Agreements without any amendment thereto.

SECTION 6. The City Council hereby approves the Grant Applications submitted on its behalf to the County of Santa Clara in relation to the PROJECTS and the request for Grand funds.

BE IT FURTHER RESOLVED that Resolution No. 9923, is hereby superseded by adoption of this Resolution.

//

//

//

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

APPROVED:

City Clerk

Mayor

Assistant City Attorney

City Manager

Director of Planning and Development Services

Director of Administrative Services