

**CLAREMONT CITY COUNCIL, FINANCING AUTHORITY, AND
SUCCESSOR AGENCY TO THE CLAREMONT
REDEVELOPMENT AGENCY
MEETING AGENDA**

*“We are a vibrant, livable, and inclusive community dedicated to quality services,
safety, financial strength, sustainability, preservation, and progress
with equal representation for our community.”*

**City Council Chamber
225 Second Street
Claremont, CA 91711**



**Tuesday
December 10, 2024
6:30 PM**

COUNCILMEMBERS

**SAL MEDINA
MAYOR**

JED LEANO

ED REECE

COREY CALAYCAY

JENNIFER STARK

Meetings are open to the public for in-person attendance. The meeting will be live streamed via Zoom, technology permitting. Members of the public will not be able to provide public comment via Zoom. To watch the meeting via Zoom, use the following link: <https://zoom.us/j/256208090>. To listen via telephone dial (213)338-8477, Webinar ID: 256 208 090. The recorded meeting will be uploaded to the City website and archived.

OPTIONS FOR PUBLIC COMMENT

Public comment may be provided by one of the following methods. Each speaker will be given up to three (3) minutes to provide their comment.

IN-PERSON LIVE COMMENTS

When the item you wish to speak to is announced, please proceed to the speaker's podium one by one.

E-MAIL/MAIL

Written comments sent to the City Clerk's office will be distributed to the City Council and imaged into the record of the meeting. Email: sdesautels@claremontca.gov, jcostanza@claremontca.gov. Mail: PO Box 880, Claremont, CA 91711. Written comments submitted after publication of the agenda will be made available in the document archive system on the City website as soon as possible - www.ci.claremont.ca.us.

**CALL TO ORDER THE MEETING OF THE CITY COUNCIL/FINANCING
AUTHORITY/SUCCESSOR AGENCY TO THE CLAREMONT REDEVELOPMENT
AGENCY**

The Financing Authority was established by the City Council on July 24, 2001 for the purpose of refinancing existing bonded indebtedness and financing additional monies to be used for land acquisition related to the Village Expansion project and open space preservation. The Authority will remain in existence so long as any bonds remain outstanding; and is required to hold an annual meeting on the second Tuesday in December of each year.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL

CLOSED SESSION REPORT

CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

Staff Introductions:

Christi Giannone, Human Resources Manager
Cory Williams, Building Inspector

Announcement:

Claremont Helen Renwick Library Updates

FEDERAL HOLIDAYS AND OBSERVANCES

Holidays This Month and Upcoming

MAYOR AND COUNCIL

Council Items

1. DECLARATION OF THE RESULTS OF THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION FOR A CITY COUNCILMEMBER IN DISTRICT 1 AND IN DISTRICT 5

Recommendation: Staff recommends the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 5, 2024, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

Attachment(s): Resolution Reciting the Fact of the General Municipal Election

2. ADMINISTRATION OF THE OATH OF OFFICE TO NEWLY RE-ELECTED CITY COUNCILMEMBERS COREY CALAYCAY, DISTRICT 1; AND SILVIANO "SAL" MEDINA, DISTRICT 5

Recommendation: Staff recommends newly re-elected Claremont City Councilmembers Corey Calaycay and Silvano "Sal" Medina each be administered the Oath of Office for Public Officers.

3. APPOINTMENT OF A MAYOR AND MAYOR PRO TEMPORE FOR THE UPCOMING YEAR

Recommendation: Staff recommends the City Council:

- A. Hear nominations and vote for the office of Mayor;
- B. Hear nominations and vote for the office of Mayor Pro Tempore; and
- C. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, APPOINTING A MAYOR AND A MAYOR PRO TEMPORE EACH TO A ONE-YEAR TERM.

Attachment(s): Resolution Appointing a Mayor and a Mayor Pro Tempore

Council Assignment Reports

City Councilmembers may serve as representatives on regional organizations. This time is allocated for reports about their activities. For information about the Council's local, intergovernmental and regional appointments please visit the City website: www.ci.claremont.ca.us/government/city-council/city-council-assignments-and-appointments.

CITY MANAGER REPORT

PUBLIC COMMENT

The Council has set aside this time for persons who wish to comment on items that are not listed on the agenda, but are within the jurisdiction of the City Council. Members of the public will have the opportunity to address the City Council regarding all items on the agenda at the time the Council considers those items.

General public comment will be taken for 30 minutes and will resume later in the meeting if there are speakers who did not get an opportunity to speak because of the 30-minute time limit.

The Brown Act prohibits the City Council from taking action on oral requests relating to items that are not on the agenda. The Council may engage in a brief discussion, refer the matter to staff, and/or schedule requests for consideration at a subsequent meeting.

CONSENT CALENDAR

All matters listed on the Consent Calendar are considered routine. The City Council may act on these items by one motion following public comment. Only Councilmembers may pull an item from the Consent Calendar for discussion, reading of resolutions and ordinances will be waived.

4. ADOPTION OF A RESOLUTION APPROVING THE CITY WARRANT REGISTER

Recommendation: Staff recommends the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, dated December 5, 2024.

Attachment(s): Resolution Approving City Warrant Register Dated December 5, 2024

5. CITY COUNCIL MINUTES OF NOVEMBER 26, 2024 (REGULAR)

Recommendation: Staff recommends the City Council approve the regular City Council meeting minutes of November 26, 2024.

Attachment(s): Draft Regular Meeting Minutes of November 26, 2024

6. APPROVAL OF THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) OF THE DISSOLVED CLAREMONT REDEVELOPMENT AGENCY FOR THE PERIOD JULY 1, 2025 THROUGH JUNE 30, 2026 AND THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2025 THROUGH JUNE 30, 2026 (FUNDING SOURCE: SUCCESSOR AGENCY FUNDS)

Recommendation: Staff recommends the Successor Agency Board adopt A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY TO THE CITY OF CLAREMONT APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JULY 1, 2025 THROUGH JUNE 30, 2026 AND APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2025 THROUGH JUNE 30, 2026.

Attachment(s): Resolution Approving the 2025-26 ROPS and Administrative Budget

7. AWARD OF CONTRACTS TO DURATECH, FEDERAL SIGNAL, AND MOTOROLA SOLUTIONS FOR VEHICLE AND EQUIPMENT PURCHASES (FUNDING SOURCE: MOTOR FLEET FUND)

Recommendation: Staff recommends the City Council:

- A. Authorize the City Manager to enter into a contract with DuraTech in the amount of \$79,942.89 for patrol fleet laptops and equipment;
- B. Authorize the City Manager to enter into a contract with Federal Signal in the amount of \$76,622.84 for patrol vehicle lighting and push bumpers; and
- C. Authorize the City Manager to enter into a contract with Motorola Solutions, Inc. in the amount of \$113,403.69 for vehicle video systems.

8. ACCEPTANCE OF PUBLIC IMPROVEMENTS AND RELEASE OF SUBDIVISION IMPROVEMENT BONDS AND CASH DEPOSITS FOR FINAL TRACT MAP NO. 73078 FOR A THIRTY-UNIT CONDOMINIUM PROJECT LOCATED ON THE NORTHWEST CORNER OF INDIAN HILL BOULEVARD AND FOOTHILL BOULEVARD. APPLICANT - CLAREMONT CONDO DEVELOPMENT, L.P.

Recommendation: Staff recommends the City Council accept and approve the public improvements and release the applicable improvement bonds and cash deposits for Final Tract Map No. 73078.

Attachment(s): Tract Map 73078

9. HISTORICAL PROPERTY (MILLS ACT) AGREEMENT #24-MA01, BETWEEN THE CITY OF CLAREMONT AND NATALIE AND ISAAC KELLY, PROPERTY OWNERS OF 1195 BERKELEY AVENUE

Recommendation: Staff recommends the City Council:

A. Approve a Historic Property (Mills Act) Agreement between the City of Claremont and Natalie and Isaac Kelly, property owners of 1195 Berkeley Avenue; and

B. Find this item is exempt from environmental review under the California Environmental Quality Act (CEQA).

Attachment(s): Draft Mills Act Contract
Estimated Tax Savings Calculation
APC Staff Report
Resolution No. 2012-75
Schedule of Improvements
Photo Survey
Resolution No. 2024-12

10. HISTORICAL PROPERTY (MILLS ACT) AGREEMENT #24-MA02, BETWEEN THE CITY OF CLAREMONT AND ADAM BYRNES, PROPERTY OWNER OF 487 HARRISON AVENUE

Recommendation: Staff recommends the City Council:

A. Approve a Historic Property (Mills Act) Agreement between the City of Claremont and Adam Byrnes, property owner of 487 Harrison Avenue; and

B. Find this item is exempt from environmental review under the California Environmental Quality Act (CEQA).

Attachment(s): Draft Mills Act Contract
Estimated Tax Savings Calculation
APC Staff Report
Resolution No. 2012-75
Schedule of Improvements
Photo Survey
Resolution No. 2024-13

11. APPROPRIATION FROM THE EQUIPMENT AND FACILITY REVOLVING RESERVE TO ADDRESS DEFERRED PARK MAINTENANCE ITEMS AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH EXCEL LANDSCAPE MAINTENANCE FOR REPLENISHMENT OF ENGINEERED WOOD FIBER AT CITY PARKS (FUNDING SOURCE: GENERAL FUND)

Recommendation:

Staff recommends the City Council:

- A. Appropriate \$100,000 from the Equipment and Facility Revolving Account to fund the cost of the improvements described in the staff report; and
- B. Authorize the City Manager to enter into an agreement with Excel Landscape in an amount not to exceed \$63,000 for the replenishing of engineered wood fiber at City parks.

12. AWARD OF CONTRACT TO PINEDA GENERAL CONSTRUCTION, INC. FOR THE BLAISDELL COMMUNITY CENTER KITCHEN REMODEL PROJECT (FUNDING SOURCE: GENERAL CAPITAL PROJECTS FUND)

Recommendation:

Staff recommends the City Council:

- A. Award a contract to Pineda General Construction, Inc. in the amount of \$109,595 for the Blaisdell Community Center Kitchen Remodel Project and authorize a ten percent contingency in the amount of \$10,959, for a total amount not to exceed \$120,554, and authorize the City Manager to execute the agreement;
- B. Authorize the City Manager to enter into an agreement with Lotus Construction Group in the amount of \$7,000 for project management services;
- C. Appropriate \$127,554 from the General Capital Projects Fund to fully fund the Blaisdell Community Center Kitchen Remodel Project; and
- D. Authorize acceptance of \$127,554 from the Claremont Senior Foundation, Inc. to reimburse the City for the total cost of the project.

PUBLIC HEARINGS - None

Public Hearings will not begin before 7:00 p.m.

ORDINANCES - None

ADMINISTRATIVE ITEM

13. PUBLIC TESTIMONY ON THE RENEWAL OF THE CLAREMONT TOURISM BUSINESS IMPROVEMENT DISTRICT (FUNDING SOURCE: GENERAL FUND)

Recommendation:

Staff recommends the City Council allow public testimony on the renewal of the Claremont Tourism Business Improvement District and levy of assessments.

Attachment(s):

Management District Plan
Resolution of Intent
Renewal Petitions

CONTINUED PUBLIC COMMENT

This time is reserved for those persons who were unable to speak earlier in the agenda because of the 30-minute time restriction.

COMMISSIONS/COMMITTEES

Sustainability Committee - Two Vacancies

Tri City Mental Health Governing Board - One Upcoming Vacancy

ADJOURNMENT

THE NEXT REGULAR MEETING OF THE CLAREMONT CITY COUNCIL WILL BE HELD ON, JANUARY 14, 2025, AT 6:30 P.M., IN THE CLAREMONT COUNCIL CHAMBER, 225 WEST SECOND STREET, CLAREMONT, CA 91711.

A LOOK AHEAD – Upcoming Meetings and Tentative Agenda Items

Helen Renwick Library Program and Activities Update

Confirmation of Mayor's Local and Regional Appointments

Resolutions Approving City Warrant Registers Dated December 19, 2024 and January 2, 2025

Draft December 10, 2024 Regular City Council Meeting Minutes

Award of Contract for Enterprise Resource Planning

Award of Contract for City Building Custodial Services

Safe, Clean Water Update (Measure W)

*Claremont Tourism Business Improvement District Public Hearing on Renewal of District
and Levy of Assessments*

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, THIS AGENDA WILL BE MADE AVAILABLE IN APPROPRIATE ALTERNATIVE FORMATS TO PERSONS WITH DISABILITIES. ANY PERSON WITH A DISABILITY WHO REQUIRES A MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A CITY MEETING SHOULD CONTACT THE CITY CLERK AT 909-399-5461 "VOICE" OR 1-800-735-2929 "TT/TTY" AT LEAST THREE (3) WORKING DAYS PRIOR TO THE MEETING, IF POSSIBLE.

I, SHELLEY DESAUTELS, CITY CLERK OF THE CITY OF CLAREMONT, CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING AGENDA WAS POSTED AT CLAREMONT CITY HALL, 207 HARVARD AVENUE, ON DECEMBER 6, 2024, PURSUANT TO GOVERNMENT CODE SECTION 54954.2.

POST THROUGH: December 11, 2024



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5387

Item No: 1.

TO: ADAM PIRRIE, CITY MANAGER
FROM: SHELLEY DESAUTELS, CITY CLERK
DATE: DECEMBER 10, 2024

Reviewed by:
City Manager: AP

SUBJECT:

DECLARATION OF THE RESULTS OF THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION FOR A CITY COUNCILMEMBER IN DISTRICT 1 AND IN DISTRICT 5

SUMMARY

The City of Claremont held a General Municipal Election on November 5, 2024. Voters in District 1 and District 5 each cast their ballots for a City Council representative. The City's Election was consolidated with the Statewide General Election, and accordingly, returns were canvassed by the Los Angeles County Election Department.

The tabulation of votes is final and a Certificate of Canvass reciting the official results of the election has been provided by the County. The City Council may now adopt a resolution (Attachment) declaring the results of the election.

RECOMMENDATION

Staff recommends the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 5, 2024, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

Although the County's final invoice for the City General Municipal Election will not be available until late February or early March 2025, costs to administer the election are included in the Administrative Services Department budget in the amount of \$100,000.

Additionally, staff costs to conduct a candidate orientation, provide ongoing election support, and to prepare this report are estimated at \$15,706. All City departments contributed to candidate orientation and election support. These costs are included in department operating budgets.

ANALYSIS

On June 11, 2024, the City Council adopted resolutions calling the City of Claremont November 5, 2024 General Municipal Election and requesting that the Los Angeles County Election Department conduct the election and canvass the returns.

The County has now completed the canvass and certified the result of the election. The City Council may now adopt a resolution declaring those results.

District 1 Election Results

The total number of ballots cast for Member of the City Council, District 1 was 4,684, of which 993 ballots were cast at a vote center, and 3,691 ballots were cast via vote by mail.

The list below illustrates the number of votes given for each candidate for Member of the City Council, District 1:

<u>Name</u>	<u>Votes Given</u>
Corey Calaycay	2,520
Rachel L. Forester	1,759

As shown above, the candidate receiving the highest number of votes was Corey Calaycay.

The number of District 1 ballots unable to be included in the tally for various reasons was 405.

The total number of registered voters in District 1 at the time of the election was 5,623. The casting of 4,684 ballots represents an 83% voter turnout.

District 5 Election Results

The total number of ballots cast for Member of the City Council, District 5 was 3,359, of which 924 ballots were cast at a vote center, and 2,435 ballots were cast via vote by mail.

The list below illustrates the number of votes given for each candidate for Member of the City Council, District 5:

<u>Name</u>	<u>Votes Given</u>
Silviano "Sal" Medina	2,225
Kingoro Onami	615

As shown above, the candidate receiving the highest number of votes was Silvano “Sal” Medina.

The number of District 5 ballots unable to be included in the tally for various reasons was 519.

The total number of registered voters in District 5 at the time of the election was 4,461. The casting of 3,359 ballots represents a 75% voter turnout.

Declaring the Results of the Election

The resolution whereby the City Council may declare the above-stated results of the election is the attachment to this report. The County Certificate of Canvass of the Election Returns is the exhibit to the resolution and made a part thereof.

LEGAL REVIEW

The City Attorney has reviewed the attached resolution and approved it as to form.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City’s strategic and visioning documents and finds it relates to the 2024-26 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and this staff report are available on the City’s website. If you desire a copy, please contact the City Clerk’s Office.

Submitted by:

Shelley Desautels
City Clerk

Attachment:

Resolution Reciting the Fact of the General Municipal Election

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 5, 2024 FOR CITY COUNCIL REPRESENTATIVES FOR DISTRICTS 1 AND 5, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Claremont, California, on Tuesday, November 5, 2024, to elect City Council representatives for District 1 and District 5 as required by law; and

WHEREAS, notice of the election was given in time, form, and manner as provided by law; voting precincts were properly established; election officers were appointed; and in all respects the election was held and conducted and the votes were cast, received, and canvassed and the returns made and declared in time, form, and manner as required by the provisions of the Elections Code of the State of California relating to general law cities; and

WHEREAS, the County Election Department canvassed the returns of the election and has certified the results to this City Council; the results are received, attached and made a part hereof as an Exhibit;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the above recitals are true and correct.

SECTION 2. That the whole number of ballots cast in District 1 except vote by mail voter ballots was 993; and that the whole number of vote by mail voter ballots cast in District 1 was 3,691; making a total of 4,684 ballots cast in District 1 of the City.

SECTION 3. That the whole number of ballots cast in District 5 except vote by mail voter ballots was 924; and that the whole number of vote by mail voter ballots cast in District 5 was 2,435; making a total of 3,359 ballots cast in District 5 of the City.

SECTION 4. That the names of persons voted for at the election for Member of the City Council, District 1, are as follows:

Corey Calaycay
Rachel L. Forester

SECTION 5. That the names of persons voted for at the election for Member of the City Council, District 5, are as follows:

Kingoro Onami
Silviano "Sal" Medina

SECTION 6. That the number of votes given in each District and the number of votes given in the City to each of the persons above-named for the office for which the persons were candidates were as listed on the attached Exhibit.

SECTION 7. That the City Council does declare and determine that **COREY CALAYCAY** was elected as Member of the City Council, District 1 for the full term of four years; and **SILVIANO "SAL" MEDINA** was elected as Member of the City Council, District 5 for the full term of four years.

SECTION 8. That the City Clerk shall enter on the records of the City Council of the City of Claremont a statement of the result of the election, showing: (1) The whole number of votes (ballots) cast in the City by District; (2) The names of the persons voted for; (3) For what office each person was voted for; (4) The number of votes given at each District to each person; (5) The total number of votes given to each person.

SECTION 9. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and it shall be filed in the Office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

SECTION 10. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

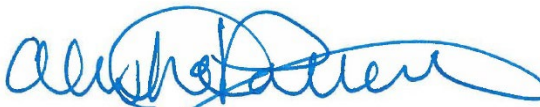
PASSED, APPROVED, AND ADOPTED this 10th day of December, 2024.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont

APPROVED AS TO FORM:



City Attorney, City of Claremont



Los Angeles County Registrar-Recorder/County Clerk

CERTIFICATE OF THE CANVASS **OF THE ELECTION RETURNS**

I, **DEAN C. LOGAN**, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I canvassed the returns of the votes cast for each elective office and/or measure(s) for

Claremont City

at the General Election, held on the 5th day of November, 2024.

I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction, and that the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 3rd day of December 2024.

Dean C. Logan

DEAN C. LOGAN
Registrar-Recorder/County Clerk
County of Los Angeles



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5386

Item No: 2.

TO: ADAM PIRRIE, CITY MANAGER
FROM: SHELLEY DESAUTELS, CITY CLERK
DATE: DECEMBER 10, 2024

Reviewed by:
City Manager: AP

SUBJECT:

ADMINISTRATION OF THE OATH OF OFFICE TO NEWLY RE-ELECTED CITY COUNCILMEMBERS COREY CALAYCAY, DISTRICT 1; AND SILVIANO “SAL” MEDINA, DISTRICT 5

SUMMARY

The tabulation of votes from the November 5, 2024 Claremont General Municipal Election for City Councilmembers in District 1 and District 5 is final, resulting in Corey Calaycay receiving the highest number of votes in District 1, and Silvano “Sal” Medina receiving the highest number of votes in District 5.

As newly re-elected City Councilmembers, they will each be sworn into a new term of office on the Claremont City Council.

RECOMMENDATION

Staff recommends newly re-elected Claremont City Councilmembers Corey Calaycay and Silvano “Sal” Medina each be administered the Oath of Office for Public Officers.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

There is no financial impact to the City for this item.

The staff cost to prepare this report is estimated at \$395 and is included in the operating budget of the Administrative Services Department.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds it relates to the 2024-26 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and this staff report are available on the City's website. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Shelley Desautels
City Clerk



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5376

Item No: 3.

TO: ADAM PIRRIE, CITY MANAGER
FROM: SHELLEY DESAUTELS, CITY CLERK
DATE: DECEMBER 10, 2024

Reviewed by:
City Manager: AP

SUBJECT:

APPOINTMENT OF A MAYOR AND MAYOR PRO TEMPORE FOR THE UPCOMING YEAR

SUMMARY

The City Council has established one-year terms of office for Mayor and Mayor Pro Tempore. On December 12, 2023, the City Council adopted Resolution No. 2023-68, appointing Sal Medina as Mayor, and Corey Calaycay as Mayor Pro Tempore. Reorganization is now necessary as these terms are expiring.

The reorganization process calls for the City Clerk to conduct the proceedings to hear nominations and call the vote for the office of Mayor. The newly appointed Mayor will then conduct the proceedings to hear nominations and call the vote for the office of Mayor Pro Tempore. Finally, the City Council will adopt a resolution reciting the appointments for the upcoming year.

RECOMMENDATION

Staff recommends the City Council:

- A. Hear nominations and vote for the office of Mayor;
- B. Hear nominations and vote for the office of Mayor Pro Tempore; and
- C. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, APPOINTING A MAYOR AND A MAYOR PRO TEMPORE EACH TO A ONE-YEAR TERM.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

The staff cost to prepare this report is estimated at \$625 and is included in the operating budget of the Administrative Services Department.

LEGAL REVIEW

The City Attorney has reviewed the attached resolution and approved it as to form.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds this item relates to the 2024-26 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and this staff report are available on the City's website. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Shelley Desautels
City Clerk

Attachment:

Resolution Appointing a Mayor and a Mayor Pro Tempore

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, APPOINTING A MAYOR AND A MAYOR PRO TEMPORE EACH TO A ONE-YEAR TERM

THE CLAREMONT CITY COUNCIL DOES HEREBY RESOLVE:

SECTION 1. That City Council Resolution No. 2023-68, adopted December 12, 2023, is hereby repealed.

SECTION 2. That _____ be, and is hereby appointed Mayor of the City of Claremont for a one-year term, which appointment shall continue until a new Mayor is appointed by the City Council.

SECTION 3. That _____ be, and is hereby appointed, Mayor Pro Tempore of the City of Claremont for a one-year term, which appointment shall continue until a new Mayor Pro Tempore is appointed by the City Council.

SECTION 4. That in the event the Mayor is absent or unable to act, the Mayor Pro Tempore shall serve until the Mayor returns or is able to act.

SECTION 5. That the Mayor shall sign this resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

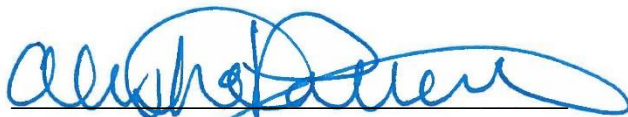
PASSED, APPROVED AND ADOPTED this 10th day of December, 2024.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont

APPROVED AS TO FORM:



City Attorney, City of Claremont



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5379

Item No: 4.

TO: ADAM PIRRIE, CITY MANAGER
FROM: SHELLEY DESAUTELS, CITY CLERK
DATE: DECEMBER 10, 2024

Reviewed by:
City Manager: AP

SUBJECT:

ADOPTION OF A RESOLUTION APPROVING THE CITY WARRANT REGISTER

RECOMMENDATION

Staff recommends the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, dated December 5, 2024.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Shelley Desautels
City Clerk

Attachment:

Resolution Approving City Warrant Register Dated December 5, 2024

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

NOW THEREFORE, THE CLAREMONT CITY COUNCIL DOES HEREBY RESOLVE:

SECTION 1. That the list of claims and demands dated December 5, 2024, totaling \$2,192,644.91 has been audited as required by law.

SECTION 2. That warrant numbers 4683 through 4685, and 259834 through 260040 inclusive, are hereby allowed in the amounts and ordered paid out of the respective funds.

SECTION 3. That the Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED this 10th day of December, 2024.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5381

Item No: 5.

TO: ADAM PIRRIE, CITY MANAGER
FROM: SHELLEY DESAUTELS, CITY CLERK
DATE: DECEMBER 10, 2024

Reviewed by:
City Manager: AP

SUBJECT:

CITY COUNCIL MINUTES OF NOVEMBER 26, 2024 (REGULAR)

RECOMMENDATION

Staff recommends the City Council approve the regular City Council meeting minutes of November 26, 2024.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Prepared by:

Shelley Desautels
City Clerk

Jamie Costanza
Deputy City Clerk

Attachment:

Draft Regular Meeting Minutes of November 26, 2024

**CLAREMONT CITY COUNCIL
MEETING MINUTES**

Tuesday, November 26, 2024 – 6:30 PM

Video Recording is Archived on the City Website

<https://www.ci.claremont.ca.us/government/city-council/watch-city-council-meetings>

CALL TO ORDER

Mayor Medina called the meeting to order at 6:33 PM.

PLEDGE OF ALLEGIANCE – Led by Vicky Paul, Field Deputy to Supervisor Kathryn Barger.

MOMENT OF SILENCE – In honor of John Douglas.

ROLL CALL

PRESENT COUNCILMEMBER: CALAYCAY, LEANO, MEDINA, REECE, STARK

ABSENT COUNCILMEMBER: NONE

ALSO PRESENT Adam Pirrie, City Manager; Alisha Patterson, City Attorney; Jeremy Swan, Director of Community Services; Brad Johnson, Director of Community Development; Jeremy Starkey, Director of Finance; Aaron Fate, Chief of Police; Melissa Vollaro, Director of Human Services; Shelley Desautels, City Clerk; Jamie Costanza, Deputy City Clerk

CLOSED SESSION REPORT

There was no closed session.

CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

The City Council recognized Randy Lopez, for his service as Chief Executive Officer of the Claremont Chamber of Commerce.

Chase Berryman, Recreation and Human Services Supervisor, was introduced.

The City Council received an update from Katherine Loeser, Claremont Helen Renwick Library Manager.

ANNOUNCEMENT OF FEDERAL HOLIDAYS/OBSERVANCES

Veterans Day, November 11, 2024

Thanksgiving Day, November 28, 2024

MAYOR AND COUNCIL

Council Item

1. Appointment of the Claremont Tri-City Mental Health Governing Board Community Member to a One-Month Term

This item starts at 17:49 in the archived video.

Mayor Medina highlighted the staff report.

Mayor Medina invited public comment on the Consent Calendar.

City Clerk Desautels announced no written public comment had been received on this item.

Ron Vera stated he is looking forward to serving one more month in order to help the new Tri City Mental Health Executive Director's transition.

Councilmember Leano announced Ontson Placide has recently been appointed as the Executive Director of the Tri-City Mental Health Association.

There were no other requests to speak.

Mayor Medina closed public comment.

Councilmember Calaycay moved to appoint Ron Vera to the Tri-City Mental Health Governing Board for a term to expire January 31, 2025, seconded by Councilmember Stark, and carried on a roll call vote as follows:

AYES: Councilmember – Calaycay, Leano, Medina, Reece, Stark

NOES: Councilmember – None

Council Assignment Reports

This item starts at 22:12 in the archived video.

Councilmember Leano reported the Los Angeles County Affordable Housing Solutions Agency has appointed Ryan Johnson as the new Executive Director.

Councilmember Stark reported the Rivers and Mountains Conservancy Board transferred funding for the purchase of Clara Oaks, as the property is no longer eligible, to the potential acquisition of available open space surrounding the Claremont Hills Wilderness Park.

CITY MANAGER REPORT

This item starts at 23:40 in the archived video.

City Manager Pirrie reminded all that City offices will close November 27 at 12:00 PM and reopen Monday, December 2. Trash will be delayed by one day and parking enforcement will not occur on Thanksgiving, November 28. He invited all to the City's holiday promenade and tree lighting ceremony on December 6 and announced the new City website will launch on December 12.

PUBLIC COMMENT

This item starts at 27:37 in the archived video.

Mayor Medina invited public comment.

City Clerk Desautels announced one written public comment had been received.

Ron Vera, Claremont resident, expressed disappointment in the City for not pursuing the purchase of Claremont Sheltered Care when it announced its closure.

Nathasha Bosco, Claremont resident, asked that an update be provided on affordable housing and questioned what the City's plan is to increase affordable housing in the City.

Unidentified speaker spoke in support of short-term rentals as they benefit the community.

Christina Vera, National Alliance on Mental Illness, expressed disappointment in the closure of Claremont Sheltered Care.

Diego Tomayo, Claremont resident, expressed concern regarding the lack of lighting on Claremont Boulevard between Foothill and First Street.

There were no other requests to speak.

Mayor Medina closed public comment.

City Manager Pirrie responded to Mr. Tomayo that staff will inspect the area and encouraged Ms. Bosco to reference the City's Housing Element that identifies programs to support affordable housing in the City.

CONSENT CALENDAR

This item starts at 43:35 in the archived video.

Councilmember Stark pulled Consent Calendar Item No. 5.

Mayor Medina invited public comment on Consent Calendar Items No. 2-4 and 6-11.

City Clerk Desautels announced no written public comment had been received on Consent Calendar Items No. 2-4 and 6-11.

There were no requests to speak.

Mayor Medina closed public comment.

Councilmember Stark moved to approve Consent Calendar Items No. 2-4 and 6-11, seconded by Councilmember Reece, and carried on a roll call vote as follows:

AYES: Councilmember – Calaycay, Leano, Medina, Reece, Stark
NOES: Councilmember – None

2. Adoption of a Resolution Approving the City Warrant Register
Adopted Resolution No. 2024-58, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, dated November 21, 2024; and
3. City Council Minutes of November 12, 2024 (Regular)
Approved the regular City Council meeting minutes of November 12, 2024.

4. Claremont Chamber of Commerce Visitor Center Services Annual Report for 2023-24 (Funding Source: American Rescue Plan Act Fund)
Received and filed the Claremont Chamber of Commerce Visitor Center Services Annual Report for 2023-24.
5. American Rescue Plan Act Funding Revenue Loss Determination and Obligation of Unspent Funds (Funding Source: American Rescue Plan Act Fund)
This item was removed from the Consent Calendar.
6. Authorization to Amend the Eden Inforum Gold Support Agreement to Extend the Term and Increase Compensation (Funding Source: Technology Fund)
Authorized the City Manager to execute an amendment to the agreement with Tyler Technologies, Inc. for maintenance services and support of the Eden Inforum Gold Financial system, extending the term from January 1, 2025 to December 31, 2025 in the amount of \$67,678.
7. Adoption of a Resolution of Intention to Renew the Claremont Tourism Business Improvement District (Funding Source: General Fund)
Adopted Resolution No. 2024-59, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, DECLARING ITS INTENTION TO RENEW THE CLAREMONT TOURISM BUSINESS IMPROVEMENT DISTRICT (CTBID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF.
8. Authorization to Amend the Existing Professional Services Agreement with Dudek to Extend the Term and Appropriate Additional Funds for Urban Forest Professional Services (Funding Source: General Fund)
 - A. Authorized the City Manager to execute an amendment to the existing agreement with Dudek, increasing compensation by \$23,750 for a total contract amount of \$75,775 and extending the term of the agreement to June 30, 2025; and
 - B. Appropriated \$23,750 from the unassigned General Fund balance to fund the agreement.
9. Award of Contract to Base Hill, Inc. for Park Restroom Custodial Services (Funding Source: General Fund and Landscape and Lighting District Fund)
 - A. Awarded a contract to Base Hill, Inc. for City-owned park restroom custodial services and authorized the City Manager to enter into a three-year agreement with two optional one-year extensions with Base Hill, Inc. in an amount not to exceed \$155,520 per year, and authorized a contingency of \$7,776, for a total of \$163,296 annually, or \$816,480 during the term of the agreement; and
 - B. Appropriated \$79,296 in 2024-25 and 2025-26 from the unassigned General Fund balance to fully fund the agreement for park restroom custodial services.
10. ABC's For Me Preschool Playground Equipment (Funding Source: General Fund)
 - A. Approved the playground design for ABC Preschool as submitted by Great Western Recreation;
 - B. Authorized the City Manager to enter into an agreement with PlayCore, Inc. dba GameTime for ABC Preschool Playground equipment installation in the amount of \$130,980.77, and authorized a ten percent contingency of \$13,098; and
 - C. Appropriated \$144,078.77 from the Equipment and Facility Revolving Reserve to fully fund the project.

11. Resolution Approving Participation in the State of California Department of Justice 2024-25 Tobacco Grant Program (Funding Source: Department of Justice Tobacco Grant)
- A. Adopted Resolution No. 2024-60, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, APPROVING PARTICIPATION IN THE STATE OF CALIFORNIA TOBACCO GRANT PROGRAM; and
 - B. Authorized the City Manager to sign any subsequent agreement with the Department of Justice as part of the Police Department's participation in this grant program.

Item Removed from the Consent Calendar

5. American Rescue Plan Act Funding Revenue Loss Determination and Obligation of Unspent Funds (Funding Source: American Rescue Plan Act Fund)

This item starts at 45:56 in the archived video.

Councilmember Stark acknowledged and thanked the Finance Division for their efforts.

Mayor Medina invited public comment.

City Clerk Desautels announced no written public comments had been received on this item.

There were no requests to speak.

Mayor Medina closed public comment.

Councilmember Stark moved to:

- A. Determine that American Rescue Plan Act Funding allocation of \$8,675,598 as Revenue Replacement using the standard allowance;***
- B. Reallocate unspent American Rescue Plan Act appropriations of \$317,364 to a seismic retrofit and ADA improvement project for the Claremont Police Department Facility;***
- C. Appropriate remaining American Rescue Plan Act Funding in the amount of \$150,400 to a seismic retrofit and ADA improvement project for the Claremont Police Department Facility;***
- D. Appropriate remaining American Rescue Plan Act Funding in the amount of \$467,764 to the construction of a new addition for the Police Department women's locker room;***
- E. Approve the Inter-Agency Agreement with the Administrative Services Department to obligate unspent American Rescue Plan Act Funding in the amount of \$675,450;***
- F. Approve the Inter-Agency Agreement with the City Manager's Office to obligate unspent American Rescue Plan Act Funding in the amount of \$1,355,528;***
- G. Approve the Inter-Agency Agreement with the Community Development Department to obligate unspent American Rescue Plan Act Funding in the amount of \$345,762;***
- H. Approve the Inter-Agency Agreement with the Community Services Department to obligate unspent American Rescue Plan Act Funding in the amount of \$11,806;***
- I. Approve the Inter-Agency Agreement with the Financial Services Department to obligate unspent American Rescue Plan Act Funding in the amount of \$10,000; and***

J. Approve the Inter-Agency Agreement with the Recreation and Human Services Department to obligate unspent American Rescue Plan Act Funding in the amount of \$160,000;

Seconded by Councilmember Reece, and carried on a roll call vote as follows:

AYES: Councilmember – Calaycay, Leano, Medina, Reece, Stark

NOES: Councilmember – None

PUBLIC HEARINGS – None

ORDINANCES – None

ADMINISTRATIVE ITEMS

12. 2025 Community Based Organization General Services and Homeless Services/Critical Need Program Funding (Funding Source: American Rescue Plan Act Fund)

This item starts at 50:40 in the archived video.

Michelle Castillo, Management Analyst, highlighted the staff report.

Mayor Medina invited public comment.

City Clerk Desautels announced no written public comments had been received on this item.

Beatrice Casagran thanked the City Council for their continued support of community based organizations.

There were no other requests to speak.

Mayor Medina closed public comment.

Ms. Castillo responded to a question from the City Council regarding matching grant funds.

Councilmember Calaycay moved to approve the 2025 Community Based Organization (CBO) funding recommendations made by the Community and Human Services Commission, consisting of \$100,000 for General Services programs, and \$60,000 for Homeless Services/Critical Need programs; seconded by Councilmember Stark, and carried on a roll call vote as follows:

AYES: Councilmember – Calaycay, Leano, Medina, Reece, Stark

NOES: Councilmember – None

13. Request for Direction on the American Rescue Plan Act Funded GoSGV E-Bike Subsidy Program (Funding Source: American Rescue Plan Act Fund)

This item starts at 1:00:49 in the archived video.

Alex Cousins, Senior Management Analyst, provided a PowerPoint presentation.

Mr. Cousins, City Manager Pirrie, and Jose Jimenez, GoSGV Program Director, responded to questions from the City Council regarding survey results, possible funding, current Active

SGV campaigns to return unused bicycles, returned e-bikes, other subsidy programs, possible monthly fee, income qualified program, reallocation of ARPA funds, use of e-bikes to connect to public transit, impacts to the environment, bicycle safety, periodic reporting, metrics used to evaluate effectiveness of programs, GoSGV grant, goal of the program, and requirement for collecting data.

Mayor Medina invited public comment.

City Clerk Desautels announced 22 written public comments had been received on this item.

Unidentified speaker spoke in support of the GoSGV program and asked the City Council to continue to fully subsidize or partially subsidize the program.

There were no other requests to speak.

Mayor Medina closed public comment.

Mr. Jimenez and City Manager Pirrie responded to additional questions from the City Council regarding an income qualified program, reallocation of ARPA funds, and bicycle safety plan.

The City Council recessed at 8:48 PM.
The City Council reconvened at 8:56 PM

Councilmember Reece moved to:

- A. Direct GoSGV to collect program data on a quarterly basis, including odometer readings;**
- B. Transition income qualified participants to the GoSGV program when available;**
- C. Subsidize income qualified participants at 100% of the program cost until GoSGV creates its own income qualified program; and**
- D. Subsidize non income qualified participants at \$30 per month, with participants being responsible for the other \$20 per month.**

Councilmember Calaycay asked Councilmember Reece to amend his motion to specifically include data collection on e-bike uses to connect to public transportation.

Councilmember Stark suggested the motion be amended to subsidize non-income qualified participants at \$25 per month, with participants being responsible for the other \$25 per month.

Councilmember Reece amended his motion and moved to:

- A. Direct GoSGV to require its participants to provide their odometer reading on a quarterly basis and add to any participant survey a question regarding usage of e-bikes to connect to public transportation;**
- B. Transition income qualified participants to a GoSGV income qualified program;**
- C. Subsidize non income qualified participants at \$25 per month, with participants being responsible for the other \$25 per month; and**
- D. Use American Rescue Plan Act (ARPA) funding to continue the program for a two-year period at \$45,000 per year (\$90,000 total) with re-evaluation of the program after one year;**

E. Reallocate \$90,000 in ARPA funding from the women’s locker room project and replenish the locker room project funding if alternate funding is found from other ARPA projects; and

F. Authorize the City Manager to execute an amendment to the contract with GoSGV based on this direction from the City Council;

Seconded by Councilmember Stark, and carried on a roll call vote as follows:

AYES: Councilmember – Calaycay, Leano, Medina, Reece, Stark

NOES: Councilmember – None

ADJOURNMENT

Mayor Medina adjourned the regular meeting of the Claremont City Council at 9:08 PM. The next regular meeting of the Claremont City Council will be held on Tuesday, December 10, 2024, at 6:30 PM, in the Claremont Council Chamber.

Mayor

ATTEST:

Deputy City Clerk



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5377

Item No: 6.

TO: ADAM PIRRIE, CITY MANAGER
FROM: JEREMY STARKEY, FINANCE DIRECTOR
DATE: DECEMBER 10, 2024

Reviewed by:
City Manager: AP

SUBJECT:

APPROVAL OF THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) OF THE DISSOLVED CLAREMONT REDEVELOPMENT AGENCY FOR THE PERIOD JULY 1, 2025 THROUGH JUNE 30, 2026 AND THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2025 THROUGH JUNE 30, 2026 (FUNDING SOURCE: SUCCESSOR AGENCY FUNDS)

SUMMARY

On December 29, 2011, the California Supreme Court upheld Assembly Bill x1 26 (the Dissolution Act) and directed that all redevelopment agencies in the State be dissolved effective February 1, 2012. On January 10, 2012, the City Council of the City of Claremont elected to become the Successor Agency to the Claremont Redevelopment Agency. As the Successor Agency, the City will wind down the affairs of the former Redevelopment Agency, with certain actions subject to the approval of an oversight board.

In September 2015, the State of California approved Senate Bill No. 107 (SB 107), which guides the final technical steps in the dissolution of local redevelopment agencies. The legislation called for counties with more than forty oversight boards to consolidate into five oversight boards, each of which having jurisdiction over each Successor Agency. As of July 1, 2018, each local Oversight Board in Los Angeles County was consolidated into one of five Countywide Oversight Boards. The City of Claremont is part of the First District Oversight Board (Oversight Board).

The Successor Agency remains responsible for the continued payment of enforceable obligations of the dissolved Claremont Redevelopment Agency. The Successor Agency must prepare a Recognized Obligation Payment Schedule (Payment Schedule), which sets forth the payment amounts, and due dates of payments required under enforceable obligations. The Oversight Board is required to review and approve each Payment Schedule. The State Department of Finance (DOF) may review an Oversight Board action.

Successor agencies were previously required to submit a projected Payment Schedule every six months. Beginning with the Payment Schedule for the period beginning July 1, 2016, the Successor Agency must submit an annual Payment Schedule on or before February 1 of each year, listing all payments that may come due during the following fiscal year. The Payment Schedule recommended for approval covers payments coming due during 2025-26. The Oversight Board must approve each Payment Schedule before the County releases any property tax funds to the Successor Agency.

The Successor Agency is also responsible for submitting an Administrative Budget to the Oversight Board for approval each fiscal year. Under California Health and Safety Code Section 34177(k), the Successor Agency will provide to the County of Los Angeles Auditor Controller, the administrative cost estimates from the approved Administrative Budget to be paid from property tax revenues deposited into the Redevelopment Property Tax Trust Fund for the period of July 1, 2025 to June 30, 2026.

RECOMMENDATION

Staff recommends the Successor Agency Board adopt A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY TO THE CITY OF CLAREMONT APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JULY 1, 2025 THROUGH JUNE 30, 2026 AND APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2025 THROUGH JUNE 30, 2026.

ALTERNATIVE TO RECOMMENDATION

In addition to the staff recommendation, there is the following alternative:

- Request additional information from staff.

FINANCIAL REVIEW

Approving the Payment Schedule for 2025-26 will allow the Successor Agency to receive funds required to pay enforceable obligations and administrative costs to facilitate the wind down of the former Redevelopment Agency.

The staff cost to prepare this report is estimated at \$1,500 and is included in the operating budget of the Finance Department.

ANALYSIS

As a result of the Court's ruling on the Dissolution Act, all redevelopment agencies in California were dissolved effective February 1, 2012. The Dissolution Act prescribes the procedures to wind down the affairs of former redevelopment agencies. These provisions include the continued payment of enforceable obligations of the dissolved Redevelopment Agency.

The Successor Agency is responsible for establishing a Payment Schedule, which sets forth the payment amounts and due dates of payments required by enforceable obligations for the following fiscal year. Before the Payment Schedule is considered operative, it must be approved by the Oversight Board and DOF and certified by the County Auditor-Controller. Successor agencies are now required to submit a projected Payment Schedule by February 1 of each year, providing for payments that may come due during the following fiscal year. The Oversight Board must approve

each Payment Schedule before the County releases funds to the Successor Agency. Pursuant to Health and Safety Code Section 34171(k), the Successor Agency must also submit an Administrative Budget which is eligible to be payable from the Redevelopment Property Tax Trust Fund for each fiscal year (Exhibit 1 to the Attachment). The Administrative Budget must also be approved by the Oversight Board.

Actions of the Oversight Board are not effective for five business days to allow the State Department of Finance to determine whether it would like to review an Oversight Board action. If the Department of Finance requests a review of an action, it has forty calendar days from the date of its request to either approve the Oversight Board action or return it to the Oversight Board for reconsideration.

Once the Payment Schedule is approved and certified, the Los Angeles County Auditor-Controller will use these schedules as the basis for distributing funds on the following June 1 and January 2 to the Successor Agency for the payment of enforceable obligations.

The enforceable obligations included in the Payment Schedule are:

2013 Tax Allocation Refunding Bonds - The Successor Agency to the Claremont Redevelopment Agency issued these bonds in 2013 to refund the 2001 Tax Allocation Bonds for savings. The total outstanding obligation has been fully paid for the ROPS period in question.

2014 Tax Allocation Refunding Bonds - The Successor Agency to the Claremont Redevelopment Agency issued these bonds in 2014 to refund the 2004 Tax Allocation Bonds for savings. The total outstanding obligation is \$389,500 with \$389,500 due during the ROPS period in question.

Bond Administration Fees - The City of Claremont is required to pay US Bank Administration fees in connection with the 2014 bonds. The total obligation is estimated at \$1,000 for the ROPS period in question.

Contract for Rental Subsidies - The City of Claremont is responsible for providing monthly rental subsidies to low income, senior residents at the Claremont Villas Senior Apartments totaling \$10,128 for the ROPS period in question.

Reinstated City Loan Agreement - The enactment of AB 1484 in 2012 permitted the reinstatement of former loans between the City and former Redevelopment Agency. These loans were for a variety of projects, including the acquisition of land for the operation of the DoubleTree Hotel, the acquisition of land for the Courier Place affordable housing project, and for the administrative and overhead costs of the former redevelopment agency. The Successor Agency to the Claremont Redevelopment Agency approved a Reinstated City Loan Agreement on November 14, 2017. The Claremont Oversight Board approved the action on November 29, 2017 and this was subsequently approved by the State Department of Finance. The total outstanding obligation has been fully paid for the ROPS period in question.

Employee, Legal, and Consultant Services Costs - The City of Claremont is responsible for employee costs and costs of various legal and consultant services for administration, accounting, and financial reporting totaling \$150,251 in 2025-26. These costs will be paid out of the annual administrative cost allowance provided for in the Dissolution Act.

The costs of winding down the former Claremont Redevelopment Agency are expected to be fewer in the following years with the investment of staff, consultant, and legal counsel time declining. The

burden of servicing outstanding obligations still includes ongoing audits and financial reporting of Successor Agency financial activities and the administrative tasks necessary to evaluate options regarding the transition to the County Oversight Board, including consideration of preparing a last and final ROPS.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Council Priorities.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Jeremy Starkey
Finance Director

Attachment:

Resolution Approving the 2025-26 ROPS and Administrative Budget

RESOLUTION NO. SA 2024-

A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY TO THE CITY OF CLAREMONT APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JULY 1, 2025 THROUGH JUNE 30, 2026 AND APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2025 THROUGH JUNE 30,2026

WHEREAS, pursuant to ABx1 26, enacted on June 28, 2011, and as subsequently amended by AB 1484, SB 341, and SB 107 ("Dissolution Act"), the Redevelopment Agency to the City of Claremont was dissolved as of February 1, 2012, and the City of Claremont elected to serve as the Successor Agency to the former Redevelopment Agency to the City of Claremont; and

WHEREAS, pursuant to Health and Safety Code Section 34179 (q), commencing on and after July 1, 2018, the County of Los Angeles, where more than 40 oversight boards were created by the Dissolution Act, shall have five consolidated oversight boards each encompassing the five supervisorial districts; and

WHEREAS, the First Supervisorial District Consolidated Oversight Board ("Oversight Board") has jurisdiction over the Successor Agency of the Former Redevelopment Agency to the City of Claremont; and

WHEREAS, the Successor Agency of the Former Redevelopment Agency to the City of Claremont held a regular/special meeting on December 10, 2024; and

WHEREAS, Successor Agency to the Claremont Redevelopment Agency (Successor Agency) prepares and submits to the Los Angeles County First District Consolidated Oversight Board (Oversight Board) and the California Department of Finance (DOF) a Recognized Obligation Payment Schedule 25-26, for the period of July 1, 2025 through June 30, 2026 (ROPS), by February 1, 2025; and

WHEREAS, the Successor Agency is also required to prepare and submit an Administrative Budget; and

WHEREAS, the Successor Agency and the City of Claremont (City) previously entered into that certain Agreement for Reimbursement of Costs and City/Successor Agency Operations Loan, dated as of August 6, 2012 (Cost Reimbursement Agreement) and obtained Oversight Board and DOF approval of the Cost Reimbursement Agreement; and

WHEREAS, the Cost Reimbursement Agreement has not been terminated and remains in full force and effect; and

WHEREAS, the Cost Reimbursement Agreement provides for the City's provision

of various administrative services and payment of various administrative expenses in accordance with each approved Administrative Budget and various Program Expenses, as requested by the Successor Agency, and further provides for the repayment and reimbursement to City of such administrative expenses and Program Expenses (defined in the Cost Reimbursement Agreement) from property tax revenues deposited in the Redevelopment Property Tax Trust Fund, pursuant to each approved ROPS.

NOW, THEREFORE, THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY TO THE CITY OF CLAREMONT DOES HEREBY RESOLVE AND FIND AS FOLLOWS:

1. The ROPS and Administrative Budget, attached hereto and incorporated as "Exhibit", are hereby approved; and
2. Administrative expenses and Program Expenses paid by the City pursuant to the Cost Reimbursement Agreement shall be repaid by the Successor Agency from property tax revenues deposited in the Redevelopment Property Tax Trust Fund in accordance with the Cost Reimbursement Agreement; and
3. The Recording Secretary is hereby directed to submit this Resolution, the approved ROPS and the approved Administrative Budget to the First Oversight Board, the County Auditor-Controller, the State Controller's Office, and the State Department of Finance and to post the ROPS on the Successors Agency's website.


PASSED, APPROVED, AND ADOPTED this 10th day of December, 2024.

Chair
Successor Agency to the
Claremont Redevelopment
Agency

ATTEST:

Clerk
Successor Agency to the Claremont Redevelopment Agency

APPROVED AS TO FORM:



Successor Agency Legal Counsel
Stradling Yocca Carlson & Rauth, P.C.

Recognized Obligation Payment Schedule (ROPS 25-26) - Summary
Filed for the July 1, 2025 through June 30, 2026 Period

Successor Agency: Claremont
County: Los Angeles

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	25-26A Total (July - December)	25-26B Total (January - June)	ROPS 25-26 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 41,667	\$ 430,167	\$ 471,834
F RPTTF	6,064	394,564	400,628
G Administrative RPTTF	35,603	35,603	71,206
H Current Period Enforceable Obligations (A+E)	\$ 41,667	\$ 430,167	\$ 471,834

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

 Name Title

/s/ _____
 Signature Date

Claremont
Recognized Obligation Payment Schedule (ROPS 25-26) - ROPS Detail
July 1, 2025 through June 30, 2026

A Item #	B Project Name	C Obligation Type	D Agreement Execution Date	E Agreement Termination Date	F Payee	G Description	H Project Area	I Total Outstanding Obligation	J Retired	K ROPS 25-26 Total	ROPS 25-26A (Jul - Dec)					Q 25-26A Total	ROPS 25-26B (Jan - Jun)					W 25-26B Total
											Fund Sources						Fund Sources					
											L Bond Proceeds	M Reserve Balance	N Other Funds	O RPTTF	P Admin RPTTF		R Bond Proceeds	S Reserve Balance	T Other Funds	U RPTTF	V Admin RPTTF	
6	Bond Administrative Fees	Fees	02/01/2002	09/01/2035	US Bank	Administration fees on 2014 bonds	Consolidated Redevelopment Project Area	1,000	N	\$1,000	\$-	\$-	\$-	\$6,064	\$35,603	\$41,667	\$-	\$-	\$-	\$394,664	\$35,603	\$430,167
8	Contract for Rental Subsidies	Miscellaneous	11/09/1993	06/30/2014	Claremont Villas Senior Apartments	Monthly rental subsidies for low-income, senior residents	Consolidated Redevelopment Project Area	10,128	N	\$10,128	-	-	-	5,064	-	\$5,064	-	-	-	5,064	-	\$5,064
9	Administrative Costs	Admin Costs	07/01/2013	06/30/2014	Various	Administrative support services for administration	Consolidated Redevelopment Project Area	71,206	N	\$71,206	-	-	-	35,603	\$35,603	-	-	-	-	-	35,603	\$35,603
11	2014 Tax Allocation Refunding Bonds	Bonds Issued After 12/31/10	07/31/2014	09/01/2025	US Bank	Bond issue to refund 2004 Tax Refunding Bonds for savings	Consolidated Redevelopment Project Area	389,500	N	\$389,500	-	-	-	-	\$-	-	-	-	-	389,500	-	\$389,500

Claremont
Recognized Obligation Payment Schedule (ROPS 25-26) - Report of Cash Balances
July 1, 2022 through June 30, 2023
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.

A	B	C	D	E	F	G	H
	ROPS 22-23 Cash Balances (07/01/22 - 06/30/23)	Fund Sources					Comments
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
1	Beginning Available Cash Balance (Actual 07/01/22) RPTTF amount should exclude "A" period distribution amount.				3,231,031	(954,546)	
2	Revenue/Income (Actual 06/30/23) RPTTF amount should tie to the ROPS 22-23 total distribution from the County Auditor-Controller				566,222	1,815,062	
3	Expenditures for ROPS 22-23 Enforceable Obligations (Actual 06/30/23)				-	1,670,910	
4	Retention of Available Cash Balance (Actual 06/30/23) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						
5	ROPS 22-23 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 22-23 PPA form submitted to the CAC		No entry required				
6	Ending Actual Available Cash Balance (06/30/23) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$-	\$-	\$3,797,253	\$(810,394)	

Claremont
Recognized Obligation Payment Schedule (ROPS 25-26) - Notes
July 1, 2025 through June 30, 2026

Item #	Notes/Comments
6	
8	
9	
11	

BUDGET FOR ADMINISTRATIVE EXPENSES (2025-26)			
SUCCESSOR AGENCY TO THE CLAREMONT COMMUNITY REDEVELOPMENT AGENCY			
ESTIMATED REVENUES			
Type	Total FY Allocation		
Estimated Property Tax Allocated to Successor Agency	\$		71,206
Administrative Cost Allowance	\$		71,206
ESTIMATED EXPENSES			
PERSONNEL COSTS			
Position	Total Annual Cost	Admin %	Total Admin Cost
Finance Director	\$ 322,061	5%	\$ 16,103
City Manager	\$ 439,066	1%	\$ 4,391
Deputy City Manager	\$ 259,439	0%	\$ -
Accounting Supervisor	\$ 190,964	5%	\$ 9,548
Accountant	\$ 146,225	5%	\$ 7,311
City Clerk	\$ 225,701	1%	\$ 2,257
Accounting Assistant	\$ 106,959	1%	\$ 535
Sub-Total Personnel Costs			\$ 40,145
<i>Direct costs attributed to maintaining administrative and financial records related to the enforceable obligations and the wind down of the Redevelopment Agency.</i>			
OTHER ADMINISTRATIVE COSTS			
Item	Total	Admin %	Total Admin Cost
Consultants, Legal Counsel, Auditors, Overhead, Utilities	\$ 31,061	100%	\$ 31,061
Sub-Total Other Administrative Costs	\$ 31,061		\$ 31,061
TOTAL ADMINISTRATIVE COSTS			\$ 71,206



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5375

Item No: 7.

TO: ADAM PIRRIE, CITY MANAGER
FROM: AARON FATE, CHIEF OF POLICE
DATE: DECEMBER 10, 2024

Reviewed by:
City Manager: AP

SUBJECT:

AWARD OF CONTRACTS TO DURATECH, FEDERAL SIGNAL, AND MOTOROLA SOLUTIONS FOR VEHICLE AND EQUIPMENT PURCHASES (FUNDING SOURCE: MOTOR FLEET FUND)

SUMMARY

On July 23, 2024, the City Council authorized a contract with Fritts Ford for Police Department vehicle replacements. Included in this contract was the purchase of seven new hybrid Ford Interceptor police patrol units. The vehicles are currently on order with expected delivery in late 2024.

Staff recommends entering into contracts with DuraTech, Federal Signal, and Motorola solutions Inc. to procure the necessary equipment to upfit the new police patrol vehicles.

RECOMMENDATION

Staff recommends the City Council:

- A. Authorize the City Manager to enter into a contract with DuraTech in the amount of \$79,942.89 for patrol fleet laptops and equipment;
- B. Authorize the City Manager to enter into a contract with Federal Signal in the amount of \$76,622.84 for patrol vehicle lighting and push bumpers; and
- C. Authorize the City Manager to enter into a contract with Motorola Solutions, Inc. in the amount of \$113,403.69 for vehicle video systems.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

The 2024-25 Motor Fleet budget contains \$1,338,000 to replace and upfit sixteen (16) vehicles that have reached the ends of their useful lives. The City Council previously authorized an agreement with Fritts Ford to purchase ten (10) vehicles in the amount of \$619,354.77, leaving \$718,645.23 remaining in the Motor Fleet budget.

Staff recommends entering into contracts to purchase the remaining equipment and necessary services as detailed below:

Vendor	Description	Cost
DuraTech	Mobile Data Computer Systems and Docks	\$79,942.89
Federal Signal	Emergency Lighting, Sirens, and Push Bumpers	\$76,622.84
Motorola Solutions, Inc.	Vehicle Video Systems	\$113,403.69
	TOTAL	\$269,969.42

These purchases comply with all City purchasing guidelines. Bid and contract documents are available for review in the City Clerk's office.

The staff cost to prepare this report and administer these contracts is estimated at \$2,500 and is included in the operating budgets of the Community Services and Police Departments.

ANALYSIS

Mobile Data Computers and Docking Systems

The Police Department has utilized mobile data computers (MDCs) in each of its patrol units since 1998. MDC technology connects the officers in the field with wireless access to the Police Department's computer aided dispatch, electronic report writing system, and provides a secure, encrypted connection needed so officers can access the California Law Enforcement Telecommunications System (CLETS) to make inquiries into a variety of law enforcement and public safety databases. The new MDCs and docking systems will replace the current outdated and obsolete MDCs.

The City of Claremont is a member of Sourcewell, which enables the City to access national, competitively bid contracts. DuraTech was awarded a Sourcewell contract for MDC and staff recommends contracting with them at competitively bid prices. The total cost for the MDC technology is \$79,942.89.

Emergency Equipment

Staff recommends purchasing lights, sirens, and push bumpers for patrol vehicles from Federal Signal at a cost of \$76,622.84. Federal Signal was awarded a competitively bid contract with the Los Angeles County Internal Services Department (ISD). The City is able to piggyback on that competitively bid pricing.

Vehicle Video Systems

Staff recommends purchasing Motorola M500 in-vehicle video systems at a cost of \$113,403.69. Staff recommends a sole source purchase as Motorola offers the only system compatible with the Police Department's existing software and infrastructure. Motorola Solutions is the only manufacturer and retailer for this equipment.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Council Priorities, Sustainable City Plan, Economic Sustainability Plan, General Plan, the 2024-26 Budget, and the Youth and Family Master Plan.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Aaron Fate
Chief of Police

Prepared by:

Garrett Earl
Corporal, Specialized Services Bureau



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5385

Item No: 8.

TO: ADAM PIRRIE, CITY MANAGER

FROM: BRAD JOHNSON, COMMUNITY DEVELOPMENT DIRECTOR

DATE: DECEMBER 10, 2024

Reviewed by:

City Manager: AP

SUBJECT:

ACCEPTANCE OF PUBLIC IMPROVEMENTS AND RELEASE OF SUBDIVISION IMPROVEMENT BONDS AND CASH DEPOSITS FOR FINAL TRACT MAP NO. 73078 FOR A THIRTY-UNIT CONDOMINIUM PROJECT LOCATED ON THE NORTHWEST CORNER OF INDIAN HILL BOULEVARD AND FOOTHILL BOULEVARD. APPLICANT - CLAREMONT CONDO DEVELOPMENT, L.P.

SUMMARY

The sub-divider of Tract Map No. 73078 has completed all subdivision improvements along Colby Circle and Indian Hill Boulevard required with the approval of the map. The sub-divider requests the City Council accept and approve the required public improvements and release the remaining applicable improvement cash deposits associated with the tract.

The final cash deposit that will be refunded is for the Colby Circle streetlights. All other applicable improvement bonds and cash deposits associated with Tract Map No. 73078 have been released to the sub-divider.

Staff finds the required improvements have been constructed, consistent with approved plans, there are no further required improvements, and all inspections are complete. Therefore, it is appropriate to release the applicable improvement securities at this time.

RECOMMENDATION

Staff recommends the City Council accept and approve the public improvements and release the applicable improvement bonds and cash deposits for Final Tract Map No. 73078.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

The sub-divider provided bonds for the required public improvements for the Tract Map No.73078, a 30-unit housing component of the Old School House Specific Plan. The required public improvements were completed in phases consistent with the development of the project within the Specific Plan. Improvement bonds may be released once the improvements authorized by the associated public works permit have been completed to the satisfaction of the City Engineer. All other applicable improvement bonds and cash deposits associated with Tract Map No. 73078 have been completed, inspected, and released to the sub-divider.

The remaining cash deposit listed below will be refunded to the sub-divider as a result of this City Council action:

- Colby Circle - South Street Lights Total: \$30,000

The staff cost to prepare this report is estimated at \$1,474 and is included in the operating budget of the Community Development Department.

ANALYSIS

Tract Map No. 73078 is located at 501 North Indian Hill Boulevard and creates one residential lot for 30 condominium units. While subdivided as a condominium map, the 30-unit project is currently used as a rental housing project. A copy of the submitted final map, which illustrates the parcel location and configuration, is included as an Attachment to this report.

Improvement bonds and cash deposits were provided with the approval of the map. The developer has completed all required public improvements and now requests the release of bonds and cash deposits.

Map Review

The City Council approved the Final Map for Tract Map 73078 on June 25, 2019.

Public Improvements

As part of the map requirements, the sub-divider has constructed improvements both on-site and within the public right-of-way, along Colby Circle, Indian Hill Boulevard and Foothill Boulevard. Improvements within the public right-of-way include, but are not limited to, handicap ramps, sidewalks, curb and gutters, streetlights, and landscaping.

As part of the required improvements, the sub-divider constructed sidewalk improvements and handicap ramps along Colby Circle. Additional improvements included the installation of stop signs at

the Colby Circle bend at the intersection with the newly constructed private road, sidewalk repairs, and driveway improvements as needed to ensure Americans with Disabilities Act (ADA) compliance. These improvements have been inspected and accepted, and the posted bonds have been released.

In addition, bonds previously released were posted for the construction of sidewalks, ADA ramps, streetlight installation, and driveway reconstruction to meet accessibility standards along Indian Hill Boulevard.

As part of the map entitlement process, the applicant was required to pay the City a fair share contribution for the installation of improvements on Foothill Boulevard, which were implemented by the City with the Foothill Master Plan Complete Streets Capital Improvement Project.

These improvements have been completed and are consistent with the approved plans and associated public works permits. The City has inspected the installation of these improvements, and the tract map does not require any additional public improvements.

To close the project, the developer now asks for the release of the remainder of the cash deposit and bonds that were provided with the map's approval. Once released, those improvements will be under warranty for one year following City Council acceptance.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Sustainable City Plan and the General Plan.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Brad Johnson
Community Development Director

Prepared by:

Jasmin Hurtado
Associate Engineer

Reviewed by:

Maria Tipping
City Engineer

Attachment:

Tract Map 73078

1413/57

SHEET 1 OF 4 SHEETS
GROSS AREA = 16.978 ACRES
NUMBER OF LOTS = 4

TRACT MAP NO. 73078

IN THE CITY OF CLAREMONT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A SUBDIVISION OF LOTS 1 THROUGH 4 OF LOT LINE ADJUSTMENT NO. 09-LL01 RECORDED JANUARY 27, 2012 AS PER INSTRUMENT NO 2012-146165 OF OFFICIAL RECORDS, ALL IN THE CITY OF CLAREMONT, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA,

DONALD M. BARRIE, PLS 4856 DON BARRIE & ASSOCIATES DATE OF SURVEY JULY 14, 2017
FOR CONDOMINIUM PURPOSES

FILED
AT REQUEST OF OWNER
09 JUN 12
IN BOOK 1413
AT PAGE 57-60
OF MAPS
LOS ANGELES COUNTY, CA
Register-Recorder-County Clerk
FEE \$ 17
D.A. FEE Code 20 \$ 5



OWNERS STATEMENT:

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINCTIVE BORDER LINES AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION.

WE HEREBY RESERVE TO BE GRANTED TO A HOMEOWNER ASSOCIATION BY SEPARATE INSTRUMENT:

1. AN EASEMENT FOR INGRESS / EGRESS, PUBLIC UTILITIES AND FIRE LANE PURPOSES AS SHOWN ON THIS MAP.
2. AN EASEMENT FOR PUBLIC SIDEWALK PURPOSES AS SHOWN ON THIS MAP.
3. AN EASEMENT FOR PUBLIC UTILITY PURPOSE AS SHOWN ON THIS MAP.
4. AN EASEMENT FOR PRIVATE DRAINAGE PURPOSE AS SHOWN ON THIS MAP.

CLAREMONT STAR, L.P.
A CALIFORNIA LIMITED PARTNERSHIP (OWNER)

<u>Hamilton</u>	<u>General Partner</u>	<u>H.W. and H.M. Wu</u>	<u>General Partner</u>
NAME	TITLE	NAME	TITLE

BENEFICIARY STATEMENT:

EAST WEST BANK, AS BENEFICIARY, OR EAST WEST INVESTMENT, INC., A CALIFORNIA CORPORATION, AS TRUSTEE, UNDER A DEED OF TRUST RECORDED NOVEMBER 15, 2012 AS INSTRUMENT NO. 20121735312 OF OFFICIAL RECORDS AND MODIFIED BY DEED RECORDED AUGUST 07, 2017, AS INSTRUMENT NO. 20170887531 OF OFFICIAL RECORDS.

EAST WEST BANK, AS BENEFICIARY, OR EAST WEST INVESTMENT, INC., A CALIFORNIA CORPORATION, AS TRUSTEE, UNDER A DEED OF TRUST RECORDED NOVEMBER 15, 2012 AS INSTRUMENT NO. 20121735309 OF OFFICIAL RECORDS AND MODIFIED BY DEED RECORDED AUGUST 07, 2017, AS INSTRUMENT NO. 20170887519 OF OFFICIAL RECORDS.

<u>Hamilton Lei</u>	<u>FVP</u>	<u>Flora Ling</u>	<u>SVP</u>
NAME	TITLE	NAME	TITLE

NEW OMNI BANK, N.A., AS TRUSTEE AND BENEFICIARY, UNDER A DEED OF TRUST RECORDED JUNE 10, 2019 AS INSTRUMENT NO. 20190542221 OF OFFICIAL RECORDS.

<u>Ngong Sung</u>	<u>EVP</u>		
NAME	TITLE	NAME	TITLE

NOTARY'S ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF Los Angeles
ON June 24, 2019, BEFORE ME Jamie L. Costanza, Notary Public PERSONALLY APPEARED Harry Wu

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE Jamie L. Costanza MY COMMISSION EXPIRES December 17, 2021
MY COMMISSION NO. 2222059 MY PRINCIPLE PLACE OF BUSINESS IS IN Los Angeles COUNTY.

NOTARY'S ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF Los Angeles
ON Jun 21, 2019, BEFORE ME Jennifer Wing Lamtto, Notary Public PERSONALLY APPEARED Hamilton Lei and Flora Ling

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE [Signature] MY COMMISSION EXPIRES Sept 14, 2020
MY COMMISSION NO. 216202 MY PRINCIPLE PLACE OF BUSINESS IS IN Los Angeles COUNTY.

NOTARY'S ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF Los Angeles
ON 06-21-2019, BEFORE ME Leo Peng, Notary Public PERSONALLY APPEARED Ngong Sung

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE Leo Peng MY COMMISSION EXPIRES 08-18-2019
MY COMMISSION NO. 2120415 MY PRINCIPLE PLACE OF BUSINESS IS IN Los Angeles COUNTY.

CONDOMINIUM NOTE:

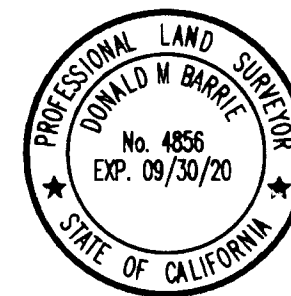
THIS SUBDIVISION IS APPROVED AS A CONDOMINIUM PROJECT FOR 30 UNITS, WHEREBY THE OWNERS OF THE UNITS OF AIR SPACE WILL HOLD AN UNDIVIDED INTEREST IN THE COMMON AREAS WHICH WILL, IN TURN, PROVIDE THE NECESSARY ACCESS AND UTILITY EASEMENTS FOR THE UNITS.

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A TRUE AND COMPLETE FIELD SURVEY BY ME OR UNDER MY DIRECTION IN JULY, 2017, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF CLAREMONT STAR, L.P. ON JULY 14, 2017, I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP; THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS WITHIN 24 MONTHS FROM THE FILING DATE OF THIS MAP, AND THAT THE MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THE NOTES TO ALL CENTERLINE MONUMENTS SHOWN AS "TO BE SET" WILL BE ON FILE IN THE OFFICE OF THE CITY ENGINEER WITHIN TWENTY-FOUR MONTHS FROM THE FILING DATE SHOWN HEREON.

Donald M. Barrie 6-17-2019
DONALD M. BARRIE DATE

L.S. NO. 4856
EXPIRES: 9/30/2020



CITY SURVEYOR'S STATEMENT:

I, DAVID G. GILBERTSON, CITY SURVEYOR OF THE CITY OF CLAREMONT, CALIFORNIA, DO HEREBY STATE THAT I HAVE EXAMINED THIS MAP, AND THAT I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATE: 6/20/19

David G. Gilbertson
DAVID G. GILBERTSON
CITY SURVEYOR, CITY OF CLAREMONT
PLS 6941 EXP. DATE 09/30/2019



CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT IT CONFORMS SUBSTANTIALLY TO THE TENTATIVE MAP AND ALL APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION ORDINANCES OF THE CITY OF CLAREMONT APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT WITH RESPECT TO CITY RECORDS

Wendy Yip
Interim CITY ENGINEER, CITY OF CLAREMONT
R.C.E. NO. 87116

SPECIAL ASSESSMENT CERTIFICATE

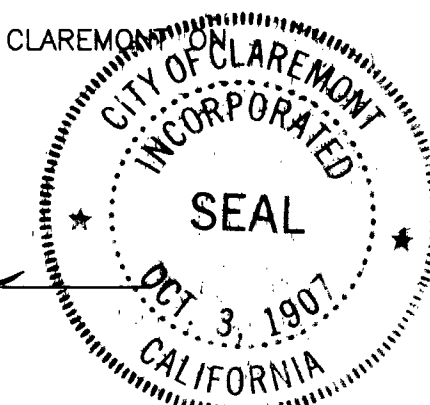
I HEREBY CERTIFY THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE JURISDICTION OF THE CITY OF CLAREMONT TO WHICH THE LAND INCLUDED IN THE WITHIN SUBDIVISION OR ANY PART THEREOF IS SUBJECT TO, AND WHICH MAY BE PAID IN FULL, HAVE BEEN PAID IN FULL.

6-27-19
DATE: [Signature]
CITY TREASURER, CITY OF CLAREMONT

CITY CLERK'S CERTIFICATE:

I, HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF CLAREMONT ON JUNE 25, 2019 APPROVED THIS MAP.

June 26, 2019
DATE: [Signature]
CITY CLERK
CITY OF CLAREMONT

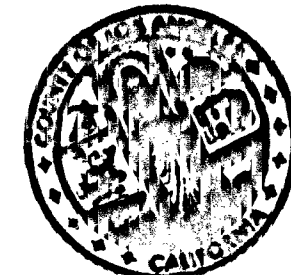


TAX CERTIFICATES:

I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF \$ 768,475.00 HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND SHOWN ON MAP OF TRACT MAP NO. 73078 AS REQUIRED BY LAW.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: Faluzio Palano DATE 7.1.19



I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FIELD AND DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: Faluzio Palano DATE 7.1.19



BASIS OF BEARINGS

THE BEARING SHOWN HEREON ARE BASED ON THE BEARING N00°12'32"W OF THE CENTERLINE OF INDIAN HILL BOULEVARD AS SHOWN ON TRACT MAP 28573, M.B. 741/20-22.

ABANDONMENT NOTE:

PURSUANT TO THE PROVISIONS OF SECTION 66434(G) AND 66499 20.2 OF THE SUBDIVISION MAP ACT, THE FILING OF THIS TRACT MAP CONSTITUTES ABANDONMENT OF THE FOLLOWING:

1. THE CITY OF CLAREMONT, THE HOLDER OF PUBLIC ROAD (COLBY CIRCLE) AND LOT 23 FOR PUBLIC USE PURPOSES WITHIN THIS TRACT MAP BOUNDARY AS SHOWN ON TRACT MAP 28573, MB. 741/20-22.

EASEMENT NOTES:

SEE SHEET 2 OF 4 FOR EASEMENT NOTES DETAIL.

MAP

TRACT MAP NO. 73078

SHEET 2 OF 4 SHEETS

IN THE CITY OF CLAREMONT
 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
 DONALD M. BARRIE, PLS 4856 DON BARRIE & ASSOCIATES DATE OF SURVEY JULY 14, 2017
 FOR CONDOMINIUM PURPOSES

SIGNATURE OMISSIONS:

1. THE SIGNATURE(S) OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR SANITARY SEWER PURPOSES, BY DEED RECORDED MAY 08, 1964, AS INSTRUMENT NO. 5967 IN BOOK D2465, PAGE 360 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
2. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR AERIAL AND UNDERGROUND ELECTRIC AND COMMUNICATION LINE PURPOSES, BY DEED RECORDED AUGUST 05, 1964, AS INSTRUMENT NO. 4843 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
3. THE SIGNATURE(S) OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR SANITARY SEWER PURPOSES, BY DEED RECORDED OCTOBER 30, 1967, AS INSTRUMENT NO. 1961 IN BOOK D3813, PAGE 636 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
4. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA WATER COMPANY, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR WATER PIPE LINES PURPOSES, BY DEED RECORDED JANUARY 23, 1968, AS INSTRUMENT NO. 2800 IN BOOK D3893, PAGE 493 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
5. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR ELECTRIC SYSTEM PURPOSES, BY DEED RECORDED JUNE 17, 1968, AS INSTRUMENT NO. 3353 IN BOOK 4036, PAGE 43 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
6. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATION SYSTEM PURPOSES, BY DEED RECORDED MAY 04, 1970, AS INSTRUMENT NO. 2925 IN BOOK D4704, PAGE 192 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A) 3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
7. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATION SYSTEM PURPOSES, BY DEED RECORDED MAY 05, 1972, AS INSTRUMENT NO. 3145 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
8. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATION SYSTEM PURPOSES, BY DEED RECORDED NOVEMBER 06, 1968, AS INSTRUMENT NO. 5319 IN BOOK D4187, PAGE 516 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
9. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA WATER COMPANY, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR WATER PIPE LINES PURPOSES, BY DEED RECORDED JUNE 23, 1977, AS INSTRUMENT NO. 77-670958 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
10. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA WATER COMPANY, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR WATER PIPE LINES PURPOSES, BY DEED RECORDED JUNE 30, 1978, AS INSTRUMENT NO. 78-710889 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
11. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA WATER COMPANY, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR WATER PIPE LINES PURPOSES, BY DEED RECORDED JUNE 30, 1978, AS INSTRUMENT NO. 78-710890 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
12. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA GAS COMPANY, A CALIFORNIA CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR GAS PIPE LINES PURPOSES, BY DEED RECORDED NOVEMBER 14, 2007, AS INSTRUMENT NO. 20072545385 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
13. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATION SYSTEM PURPOSES, BY DEED RECORDED JANUARY 24, 2008, AS INSTRUMENT NO. 20080128487 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
14. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATION SYSTEM PURPOSES, BY DEED RECORDED OCTOBER 01, 2008, AS INSTRUMENT NO. 20081763030 OF OFFICIAL RECORDS AND SAID DOCUMENT WAS RE-RECORDED JULY 01, 2009, AS INSTRUMENT NO. 20090989724 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
15. THE SIGNATURE(S) OF LOT OWNERS OF LOT-LINE ADJUSTMENT #09-LL01, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES, BY DEED RECORDED JULY 28, 2010, AS INSTRUMENT NO. 2010-1033540 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
16. THE SIGNATURE(S) OF LOT OWNERS OF LOT-LINE ADJUSTMENT #09-LL01, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR INGRESS, EGRESS AND PUBLIC UTILITY PURPOSES, BY DEED RECORDED JULY 28, 2010, AS INSTRUMENT NO. 2010-1033541 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
17. THE SIGNATURE(S) OF K.H.P ENTERPRISES LLC, HOLDER OF A LEASEHOLD INTEREST DISCLOSED BY MEMORANDUM OF LEASE RECORDED NOVEMBER 08, 2001, AS INSTRUMENT NO. 20012143294 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
18. THE SIGNATURE(S) OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR PUBLIC ROAD AND HIGHWAY PURPOSES, BY DEED RECORDED SEPTEMBER 19, 1967, AS INSTRUMENT NO. 2495 IN BOOK D3772, PAGE 121 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
19. THE SIGNATURE(S) OF ALTON L. SANFORD, ELISABETH S. SANFORD, GRISWOLD'S OLD SCHOOL HOUSE, A CORPORATION AND FOOTHILL INN, A CALIFORNIA LIMITED PARTNERSHIP, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR PEDESTRIAN INGRESS, EGRESS AND PASSAGE AND VEHICULAR PARKING PURPOSES, BY DEED RECORDED APRIL 17, 1978, AS INSTRUMENT NO. 78-403780 OF OFFICIAL RECORDS AND MODIFIED BY DEED RECORDED APRIL 24, 1978, AS INSTRUMENT NO. 78-43056 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
20. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA GAS COMPANY, A CALIFORNIA CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR TRANSPORTATION OF GAS, PETROLEUM PRODUCTS AND OTHER SUBSTANCE PURPOSES, BY DEED RECORDED JUNE 30, 1978, AS INSTRUMENT NO. 78-710891 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
21. THE SIGNATURE(S) OF STUART D. TOWNE, RUBY P TOWNE, ALTON L. SANFORD, ELISABETH S. SANFORD AND FOOTHILL INN, A CALIFORNIA LIMITED PARTNERSHIP, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR PEDESTRIAN INGRESS, EGRESS AND PASSAGE AND VEHICULAR PARKING PURPOSES, BY DEED RECORDED JUN 12, 1974, AS INSTRUMENT NO. 588 IN BOOK D6305, PAGE 623 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.

SIGNATURE OMISSIONS: (CONT.)

22. THE SIGNATURE(S) OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR PUBLIC UTILITY PURPOSES, BY DEED RECORDED JANUARY 20, 1956, AS INSTRUMENT NO. 4566 IN BOOK 50110, PAGE 338 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
23. THE SIGNATURE(S) OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR SANITARY SEWER PURPOSES, BY DEED RECORDED MARCH 22, 1965, AS INSTRUMENT NO. 2505 IN BOOK D2840, PAGE 20 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
24. THE SIGNATURE(S) OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY BY DEDICATION AS SHOWN ON TRACT NO. 28573, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
25. THE SIGNATURE(S) OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR PUBLIC UTILITIES PURPOSES, BY DEED RECORDED APRIL 13, 2016, AS INSTRUMENT NO. 20160413259 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.
26. THE SIGNATURE(S) OF GOLDEN STATE WATER COMPANY, HOLDER OF AN EASEMENT FOR WATER LINE PURPOSES BY DEED RECORDED MAY 10, 2019, AS INSTRUMENT NO. 20190429516 OF OFFICIAL RECORDS, HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(A)3A(I-VIII) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.

EASEMENT NOTES:

- △ DENOTES AN EASEMENT FOR SANITARY SEWER AND INCIDENTAL PURPOSES, IN FAVOR OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, BY INSTRUMENT NO. 5967 RECORDED IN BOOK. D2465, PAGE 360, O.R. (05-08-1964).
- △ DENOTES AN EASEMENT FOR SANITARY SEWER AND INCIDENTAL PURPOSES, IN FAVOR OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, BY INSTRUMENT NO. 2503 RECORDED IN BOOK. D2840, PAGE 16, O.R. (03-22-1965).
- △ DENOTES AN EASEMENT FOR SANITARY SEWER AND INCIDENTAL PURPOSES, IN FAVOR OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, BY INSTRUMENT NO. 2504 RECORDED IN BOOK. D2840, PAGE 18, O.R. (03-22-1965).
- △ DENOTES AN EASEMENT FOR SANITARY SEWER AND INCIDENTAL PURPOSES, IN FAVOR OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, BY INSTRUMENT NO. 1961 RECORDED IN BOOK. D3813, PAGE 636, O.R. (10-30-1967).
- △ DENOTES AN EASEMENT FOR WATER PIPELINE AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA WATER COMPANY, BY INSTRUMENT NO. 2800 RECORDED IN BOOK. D3893, PAGE 493, O.R. (01-23-1968).
- △ DENOTES AN EASEMENT FOR ELECTRIC SYSTEM AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, BY INSTRUMENT NO. 3353 RECORDED IN BOOK. D4036, PAGE 43, OR (06-17-1968).
- △ DENOTES AN EASEMENT FOR UNDERGROUND ELECTRICAL SUPPLY SYSTEM, COMMUNICATION SYSTEM PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, BY INSTRUMENT NO. 2925 RECORDED IN BOOK. D4704, PAGE 192, O.R. (05-04-1970).
- △ DENOTES AN EASEMENT FOR UNDERGROUND ELECTRICAL SUPPLY SYSTEM AND ABOVE GROUND APPURTENANT FIXTURES AND EQUIPMENT PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, BY INSTRUMENT NO. 5319 RECORDED IN BOOK. D4187, PAGE 516, O.R. (11-06-1968).
- △ DENOTES AN EASEMENT FOR WATER PIPELINE AND FOR FURTHER PURPOSES OF INGRESS AND EGRESS AND PASSAGE PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA WATER COMPANY, BY INSTRUMENT NO. 78-710889, O.R. (06-30-1978).
- △ DENOTES AN EASEMENT FOR WATER PIPELINE AND FOR FURTHER PURPOSES OF INGRESS AND EGRESS AND PASSAGE PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA WATER COMPANY, BY INSTRUMENT NO. 78-710890, O.R. (06-30-1978).
- △ DENOTES AN EASEMENT FOR PUBLIC UTILITY AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY, A CALIFORNIA CORPORATION BY INSTRUMENT 20072545385, O.R. (11-14-2007). (NOT PLOTABLE)
- △ DENOTES AN EASEMENT FOR PUBLIC UTILITY AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION BY INSTRUMENT 20080128487, O.R. (01-24-2008).
- △ DENOTES AN EASEMENT FOR TRANSPORTATION OF GAS, PETROLEUM PRODUCTS AND OTHER SUBSTANCES, WITH THE RIGHT OF INGRESS AND EGRESS TO AND FROM SAME PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY, A CALIFORNIA CORPORATION BY INSTRUMENT. 78-710891, O.R. (06-30-1978).
- △ DENOTES AN EASEMENT FOR PUBLIC UTILITIES AND RIGHTS INCIDENTAL THERETO IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION AS SET FORTH IN A DOCUMENT RECORDED APRIL 13, 2016, AS INSTRUMENT NO. 20160413259 OF OFFICIAL RECORDS.
- △ DENOTES AN EASEMENT FOR SANITARY SEWER AND INCIDENTAL PURPOSES, IN FAVOR OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, BY INSTRUMENT NO. 2505 RECORDED IN BOOK. D2840, PAGE 20, O.R. (03-22-1965).
- △ DENOTES AN EASEMENT AS SHOWN ON TRACT MAP 28573, MB. 741/20-22.465, PAGE 360, O.R. (05-08-1964).
- △ DENOTES AN EASEMENT FOR INGRESS, EGRESS, PUBLIC UTILITY AND FIRE LANE PURPOSES.
- △ DENOTES AN EASEMENT FOR PUBLIC SIDEWALK PURPOSES DEDICATED HEREON TO THE CITY OF CLAREMONT
- △ DENOTES AN EASEMENT FOR PUBLIC UTILITY PURPOSES DEDICATED HEREON.
- △ DENOTES AN EASEMENT FOR PRIVATE DRAINAGE PURPOSES IN FAVOR OF LOT 2 TO BE RESERVED HEREON.
- △ DENOTES AN EASEMENT FOR UNDERGROUND ELECTRICAL SUPPLY SYSTEM, COMMUNICATION SYSTEM PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, BY INSTRUMENT 3145, O.R. (05-05-1972).
- △ DENOTES AN EASEMENT FOR POLE LINES, CONDUITS, STORM DRAIN, SANITARY SEWERS PURPOSES, IN FAVOR OF CITY OF CLAREMONT, A MUNICIPAL CORPORATION, BY INSTRUMENT 4566, O.R. (01-20-1956).
- △ DENOTES AN EASEMENT FOR WATER PIPELINES PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA WATER COMPANY, BY INSTRUMENT 77-670958, O.R. (06-23-1977).
- △ DENOTES AN EASEMENT FOR WATER MAINS SERVICES AND OTHER APPURTENANCES AND RIGHTS INCIDENTAL THERETO IN FAVOR OF GOLDEN STATE WATER COMPANY, BY INSTRUMENT 20190429516, O.R. (05-10-2019).

SCALE: 1"=60'

TRACT MAP NO. 73078

SHEET 3 OF 4 SHEETS

IN THE CITY OF CLAREMONT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
DONALD M. BARRIE, PLS 4856 DON BARRIE & ASSOCIATES DATE OF SURVEY JULY 14, 2017
FOR CONDOMINIUM PURPOSES

FD. S&W TAG 8205 PER
TR. MAP 34136, M.B.
907/26-28. ACCEPTED AS
CENTERLINE INTERSECTION
POINT.

SEARCHED, FD. NOTHING, SET. S&W TAG L.S. 4856,
ESTABLISHED BY PROLATION IN BETWEEN FD
MONUMENTS AS CENTERLINE INTERSECTION POINT.

SEE SHEET 4
ESTAB. AS THE EAST LINE OF TRACT MAP 28573, MB
7417/20-22 BY RECORDED ANGLE. ACCEPTED AS
WESTERLY STREET RIGHT OF WAY OF COLBY CIRCLE.

SEE SHEET 4
FD. S&W PER TR. MAP 34136. ACCEPTED
AS CENTERLINE INTERSECTION POINT.

FD. S&W STAMPED "PLS. 8234" IN LIEU
OF 1/2" BOLT & CROSS PER TRACT MAP
28573, M.B. 741/20-21. ACCEPTED AS
CENTERLINE INTERSECTION POINT.

SURVEYOR'S NOTES:

- DENOTES FOUND MONUMENT AS SHOWN, FLUSH WITH GROUND, UNLESS OTHERWISE SHOWN.
- DENOTES SET 2" IRON PIPE TAGGED L.S. 4856 FLUSH WITH SURFACE.

SET 1" IRON PIPE TAGGED L.S. 4856 AT ALL LOT CORNERS AND ANGLE POINTS IN SIDE LOT LINES, EXCEPT SET NAIL & TAG L.S. 4856 ON TOP OF CURB ON PROLONGATION OF SIDE LOT LINE IN LIEU OF FRONT PROPERTY CORNERS.
- [] DENOTES RECORD DATA PER PARCEL MAP 8421, P.M.B. 93/78-79.
- < > DENOTES RECORD DATA PER TRACT MAP 28573, M.B. 741/20-22.
- () DENOTES RECORD DATA PER TRACT MAP 34136, M.B. 907/26-28.
- — — INDICATES THE BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP.

EASEMENT NOTES:

SEE SHEET 2 OF 4 FOR EASEMENT NOTES DETAIL.

LOT 3 OF PARCEL MAP 8421
P.M.B. 93/78-79

2.645 ACRES
(115215 SF)

1.840 ACRES
(80131 SF)

7.592 ACRES
(330706 SF)

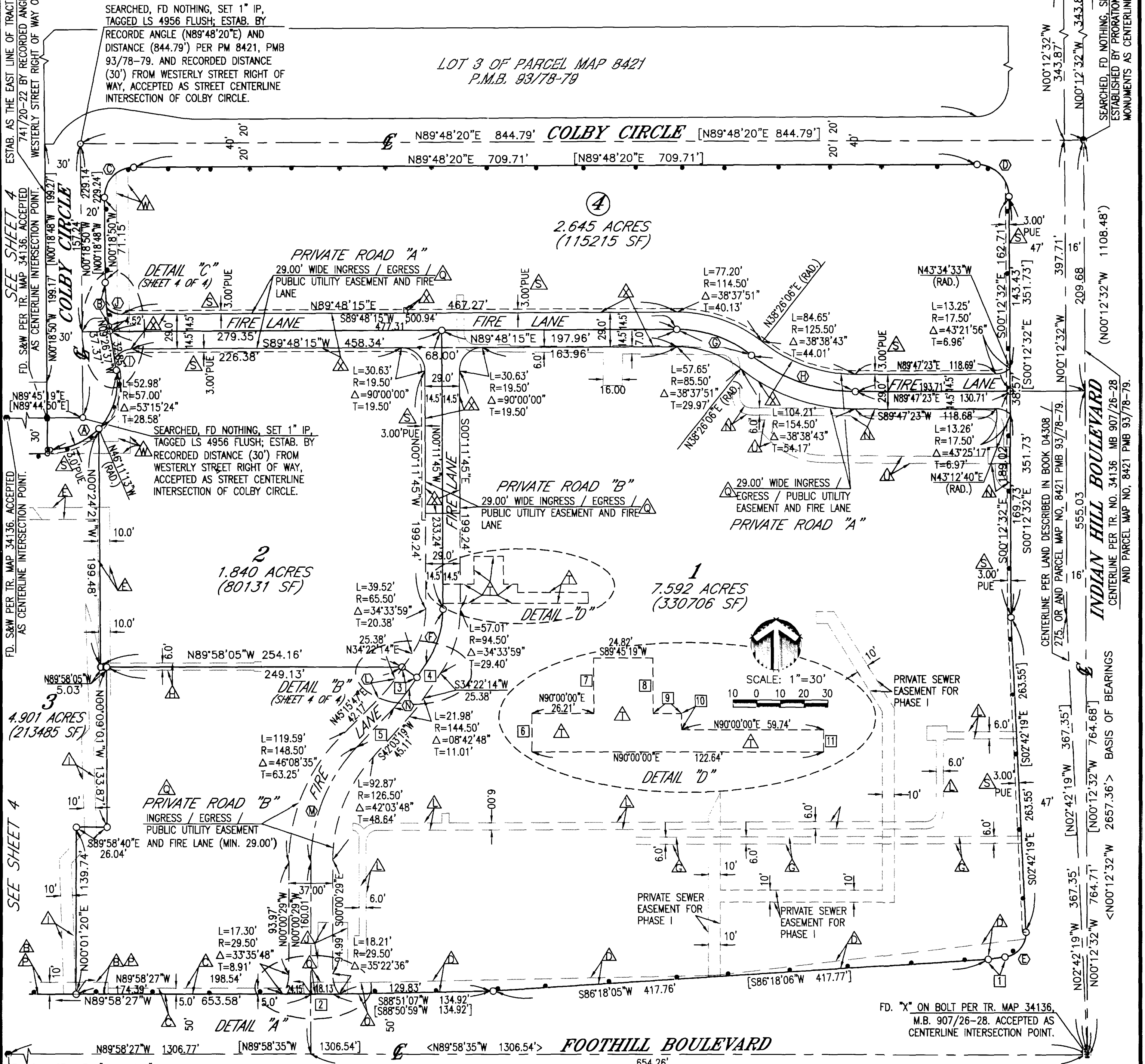
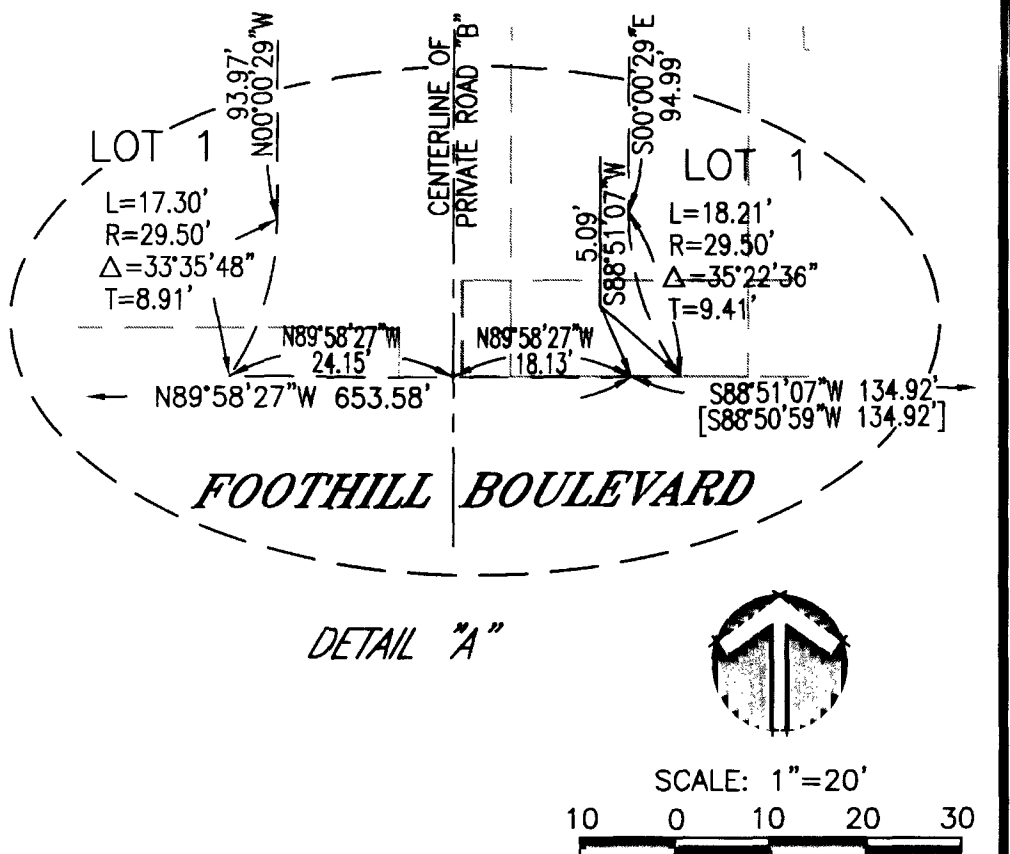
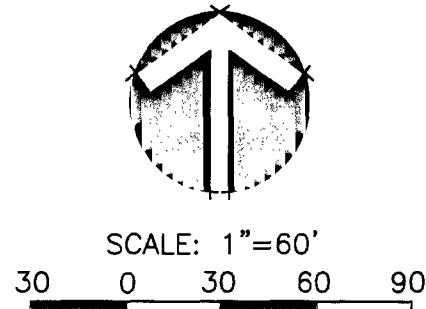
4.901 ACRES
(213485 SF)

LINE DATA (THIS SHEET ONLY)

BEARING	LENGTH	PM 8421 / 93-78-79
S82°50'55"W	14.36'	S82°50'55"W 14.36'
N89°58'27"W	18.13'	
N55°37'46"W	15.00'	
N34°22'14"E	14.04'	
N43°33'50"E	45.56'	
N00°11'45"W	16.10'	
S00°14'41"E	23.15'	
S00°14'41"E	23.25'	
N90°00'00"W	11.93'	
N00°00'00"E	6.87'	
N00°00'00"E	9.22'	

CURVE DATA (THIS SHEET ONLY)

PM 8421 / 93-78-79				PM 8421 / 93-78-79			
RAD.	Δ	L	T	RAD.	Δ	L	T
A	57.00'	99°11'56"	98.69'	66.97'	57.00'	99°11'25"	98.68'
B	230.56'	09°07'47"	36.74'	18.41'	230.56'	09°07'47"	36.74'
C	25.00'	90°07'10"	39.32'	25.05'	25.00'	90°07'08"	39.32'
D	27.00'	89°59'08"	42.40'	26.99'	27.00'	89°59'08"	42.40'
E	20.00'	85°33'14"	29.86'	18.51'	20.00'	85°33'14"	29.86'
F	80.00'	34°33'59"	48.26'	24.89'			
G	100.00'	38°37'51"	67.42'	35.05'			
H	140.00'	38°38'43"	94.43'	49.09'			
I	17.50'	60°06'40"	18.36'	10.13'			
J	17.50'	46°48'24"	14.30'	7.57'			
K	230.00'	03°54'02"	15.70'	7.85'			
L	115.50'	10°53'33"	21.96'	11.01'			
M	140.00'	43°34'19"	106.47'	55.96'			
N	130.00'	09°11'36"	20.86'	10.45'			





Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5382

Item No: 9.

TO: ADAM PIRRIE, CITY MANAGER

FROM: BRAD JOHNSON, COMMUNITY DEVELOPMENT DIRECTOR

DATE: DECEMBER 10, 2024

Reviewed by:

City Manager: AP

SUBJECT:

HISTORICAL PROPERTY (MILLS ACT) AGREEMENT #24-MA01, BETWEEN THE CITY OF CLAREMONT AND NATALIE AND ISAAC KELLY, PROPERTY OWNERS OF 1195 BERKELEY AVENUE

SUMMARY

The owners of the property at 1195 Berkeley Avenue, a two-story Spanish Revival style home built in 1928, have submitted a request to enter into a Historic Property (Mills Act) Agreement with the City. The Mills Act is a preservation tool enacted by state legislature to ensure the long-term preservation of eligible historic properties and other significant site features of such properties. In return for committing to preserve their property via the agreement, owners receive a reduction in property taxes, which helps finance needed repairs and renovations to the property.

On November 13, 2024, the Architectural & Preservation Commission reviewed the proposed agreement and voted unanimously to recommend approval of the subject Mills Act request. The City Council is the decision-making body for Mills Act requests and is asked to take final action on the agreement at this meeting.

RECOMMENDATION

Staff recommends the City Council:

- A. Approve a Historic Property (Mills Act) Agreement between the City of Claremont and Natalie and Isaac Kelly, property owners of 1195 Berkeley Avenue; and
- B. Find this item is exempt from environmental review under the California Environmental Quality Act (CEQA).

ALTERNATIVES TO RECOMMENDATION

In addition to staff's recommendation, there are the following alternatives:

- A. Continue the discussion and request additional information.
- B. Make revisions to the proposed Mills Act Agreement and approve the agreement as revised.
- C. Deny Mills Act Agreement #24-MA01.

FINANCIAL REVIEW

The costs associated with the review of this application have been borne by the applicant. The cost to prepare this report is \$183 and is included in the operating budget of the Community Development Department.

Upon approval of a Mills Act historical property contract (Attachment A), the value of the subject property is reassessed based on a formula that considers the rental income that could be expected from the property, the Federal home loan interest rate, a historic property risk component, and an amortization component to result in a special Mills Act capitalization rate. The total tax savings for the property owners are determined by using the formula outlined in Attachment B, which also estimates the anticipated tax savings for the property owners/applicants. With the approval of a Mills Act contract, the value of the property tax savings must be put towards the scope of work identified in Attachment A to preserve or rehabilitate the historic character-defining elements of the property and ensure its ongoing historical and structural integrity. Approval of a Mills Act contract will also result in a minor loss of tax revenue to the City. This loss represents the City's contribution to ensuring the property's preservation for the benefit of the community.

Staff has prepared estimates of the anticipated tax savings (Attachment B) for the owner and the loss in tax revenue to the City if the Mills Act agreement is approved. The calculations estimate a potential tax savings to the owners of \$7,623 per year (\$76,230.00 over ten years), and a potential loss to the City in tax revenue of \$884.00 per year. The remaining tax savings, \$6,739.00 per year, would be the resulting loss in potential revenue the contract would create for other local, regional, and state agencies, and districts that receive a portion of property taxes paid.

ANALYSIS

Background

What is the Mills Act?

The Mills Act is a preservation tool created by the California state legislature in 1972 to encourage the preservation and restoration of historic properties. The act enables cities to enter into historical property agreements with owners of qualifying properties to reduce owners' property taxes in order to incentivize investment in their historic property. While resulting in some lost tax revenue, the agreements provide benefits to cities in that they ensure preservation, high-quality rehabilitation, and maintenance of historic properties that represent important cultural resources.

As provided for by State law, the Mills Act is administered and implemented by local governments. Mills Act contracts are executed between the property owner and the local government granting the tax reduction. Cities have considerable discretion in evaluating Mills Act requests and are not mandated to approve historical property agreements. Each local government establishes its own

eligibility criteria, application procedures, and the number of contracts to allow within its jurisdiction. The California Office of Historic Preservation (OHP) does not participate in the contract negotiations, is not a signatory to the contract, and has no authority over the administration of the Mills Act program.

City's Mills Act Program

In October 2000, the City Council approved procedures and review criteria for agreements for properties in Claremont. Initially, the program was restricted to historic properties suffering severe deterioration and in danger of near-term demolition or eventual demolition due to long-term neglect. In January 2009, the City Council revised the review criteria to include all residential properties listed in the City's Register of Structures of Historic and Architectural Merit of the City of Claremont (Register). In addition, the Council limited the maximum number of Mills Act contracts that can be approved to six per year.

On October 9, 2012, the City Council amended the program once more to clarify one of the review criteria and establish an annual compliance review fee. These newly revised criteria and procedures are included as Attachment D (City Council Resolution 2012-75).

Property Description

The subject property, known as the Douglass house, is located within the RS 8,000 zoning district and the Residential 6 General Plan Land Use Designation. The home was built in 1928. Though records are not certain, reports indicate the home may have been built by John Richardson Miller and Elva Ruby Miller and/or by Clarence Stover, a former City Councilmember, president of the Chamber of Commerce, and Planning Commissioner in the construction business in Claremont.

Notable residents of this home include Malcolm and Enid Douglass. Enid Hart Douglass is mainly responsible for developing the oral history program at Claremont Graduate University and served as the program's director from 1971 until retirement in 2003. Enid Douglass was also a Planning Commissioner from 1971 to 1978, a City Councilmember, and served as the mayor of Claremont from 1982 to 1986. In 1979, Douglass helped establish Claremont Heritage.

The character-defining features of the home were identified through site visits to the property and with input from the property owner (Attachment G). The home is a two-story Spanish Revival style home with California Ranch-style characteristics. Features include smooth stucco walls and Spanish tile roofing. The house is largely characterized by a large family room with two sets of French doors and a large arched window with a wrought-iron trim on the north side of the home. This wrought-iron trim matches the gates leading to the front door, arcade to the east of the family room, and side yard.

The windows are original wood-framed divided lite windows. The primary entrance to the home features an arcade with tile floors and is enclosed by a low stucco wall with an angled brick cap. The original wood front door is inset by a stucco archway. The interior character-defining features of the home include an original bathtub and a CALCO Ancient Mayan fireplace, a focal point of the notable family room. Other features include arched doorways, curved ceilings, smooth plaster walls, and wood floors throughout.

The home is in good condition and, with appropriate restoration and repair, can continue conveying its historical appearance and significance.

Proposed Work Plan

The property owner has proposed a sensible work plan that addresses repairs and maintenance to the home and preservation of the architectural style and the original historic appearance of the property. A detailed summary of the proposed improvements is included for reference as Attachment E with a summary provided here. The improvements include hardwood flooring refinishing; baseboard replacement; new electrical for lighting in the kitchen; kitchen tile regrout; bathroom remodel; attic HVAC improvements; ceiling plaster repairs; new copper gutters throughout; fascia board repairs; gate repairs; and repainting of stucco, french doors, a block wall, exterior gates, and garage door. These items would exceed the cost of property tax savings over ten years.

Qualifying Criteria and Staff Evaluation

Pursuant to Section 130 of City Council Resolution No. 2012-75, a historical property contract may be approved only if all the following criteria are met:

- A. The subject property meets the eligibility requirements for a Mills Act contract pursuant to California Government Code Section 50280.1 in that it is a privately owned property which is not exempt from property taxation, and is listed on the National Register of Historic Places, located in a National Register or local historic district, listed in a state or county official register of historic or architecturally significant sites, places or landmarks, or listed in the Register of Structures of Historic and Architectural Merit of the City of Claremont.

The subject property is privately owned by the applicants (Natalie and Isaac Kelly) and is not exempt from property taxation. The subject property is also listed in the Register of Structures of Historic and Architectural Merit of the City of Claremont.

- B. The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community.

The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community, especially given its location on corner of Berkeley Avenue and 12th Street where the family room and arcade are prominently featured as a fine example of the Spanish Revival style.

- C. Significant features that defined the historical character of the subject property, and its buildings have not been destroyed or can be restored based on documentary, physical, or pictorial evidence.

The significant character-defining features of the subject property have largely been preserved, not destroyed, though some repairs and restoration are needed to extend the life of the home. Although the second story addition is not an exemplary extension of the original home, the proposed work and renovation will bring it closer to the original architectural character.

- D. The owner of the subject property proposes to make improvements that are related to preservation and/or rehabilitation of character defining elements and/or historical and structural integrity of the property (Attachment F). Additionally, the cost of such improvements must be equal to or greater than the expected property tax savings for the first ten years, which needs to be distributed into two five-year periods.

All improvements proposed by the applicant relate to either the preservation and/or rehabilitation of

character-defining elements, the structural and historical integrity of the property, and improved livability of the home. The estimated cost of these improvements exceeds the expected property tax savings. The details of the planned improvements are listed in Attachment E.

In completing the proposed work items with the benefit of a historical property contract, the property's ability to continue contributing to the historical interest and ambiance of the Claremont community will be enhanced. The applicant has proposed a sensible work plan that would help ensure the home's long-term livability and restore some of its key historic features.

Based on estimates provided by the applicant, the total cost of the proposed scope of work is approximately \$110,483.00, 45% over the estimated savings of \$76,230.00 that would result from the historical property contract over a 10-year period. With the signing of the historical property contract, the applicant would be required to invest the avoided property tax into the work outlined in Attachment E. Additionally, based on the proposed scope of work, the applicant would be contributing more of their own funds into the proposed work than they would be saving through their reduced property taxes.

E. The subject property is residential.

The subject property is a single-family residential property. Planning Staff have inspected the house and property and have had discussions with the property owner regarding the planned improvements to the property and supports awarding a Mills Act contract for the subject property.

COMMISSION REVIEW

The Architectural & Preservation Commission reviewed and voted unanimously to recommend approval of the agreement on November 13, 2024. The Commission's resolution is Attachment G.

LEGAL REVIEW

The City Attorney has reviewed and approved as to form the proposed Historical Property Agreement.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds it related to the following: General Plan, 2024-26 Budget, and Sustainable City Plan.

CEQA REVIEW

The proposed scheduled improvements within the contract are exempt from environmental review under CEQA Guidelines Sections 15301 and 15302. The Class 1 exemption (CEQA Guidelines Section 15301) allows for the operation, maintenance, repair, or minor alteration of existing public facilities or mechanical equipment, with negligible or no expansion. The Class 2 exemption (CEQA Guidelines Section 15302) allows for the replacement or reconstruction of existing facilities involving negligible expansion of capacity. This item involves the maintenance, repair, minor work, or replacement of existing facilities.

The proposed scheduled improvements within the contract are also categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15331 in that these improvements

are for the restoration and rehabilitation of a historical resource, will be conducted in a manner consistent with the Secretary of the Interior's Standards of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Guidelines for Rehabilitation of Historic Properties, and the State Historical Building Code and will be subject to applicable City permitting requirements. Therefore, no further environmental review is necessary.

None of the exceptions to the categorical exemptions set forth in State CEQA Guidelines Section 15300.2 applies to the proposed project because the proposed project: (1) is not located in a uniquely sensitive environment; (2) is not located within a highway officially designated as a State scenic highway; (3) is not located on a hazardous waste site; (4) would not have a cumulative impact; and, (5) would not have a significant adverse change in the significance of a historical resource. Therefore, the exemption applies and the exceptions do not. No further environmental review is necessary.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a paper copy, please contact the City Clerk's office.

Submitted by:

Brad Johnson
Community Development Director

Prepared by:

Daniel Kim
Assistant Planner

Reviewed by:

Christopher Veirs
Principal Planner

Attachments:

- A - Draft Mills Act Contract
- B - Estimated Tax Savings Calculation
- C - APC Staff Report
- D - Resolution No. 2012-75
- E - Schedule of Improvements
- F - Photo Survey
- G - Resolution No. 2024-12

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

CITY OF CLAREMONT
Attn: City Clerk, City of Claremont
207 Harvard Avenue
P.O. Box 880
Claremont, CA 91711

HISTORICAL PROPERTY (MILLS ACT) AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2024 by and between the CITY OF CLAREMONT, a municipal corporation of the State of California (“City”) and Natalie and Isaac Kelly, owners of real property located at 1195 Berkeley Avenue, Claremont (“Owners”).

RECITALS

WHEREAS, the City Council of the City of Claremont (“City Council”) is authorized by California Government Code Section 50280 et seq. (known as “the Mills Act”) to enter into contracts with the owners of qualified historical properties to provide for appropriate use, maintenance, and rehabilitation such that these historic properties retain their historic characteristics; and

WHEREAS, on October 24, 2000, the City Council adopted Resolution No. 2000-157 establishing review criteria and procedures for historical property (Mills Act) contracts to encourage historical preservation, and on January 13, 2009, the City Council adopted Resolution No. 2009-04 expanding the review criteria for historic property (Mills Act) contracts; and

WHEREAS, on October 9, 2012, the City Council adopted Resolution No. 2012-75 amending the review criteria for historic property (Mills Act) contracts that supersedes Resolution Nos. 2000-157 and 2009-04; and

WHEREAS, Owner possesses fee title interest in real property, together with associated structures and improvements thereon, generally located at 1195 Berkeley Avenue within the City and more particularly described in Exhibit A hereto attached and made a part hereof (“the Property”); and

WHEREAS, the Property is a qualified historic property within the meaning of Government Code Section 50280.1, in that it is a privately owned property which is not exempt from property taxation and is listed in the Register of Structures of Historical and Architectural Merit of the City of Claremont; and contains the character-defining elements described in Exhibit “B”; and

WHEREAS, all of the required criteria of Section 130 of City Council Resolution No.2012-75 are met; and

WHEREAS, both Owners and City, for their mutual benefit, desire to protect and preserve the Property so as to retain its characteristics of historical and architectural significance.

AGREEMENT

NOW, THEREFORE, both Owners and City, in consideration of the mutual promises, covenants and conditions contained herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. **AUTHORITY:** This Agreement is made pursuant to California Government Code Sections 50280-50290 and Article 1.9 (commencing with Section 439) of Chapter 3, Part 2, of Division 1 of the California Revenue and Taxation Code and is subject to all of the provisions of those statutes.

2. **TERM:** This Agreement shall be effective commencing on the date of this Agreement and shall remain in effect for a period of ten years therefrom. Such term shall be renewed pursuant to the provisions of paragraph six below.

3. **PRESERVATION OF PROPERTY:** During the term of this Agreement, the Property shall be subject to the following conditions, requirements, and restrictions:

a. Owners shall preserve and maintain the characteristics of historical significance of the Property, and, where necessary, restore and rehabilitate the Property and its character-defining features, in accordance with the regulations of the Claremont Municipal Code Chapter 16.300 and in conformance with the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Standards for Rehabilitation of Historic Properties, and the State Historical Building Code.

b. Prior to commencing work on physical changes to the property, Owners shall notify the Director of Community Development to ensure that the changes comply with all applicable standards and regulations. All significant exterior building and site changes, and changes to the interior character-defining features described in Exhibit "B" shall be subject to prior review by the City.

c. Owners shall obtain building permits for all permitted work prior to commencing work. When applying for building permits, Owners shall inform Building Division staff that the Property is under a Mills Act contract so that the City can be assured all work will be done in the manner required by the City and federal historic preservation standards.

d. Owners agree to make several improvements to the Property and shall complete this work in accordance with the attached schedule of home improvements, drafted by Owners, attached hereto as Exhibit "C." In addition, the cost of these improvements shall be equal to or greater than the property tax savings received for the first ten years. The cost of these improvements may be distributed over two, five-year periods.

e. Owners shall maintain all buildings, structures, yards and other improvements in a manner that does not detract from the appearance of the immediate neighborhood. The following conditions are prohibited:

- i) Dilapidated, deteriorating, or unrepaired structures, such as fences, roofs, doors, walls, and windows;
- ii) Storage of scrap lumber, junk, trash or debris visible from adjacent properties and the public right-of-way;
- iii) Outside storage of abandoned, discarded or unused objects or equipment visible from adjacent properties and the public right-of-way;
- iv) Stagnant water or excavations, including pools or spas;
- v) Any device, decoration, design, structure, or vegetation, which is unsightly by reason of its height, condition, or its inappropriate location.

f. Owners shall agree to periodic public access to Property for a limited tour or special event in coordination with Claremont Heritage or other community group. The first such event may occur within approximately five years from the date of this Agreement, and subsequent events may occur approximately once every five to eight years thereafter.

g. Owners shall not be held responsible for replacement of the historic structures if damaged or destroyed through "Acts of God" such as flood, tornado, lightning or earthquake.

h. Appeals under this Section shall be made to the Architectural Commission pursuant to the City's standard appeal procedures set forth in the Claremont Municipal Code, Chapter 16.321.

4. FURNISHING OF INFORMATION AND ANNUAL COMPLIANCE REVIEW FEE: Owners shall furnish City any and all information requested by City, which may be necessary or advisable to determine compliance with the terms and provisions of this Agreement. This shall include an annual letter from Owners describing the home improvements completed during the previous year, along with other necessary documentation (i.e. pictures, receipts). In addition, Owners shall furnish City the required annual compliance review fee, which is calculated at 2.2 hours of staff time at the prevailing hourly rate approved by the City Council.

5. INSPECTIONS: Owners agree to permit examinations of the interior and exterior of the Property by representatives of the City, County Assessor, the State Department of Parks and Recreation, and the State Board of Equalization, to determine Owners' compliance with this Agreement. Such examinations shall be scheduled by appointment in advance, with a mandatory examination being performed every five years along with periodic examinations on an as-needed basis.

6. AUTOMATIC RENEWAL: On each anniversary date of this Agreement, one year shall be automatically added to the then-remaining term of this Agreement, unless notice of nonrenewal is given pursuant to the provisions of Paragraph 7 below.

7. NOTICE OF NONRENEWAL: If, in any year, either Owners or City desire not to renew the Agreement, that party shall serve written notice of nonrenewal on the other party in advance of the annual renewal date of the Agreement. Unless such notice is served by Owners at least 90 days, or by City at least 60 days, prior to the renewal date, one year shall automatically be added to the term of this Agreement. Upon receipt by Owners of the notice

of nonrenewal from City, Owners may make written protest to the City Council. At any time prior to the renewal date, City may withdraw its notice to Owners of nonrenewal.

8. EFFECT OF NOTICE NOT TO RENEW: If, in any year, either party serves notice of intent not to renew this Agreement, this Agreement shall remain in effect for the balance of the original ten-year term or, if applicable, until the date that is ten years after the effective date of the last renewal, whichever is later. Thereafter, this Agreement shall terminate.

9. CANCELLATION: City may cancel this Agreement if City determines that the Owners have breached any of the conditions or covenants of the Agreement or have allowed the Property to deteriorate to the point that it no longer meets the standards for a qualified historic property. City may also cancel this Agreement if it determines Owners have failed to timely restore or rehabilitate the Property in the manner specified in this Agreement.

10. NOTICE OF CANCELLATION: This Agreement may not be canceled pursuant to paragraph nine above until after City has given notice of, and has held, a public hearing as required by Governmental Code Section 50285.

11. CANCELLATION FEE: If City cancels this Agreement in accordance with paragraph nine above, Owners shall pay a cancellation fee of 12½% of the full value of the Property at the time of cancellation. The full value shall be determined by the County Assessor, without regard to any restrictions imposed on the Property pursuant to this Agreement. The cancellation fee shall be paid to the State Controller at such time and in such manner as the Controller shall prescribe and shall be deposited in the State General Fund.

12. NOTICES: All notices required by or provided for in this Agreement shall be given in writing and may be mailed or delivered in person. If mailed, notice by mail shall be deemed to have been given upon deposit of notice in the mail, postage prepaid, addressed as appropriate, to Owners at Owners' last known address on City's records, or to City at P.O. Box 880, Claremont, CA 91711, Attention: City Clerk.

13. NO COMPENSATION: Owners shall not receive any payment from City in consideration of the obligations imposed under this Agreement, it being recognized and agreed that the consideration for the execution of this Agreement is the substantial public benefit to be derived therefrom and the advantage that will accrue to Owners as a result of the effect upon the Property's assessed value on account of the restrictions required for the preservation of the Property.

14. EMINENT DOMAIN PROCEEDINGS: In the event that during the term of this Agreement, the Property is acquired in whole or in part by eminent domain or other acquisition by any entity authorized to exercise the power of eminent domain, and the acquisition is determined by the City Council to frustrate the purpose of this Agreement, the Agreement shall be canceled, and no fee shall be imposed pursuant to paragraph 11 hereof. In such event, this Agreement shall be deemed null and void for all purposes of determining the value of the Property so acquired.

If, subsequent to the filing of any action in eminent domain, the proposed condemnation is abandoned by the condemning agency as to all or a portion of the Property subject to the Agreement, the restriction on the use of the Property included in this Agreement shall without

further agreement of the parties, be reinstated and the terms of this Agreement shall be in force and effect.

15. REMEDIES AND ENFORCEMENT OF AGREEMENT: In lieu of, and/or addition to, any provisions to cancel this Agreement herein, City may specifically enforce, or enjoin the breach of, the terms of this Agreement. In the event that it is determined this Agreement does not constitute an enforceable restriction within the meaning of the applicable provisions of the California Government Code and the California Revenue and Taxation Code, except for unenforceability arising from the cancellation of nonrenewal of this Agreement, for any tax year during the term or any renewal of this Agreement, then this Agreement shall be null and void and without further effect and the Property subject to this Agreement shall from that time be free from any restriction whatsoever under this Agreement, without any payment or further act of the parties to the Agreement.

16. GENERAL PROVISIONS:

a. None of the terms, provisions or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors, or assigns, nor shall such terms, provisions or conditions cause them to be considered joint ventures or members of any joint enterprise.

b. Owners agree to, and shall hold City and its elected officials, officers, agents, employees, representatives, and volunteers harmless from, liability for damage or claims for property damage which may arise from the direct or indirect use of operations of Owners and those of their contractors, subcontractors, agents, employees, and other persons acting on their behalf which relate to the use, operation and maintenance of the Property. Owners hereby agree(s) to and shall defend the operation and maintenance of the Property. Owners hereby agree(s) to and shall defend City and its elected officials, officers, agents, employees, representatives, and volunteers with respect to any and all actions for damages suffered, or alleged to have been suffered, by reason of the operations referred to in this Agreement regardless of whether or not City prepared, supplied, or approved the plans, specifications or other documents for the Property.

17. NOTICE OF RECORDATION OF AGREEMENT: No later than 20 calendar days after the parties execute and enter into the Agreement, City shall cause this Agreement to be recorded in the office of the County Recorder of Los Angeles and shall submit a certified copy of this Agreement to the County Assessor's Office. Owners or their agent shall provide written notice of the Agreement to the State Office of Historic Preservation within six months of entering into the Agreement.

18. SUCCESSORS AND ASSIGNS: This Agreement is binding upon Owners' successors and assigns in interest or title to the Property. A successor in interest or title shall have the same rights and obligations under the Agreement as Owners. Each and every contract, deed or other instrument hereinafter executed, covering or conveying the Property, or any portion thereof, shall conclusively be held to have been executed, delivered and accepted subject to the covenants, reservations and restrictions expressed in this Agreement regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instrument.

19. NONWAIVER: No acts or admissions by City, or any agent(s) of City shall constitute a waiver of any or all of City's right under this Agreement.

20. AMENDMENTS: This Agreement may be amended in whole or in part, only by a written recorded instrument executed by the parties hereto.

21. ATTORNEY'S FEES: In the event legal proceedings are brought by any party or parties hereto, for breach of this Agreement, or to compel conformance under this Agreement, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding shall be entitled to an award of reasonable attorneys' fees and costs in addition to all other relief to which it may be entitled.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date shown below, but this Agreement is effective as of the date and year first above written.

DATE: _____
Property Owner: _____
Natalie Kelly
Property Owner

DATE: _____
Property Owner: _____
Isaac Kelly
Property Owner

DATE: _____
THE CITY OF CLAREMONT
By _____
Adam Pirrie
City Manager

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

The Property is located at 1195 Berkeley Avenue in the City of Claremont, County of Los Angeles, State of California, and is more particularly described as follows:

Lot 1 in Block 2 of Tract No. 5706, in the City of Claremont, County of Los Angeles, State of California, as per Map recorded in Book 126, Pages 43 and 44 of Maps, in the Office of the County Recorder of said County.

Assessor's Parcel Number: 8310-006-001

EXHIBIT B

CHARACTER DEFINING ELEMENTS OF PROPERTY – 1195 Berkeley Avenue

Significant Exterior Features

- Large arched window with wrought-iron trim
- Low wall with brick cap enclosing the front entrance
- Smooth plaster stucco exterior
- Spanish clay tile roof
- Wood framed divided lite windows
- Arched entryway with original wood door

Significant Interior Features

- CALCO Ancient Mayan fireplace
- Plaster walls
- Arched doorways
- Curved ceilings
- Wood floors

EXHIBIT C

SCHEDULE OF IMPROVEMENTS – 1195 Berkeley Avenue

DESCRIPTION OF IMPROVEMENTS

Attic Improvements (\$8,015)

- 1) New HVAC ducting
- 2) New metal casement window
- 3) Drywall space between attic and master bedroom closet

Kitchen Improvements (\$6,605)

- 4) Plaster and drywall ceiling
- 5) Sand, strip, and refinish wood flooring
- 6) Install baseboards to match the existing
- 7) Install new decorative lighting and replace halogen can lights with LED
- 8) Upgrade outlets, switches, and cover plates
- 9) RegROUT kitchen sink and reseal countertop/backsplash
- 10) Paint ceiling

Second Story Bathroom Improvements (\$42,165)

- 11) Install new shower drain and relocate tub drain
- 12) Install new sink, exhaust fan, vanity, countertop, light fixtures, outlets, switches, and cover plates
- 13) Retile the shower area, floors, and walls.
- 14) Paint walls, ceiling, and moldings

Exterior Improvements (\$32,072)

- 15) Repair and refinish fascia board
- 16) Remove existing rain gutters and downspouts to replace with copper rain gutters and downspouts on both the primary unit and detached garage.
- 17) Paint stucco on the primary unit and detached garage, french doors, front patio cover, block wall on west property line, wood gates, roll up garage door, and wrought iron gates.
- 18) Replace three existing wooden gates in the rear yard.

Yard Improvements (\$21,626)

- 19) Artificial turf removal and replacement with brick pavers and decomposed granite
- 20) New Saltillo tile and Spanish tile on the rear stairway
- 21) New open wood trellis

Note: All work must conform to standards of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Guidelines for Rehabilitation of Historic Properties, and the State Historical Building Code. All work subject to City of Claremont design review as required by the Claremont Municipal Code.

Calculation of Estimated Reduced Property Taxes for Properties Subject to Historical Property Contracts

Address: 1195 Berkeley Avenue

Current Property Owners: Natalie and Isaac Kelly

Upon approval of a historical property contract, the county assessor determines the reasonable expected yield by analyzing rental income of similar properties in the area or, if available, what the property would yield under prudent management. Reasonable expected yield for income-producing property is based on rents actually received and typical rents received for similar property in similar use, less maintenance and operating expenses.

The Mills Act capitalization rate is calculated by adding four component percentages including:

- An interest rate based on the Federal Home Loan Bank rate (Cost of Funds Index) on conventional mortgages (3.942% as of October, 2024).
- The historical property risk (4% for owner-occupied single-family dwellings)
- A percentage equal to the reciprocal of the remaining life of the structure. The typical remaining life for a wood frame building is 20 years ($1/20 = 5\%$) and for masonry building is 50 years ($1/50 = 2\%$); however, typical remaining life for most buildings is 50 years ($1/50 = 2\%$) if adequate care is applied.
- The percentage of the tax rate times the assessment ratio (typically 1%).

The Capitalization Rate is used to calculate the estimated annual savings to the homeowner and estimated annual cost to the City, as noted in the table below:

Existing Property Value Calculations

\$1,148,324	County Assessed Value
<u>- \$7,000</u>	Homeowner's Exemption
\$1,141,324	Value for tax purposes
\$11,413	Property tax (1% of value)
\$1,324	Claremont's share of property tax (11.6% of property tax)

Estimated Rental Calculations

\$4,750	Estimated monthly rent
\$57,000	Annual rent
\$5,000	Annual rent expenses (M&O costs)
\$52,000	Annual rent less expenses

Capitalization Rate

6.72%	Federal home loan interest rate (November 2024)
4.00%	Historical property tax
2.00%	Amortization - 50 year life
1.00%	Tax rate
<u>13.72%</u>	Capitalization rate

New Property Value Calculation Under Mills Act Contract

\$379,009	New estimated property value (Annual rent less expenses/capitalization rate)
\$3,790	New estimated property tax (1% of new value)
\$7,623	Owner's annual savings
\$440	Claremont's share of reduced property tax (11.6% of new property tax)
\$884	Estimated annual loss to Claremont

Note: This Calculation does not include any special assessment district fees included in annual tax



Claremont Architectural and Preservation Commission

Agenda Report

File #: 5354

Item No: 3.

TO: ARCHITECTURAL & PRESERVATION COMMISSION

FROM: BRAD JOHNSON, COMMUNITY DEVELOPMENT DIRECTOR

DATE: NOVEMBER 13, 2024

SUBJECT:

REVIEW OF HISTORICAL PROPERTY (MILLS ACT) AGREEMENT REQUEST #24-MA01 BETWEEN THE CITY AND THE OWNER OF THE PROPERTY LOCATED AT 1195 BERKELEY AVENUE - APPLICANT: NATALIE AND ISAAC KELLY

SUMMARY

The owners of the property at 1195 Berkeley Avenue have submitted a request to enter into a Historic Property (Mills Act) Agreement with the City. The Mills Act is a preservation tool enacted by the state legislature to ensure the long-term preservation of eligible historic properties and significant site features of such properties. In return for committing to preserve their property via the agreement, owners receive a reduction in property taxes, which in turn helps finance needed repairs and renovations to the property. The Architectural and Preservation Commission is the recommending body for Mills Act requests. The Architectural & Preservation Commission recommendation is then forwarded to the City Council for final action. Staff has reviewed the application and finds that each of the required criteria for entering into a Mills Act agreement, as established by the City Council, can be met.

RECOMMENDATION

Staff recommends the Architectural & Preservation Commission:

- A. Adopt A RESOLUTION OF THE ARCHITECTURAL & PRESERVATION COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF HISTORICAL PROPERTY (MILLS ACT) AGREEMENT #24-MA01 BETWEEN THE CITY AND THE OWNERS OF THE PROPERTY LOCATED AT 1195 BERKELEY AVENUE - APPLICANTS: NATALIE AND ISAAC Kelly; and
- B. Find this item is exempt from environmental review under the California Environmental Quality Act (CEQA).

ALTERNATIVES TO RECOMMENDATION

- A. Continue the discussion and request additional information.
- B. Express the intent to recommend denial of the Mills Act contract, specifically identifying the criteria that cannot be met, and continue the item to December 11, 2024 for adoption of the denial recommendation resolution.

FINANCIAL REVIEW

The costs associated with the review of this application have been borne by the applicant.

ANALYSIS

Upon approval of a Mills Act historical property contract, the value of the subject property is reassessed based on a formula that considers the rental income that could be expected from the property, the Federal home loan interest rate, a historic property risk component, and an amortization component to result in a special Mills Act capitalization rate. The total tax savings for the property owners is determined by using the formula outlined in Attachment C, which also estimates the anticipated tax savings for the property owners/applicants. With approval of a Mills Act contract, the value of property tax savings must be put towards the scope of work identified in Attachment F to preserve or rehabilitate the historic character defining elements of the property and ensure its ongoing historical and structural integrity. Approval of a Mills Act contract will also result in a minor loss of tax revenue to the City. This loss represents the City's contribution to ensuring the property's preservation for the benefit of the community.

Staff has prepared estimates of the anticipated tax savings (Attachment C) for the owner and the loss in tax revenue to the City if the Mills Act agreement is approved. The calculations estimate a potential tax savings to the owners of \$7,623.00 per year (\$76,230.00 over ten years), and a potential loss to the City in tax revenue of \$884.00 per year. The remaining tax savings, \$6,739.00 per year, would be the resulting loss in potential revenue the contract would create for other local, regional and state agencies, and districts that receive a portion of property taxes paid.

Background

What is the Mills Act?

The Mills Act is a preservation tool created by the California state legislature in 1972 to encourage the preservation and restoration of historic properties. The act enables cities to enter into historical property agreements with owners of qualifying properties to reduce owners' property taxes in order to incentivize investment in their historic property. While resulting in some lost tax revenue, the agreements provide benefits to cities in that they ensure preservation, high-quality rehabilitation, and maintenance of historic properties that represent important cultural resources.

As provided for by State law, the Mills Act is administered and implemented by local governments. Mills Act contracts are executed between the property owner and the local government granting the tax reduction. Cities have considerable discretion in evaluating Mills Act requests and are not mandated to approve historical property agreements. Each local government establishes their own eligibility criteria, application procedures, and the number of contracts to allow within their jurisdiction. The California Office of Historic Preservation (OHP) does not participate in the contract negotiations,

is not a signatory to the contract, and has no authority over the administration of the Mills Act program.

City's Mills Act Program

In October 2000, the City Council approved procedures and review criteria for agreements for properties in Claremont. Initially, the program was restricted to historic properties suffering severe deterioration and in danger of near-term demolition or eventual demolition due to long term neglect. In January 2009, the City Council revised the review criteria to include all residential properties listed in the City's Register of Structures of Historic and Architectural Merit of the City of Claremont (Register). In addition, the Council limited the maximum number of Mills Act contracts that can be approved to six per year.

On October 9, 2012, the City Council amended the program once more to provide clarification to one of the review criteria, and to establish an annual compliance review fee. These newly revised criteria and procedures are included as Attachment D (City Council Resolution 2012-75).

Property Description

The subject property, known as the Douglass house, is located within the RS 8,000 zoning district and the Residential 6 General Plan Land Use Designation. The home was built in 1928. Though records are not certain, reports indicate the home may have been built by John Richardson Miller and Elva Ruby Miller and/or by Clarence Stover, a former City Councilmember, president of the Chamber of Commerce, and Planning Commissioner who was in the construction business in Claremont.

Notable residents of this home include Malcolm and Enid Douglass. Enid Hart Douglass is largely responsible for developing the oral history program at Claremont Graduate University and served as the program's director from 1971 until retirement in 2003. Enid Douglass was also a Planning Commissioner from 1971 to 1978, a City Councilmember, and served as the mayor of Claremont from 1982 to 1986. In 1979, Douglass helped found Claremont Heritage.

The character-defining features of the home were identified through site visits to the property and with input from the property owner (Attachment E). The home is a two-story Spanish Revival style home with California Ranch-style characteristics. Features include smooth stucco walls and Spanish tile roofing. The home is largely characterized by a large family room with two sets of French doors and a large arched window with a wrought-iron trim on the north side of the home. This wrought-iron trim matches the wrought-iron gates leading to the front door, arcade to the east of the family room, and side yard.

The windows are original wood-framed divided lite windows. The primary entrance to the home features an arcade with tile floors, enclosed by a low stucco wall with an angled brick cap. The original wood front door is inset by a stucco archway. The interior character defining features of the home include a CALCO Ancient Mayan fireplace, a focal point of the notable family room and arched doorways, curved ceilings, smooth plaster walls and wood floors throughout.

The home is in good condition and, with appropriate restoration and repair, can continue conveying its historical appearance and significance.

Proposed Work Plan

The property owner has proposed a sensible work plan that addresses repairs and maintenance to the home and preservation of the architectural style and the original historic appearance of the property. A detailed summary of the proposed improvements is included for reference (Attachment F) with a summary provided here. The improvements include hardwood flooring refinishing, baseboard replacement, new electrical for lighting in the kitchen, kitchen tile regrout, bathroom remodel, attic HVAC improvements, ceiling plaster repairs, new copper gutters throughout, fascia board repairs, gate repairs, and repainting of stucco, French doors, a block wall, exterior gates and garage door. These items would exceed the cost of property tax savings over ten years.

Qualifying Criteria and Staff Evaluation

Pursuant to Section 130 of City Council Resolution No. 2012-75, a historical property contract may be approved only if all the following criteria are met:

- A. The subject property meets the eligibility requirements for a Mills Act contract pursuant to California Government Code Section 50280.1 in that it is a privately owned property which is not exempt from property taxation, and is listed on the National Register of Historic Places, located in a National Register or local historic district, listed in a state or county official register of historic or architecturally significant sites, places or landmarks, or listed in the Register of Structures of Historic and Architectural Merit of the City of Claremont.

The subject property is privately owned by the applicants (Natalie and Isaac Kelly) and is not exempt from property taxation. The subject property is also listed in the Register of Structures of Historic and Architectural Merit of the City of Claremont.

- B. The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community.

The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community, especially given its location on the corner of Berkeley Avenue and 12th Street where the family room and arcade are prominently featured which represent a fine example of the Spanish Revival style.

- C. Significant features that defined the historical character of the subject property, and its buildings have not been destroyed or can be restored based on documentary, physical, or pictorial evidence.

The significant character-defining features of the subject property have largely been preserved, not destroyed, though some repairs and restoration are needed to extend the life of the home. Although the second story addition is not an exemplary extension of the original home, the proposed work and renovation will bring it closer to the original architectural character.

- D. The owner of the subject property proposes to make improvements that are related to preservation and/or rehabilitation of character defining elements and/or historical and structural integrity of the property. Additionally, the cost of such improvements must be equal to or greater than the expected property tax savings for the first ten years, which needs to be distributed into two five-year periods.

All improvements proposed by the applicant are related to either the preservation and/or rehabilitation of character defining elements, or the structural and historical integrity of the property, and improved livability of the home, and the estimated cost of these improvements exceeds the expected property tax savings. The details of the planned improvements are listed in Attachment F.

In completing the proposed work items with the benefit of a historical property contract, the property's ability to continue contributing to the historical interest and ambience of the Claremont community will be enhanced. The applicant has proposed a sensible work plan that would help ensure the home's long-term livability and restore some of its key historic features.

Based on estimates provided by the applicant, the total cost of the proposed scope of work is approximately \$110,483.00, 45% over the estimated savings of \$76,230.00 that would result from the historical property contract over a 10-year period. With the signing of the historical property contract, the applicant would be required to invest the avoided property tax into the work outlined in Attachment F. Additionally, based on the proposed scope of work, the applicant would be contributing more of their own funds into the proposed work than they would be saving through their reduced property taxes.

E. The subject property is residential.

The subject property is a single-family residential property.

Planning Staff have inspected the house and property and have had discussions with the property owner regarding the planned improvements to the property and supports awarding a Mills Act contract for the subject property.

CEQA REVIEW

The proposed improvements scheduled for completion within the contract period are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15331 in that these improvements are for the restoration and rehabilitation of a historical resource, will be conducted in a manner consistent with the Secretary of the Interior's Standards of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Guidelines for Rehabilitation of Historic Properties, and the State Historical Building Code and will be subject to applicable City permitting requirements. Therefore, no further environmental review is necessary.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact Commission Secretary, Pearl Juarez at 909-399-5499 or via email at pjuarez@claremontca.gov.

Notice of this matter was published in the Claremont Courier on October 31, 2024. Copies of this staff report have been sent to the applicant and Claremont Heritage.

Submitted by:

Reviewed by:

Brad Johnson
Community Development Director

Christopher Veirs
Principal Planner

Prepared by:

Daniel KimAssistant Planner

Attachments:

A - Draft Mills Act Contract

B - Draft APC Resolution

C - Estimated Tax Savings Calculation

D - Adopted Procedures for Review and Approval of Historic Property Contracts

E - Photo Survey

F - Schedule of Improvements

RESOLUTION NO. 2012-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT AMENDING THE CITY'S PROCEDURES AND CRITERIA FOR APPROVAL OF HISTORICAL PROPERTY (MILLS ACT) CONTRACTS.

WHEREAS, the City of Claremont ("City") has established a policy of historic preservation by addressing historic preservation as part of the City's General Plan; and

WHEREAS, as set forth in the Land Use, Community Character, and Heritage Preservation, the City recognizes the importance of conserving and safeguarding the City's cultural, architectural, and historical resources that contribute to the special and unique character of the City, and create a recognizable identity for the community; and

WHEREAS, the Historic Preservation Element sets forth the following goal and policies:

- | | |
|---------------|--|
| Goal 2-14 | Retain and celebrate Claremont's rich history and heritage, as evidenced through its development patterns, buildings and building materials, landscaping, street treatments, parks and open space, and civic architecture. |
| Policy 1-14.1 | Continue to protect architectural, historical, open space, environmental, and archaeological resources throughout the City. |
| Policy 1-14.3 | Continue to encourage pride in the quality and character of historic areas. |
| Policy 1-14.5 | Continue to support the retention and/or adoptive reuse of existing residential, commercial, and industrial buildings where possible, particularly structures listed on the Register of Structures of Historical and Architectural Merit of the City of Claremont. |
| Policy 1-14.6 | Strive to prevent the demolition of structures listed on the Register of Historical and Architectural Merit of the City. |
| Policy 1-14.8 | Continue to offer historic preservation tools such as the Mills Act. |
| Policy 1-14.9 | Explore and evaluate different approaches to protect and enhance historic resources throughout the community; and |

WHEREAS, the State of California enacted the Mills Act (California Government Code Section 50820, et seq.) to allow cities to enter into contracts with owners of "qualified historical property" to preserve historical properties by reducing property taxes; and

WHEREAS, Mills Act contracts provide a benefit to the City in helping to ensure that important community resources are preserved and/or restored, and to help carryout the goals and policies of the City's General Plan; and

WHEREAS, in October, 2000, the City Council adopted Resolution 2000-157 that established a procedure and qualifying criteria for historical property contracts, which included a criteria that limited the number of properties that qualified for historical property contracts; and

WHEREAS, in January 2009, the City Council adopted Resolution 2009-04, which expanded the criteria for historic property contracts in order to encourage additional Mills Act contracts that will help to advance the City's historic preservation goals and policies, and to restrict the number of Mills Act contracts to no more than six per calendar year in order to limit the fiscal impact the Mills Act contracts will have on the City; and

WHEREAS, the City Council retains the final authority to approve, deny, or modify any Mills Act contract recommended by the Architectural Commission; and

WHEREAS, on February 29 and September 12, 2012, the Architectural Commission reviewed and analyzed the current procedures and criteria for the Mills Act Program, and adopted Resolution 2012-12 recommending approval to the City Council to amend the existing program to incorporate an annual review fee to recover the cost of staff time associated with annual reviews for contract compliance, which is calculated at 2.2 staff hours at the prevailing hourly rate approved by the City Council (current rate is \$98.50 making the annual review fee \$217), and to modify Criteria D to state that the proposed improvements be related to the preservation and/or the rehabilitation of character defining elements and/or historical and structural integrity of the property. Additionally, the cost of such improvements must be equal to or greater than the expected property tax savings for the first ten years, which needs to be equally distributed into two five-year periods; and

WHEREAS, on October 9, 2012, the City Council fully reviewed the subject matter at its regular meeting.

NOW, THEREFORE, THE CLAREMONT CITY COUNCIL DOES HEREBY RESOLVE:

SECTION 1. The City Council has determined that amendment of procedures for approval of Mills Act contracts is not a project defined by Section 15378 of the California Environmental Quality Act (CEQA) guidelines. Therefore, no further environmental review is necessary.

SECTION 2. The procedure and qualifying criteria for approval of historical property contracts are amended to read as follows:

PROCEDURES FOR REVIEW AND APPROVAL OF HISTORICAL PROPERTY (MILLS ACT) CONTRACTS

110 PURPOSE OF MILLS ACT

In 1976, legislation was adopted in California that created an alternative method for determining assessed value of certain qualified historical properties. Commonly referred to as the Mills Act, the law provides an income-based tax formula for eligible properties subject to historical property contracts (Article 12, commencing with Section 50280, of Chapter 1, Part 1 Division 1, Title 5, of the California Government Code).

The use of the Mills Act gives communities the flexibility to deal with historical structures on a case-by-case basis. Local government has the option to choose which properties are suitable for the incentive by evaluating various factors. These contracts can be used both as a tool to rehabilitate and preserve an individual building, and as part of a broader community-wide program.

As a preservation incentive, historical property contracts offer advantages to both local government and property owners. The contracts provide property tax relief for owners of qualified historical properties who agree to abide by reasonable preservation requirements. For local government, the preservation requirements ensure an authentic rehabilitation and a high level of maintenance of a cultural resource that is important to the community.

120 APPLICATION FILING

Any residential property owner may file an application with the required submittal deposit of \$1,000 for a historical property contract with the Department of Community Development. The application shall be made on forms provided by the department and submitted to the department together with the application fee deposit, and such documentation, information, and photographs required by the department for a complete understanding of the qualities and characteristics of the property for which the historical property contract is requested, and a description of, and timeframe for, proposed improvements to the property. City costs in processing applications shall be charged against application fee deposits.

Prior to determining the completeness of an application, the Director shall provide a copy of the application and submitted materials to Claremont Heritage for review and comment. Prior to submittal of an application, the property owner is encouraged to discuss with City staff whether their property meets the criteria for historical property contracts.

130 CRITERIA FOR AN HISTORICAL PROPERTY CONTRACT

An historical property contract may be approved only if all the following criteria are met:

- A. The subject property meets the eligibility requirements for a Mills Act contract pursuant to California Government Code Section 50280.1 in that it is a privately owned property which is not exempt from property taxation, and is listed on the National Register of Historic Places, located in a National Register or local historic district, or listed in a state or county official register of historic or architecturally significant sites, places or landmarks, or in the Register of Structures of Historic and Architectural Merit of the City of Claremont;

- B. The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community;
- C. Significant features that define the historical character of the subject property, and its buildings have not been destroyed or can be restored based on documentary, physical, or pictorial evidence;
- D. The owner of the subject property proposes to make improvements that are related to preservation and/or rehabilitation of character defining elements and/or historical and structural integrity of the property. Additionally, the cost of such improvements must be equal to or greater than the expected property tax savings for the first ten years, which needs to be distributed into two five-year periods; and
- E. The subject property is residential.

140 PREPARATION OF HISTORICAL PROPERTY CONTRACT

Upon receipt of a complete application for a property meeting the above criteria, the Director of Community Development or his/her designee shall assist the property owner in preparing a draft historical property contract and agreement conditions, and an example of tax savings. The city attorney shall review the proposed contract to ensure it conforms to statutory guidelines.

As part of the contract, the owner of the property shall agree to periodic examinations, by appointment, of the interior and exterior of the property by representatives of the City, County Assessor, the State Department of Parks and Recreation, and the State Board of Equalization, to determine the owner's compliance with the contract. The owner shall also agree to conform to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Standards for Rehabilitation of Historic Properties, and the State Historical Building Code.

150 HEARING REQUIREMENTS

After the City Attorney has completed a review of a draft historical property contract, the matter shall be referred to the Architectural Commission at their next available meeting. Notice of the hearing by the Architectural Commission shall be given not less than ten days prior to any action taken on the application by publishing a notice in a local newspaper. Such notice shall include the date, time, and place of the hearing and general explanation of the matter to be considered. Notice of the hearing shall also be sent to the record owner(s) and to other persons who have requested to be notified of such matters, or whom staff determines may have an interest in the matter.

160 COMMISSION RECOMMENDATION AND COUNCIL DECISION

The Architectural Commission shall, by resolution, make a recommendation related to the application, and the resolution shall be forwarded to the City Council. The City

Council shall consider the recommendation of the Architectural Commission and make a decision on the proposed historical property contract. The City Council shall have complete and final authority to approve, deny, or modify any historical property contract recommended by the Architectural Commission.

170 EXECUTION OF CONTRACT

The City Manager shall have the authority on behalf of the City to execute historical property contracts approved by the City Council.

180 CONTRACT RECORDATION

Upon approval and execution of a historical property contract, the City Clerk shall submit a certified copy of the agreement for recording to the County Recorder of Los Angeles, and the County Assessor's Office. Written notice of the agreement shall also be provided to the State Office of Historic Preservation.

190 PERIODIC REVIEW OF CONTRACT

The Director of Community Development shall periodically review the historical property contract and inspect the property to determine the property owner's compliance with the contract. The owner of the property shall, on an annual basis, provide the Director with a letter describing the home improvements completed during the preceding year, along with the annual review fee (calculated at 2.2 staff time at the prevailing hourly rate approved by the City Council).

200 MAXIMUM NUMBER OF CONTRACTS PER YEAR

The City Council shall approve no more than six historical property contracts during any one calendar year period.

SECTION 3. If applicable, the applicant shall be notified when the City costs in processing the application exceed \$1,000 and advised of the estimated costs to continue/finish processing the application. If applicable, the applicant shall be notified again when the City costs in processing the application exceed \$1,500 and advised of the estimated costs to continue/finish processing the application.

SECTION 4. Resolution Nos. 2000-157 and 2009-04 are hereby repealed in their entirety and superseded by the provisions set forth in this Resolution.

SECTION 5. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

SECTION 6. This Resolution shall take effect immediately, provided that the fee for the annual review of the historical property contract shall not take effect until 60 days after the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 9th day of October, 2012.



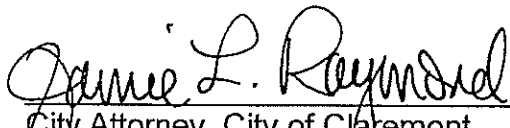
Mayor, City of Claremont

ATTEST:



City Clerk, City of Claremont

APPROVED AS TO FORM:



City Attorney, City of Claremont

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.
CITY OF CLAREMONT)

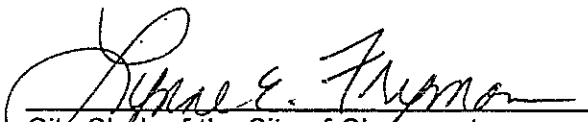
I, Lynne E. Fryman, City Clerk of the City of Claremont, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 2012-75 was regularly adopted by the City Council of said City of Claremont at a regular meeting of said Council held on the 9th day of October, 2012, by the following vote:

AYES: COUNCILMEMBERS: NASIALI, PEDROZA, CALAYCAY, LYONS, SCHROEDER

NOES: COUNCILMEMBERS: NONE

ABSTENSIONS: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE



City Clerk of the City of Claremont

SCHEDULE OF IMPROVEMENTS – 1195 Berkeley Avenue**DESCRIPTION OF IMPROVEMENTS**

Attic Improvements (\$8,015)

- 1) New HVAC ducting
- 2) New metal casement window
- 3) Drywall space between attic and master bedroom closet

Kitchen Improvements (\$6,605)

- 4) Plaster and drywall ceiling
- 5) Sand, strip, and refinish wood flooring
- 6) Install baseboards to match the existing
- 7) Install new decorative lighting and replace halogen can lights with LED
- 8) Upgrade outlets, switches, and cover plates
- 9) Regrout kitchen sink and reseal countertop/backsplash
- 10) Paint ceiling

Second Story Bathroom Improvements (\$42,165)

- 11) Install new shower drain and relocate tub drain
- 12) Install new sink, exhaust fan, vanity, countertop, light fixtures, outlets, switches, and cover plates
- 13) Retile the shower area, floors, and walls.
- 14) Paint walls, ceiling, and moldings

Exterior Improvements (\$32,072)

- 15) Repair and refinish fascia board
- 16) Remove existing rain gutters and downspouts to replace with copper rain gutters and downspouts on both the primary unit and detached garage.
- 17) Paint stucco on the primary unit and detached garage, french doors, front patio cover, block wall on west property line, wood gates, roll up garage door, and wrought iron gates.
- 18) Replace three existing wooden gates in the rear yard.

Yard Improvements (\$21,626)

- 19) Artificial turf removal and replacement with brick pavers and decomposed granite
- 20) New Saltillo tile and Spanish tile on the rear stairway
- 21) New open wood trellis

Note: All work must conform to standards of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Guidelines for Rehabilitation of Historic Properties, and the State Historical Building Code. All work subject to City of Claremont design review as required by the Claremont Municipal Code.

Mills Act Application Submission-The Douglass House

1195 Berkeley Ave., Claremont, CA 91711

**Submitted by Natalie Kelly and Isaac Kelly (Owners), June
2024**



2020



1967



View of the Northeast side of the home (Circa, 2012).



View of the arcade looking North (Circa, 2012)



View of the arcade looking South (Circa, 2012).



View of the North side of the property (Circa, 2019)



View of the East side of the property (Circa, 2019)



View of the Southeast side of the property (Circa, 2012)



View of the West side of the property (Circa, 2012)



View of the South side of the property (Circa, 2019)



View of the South side of the property and backyard (Circa, 2019)



View of the backyard and detached garage (Circa, 2019)



View of the kitchen which remains unchanged currently (Circa, 2019)



View of the kitchen which remains unchanged (Circa, 2019)



View of the family room which remains unchanged (Circa, 2019)



View of the second-floor master bathroom which remains unchanged (Circa, 2019)



View of the second-floor master bathroom which remains unchanged (Circa, 2019)



View of upstairs den (2024)



CALCO Ancient Mayan Fireplace



Arched alcove



Arched entryways

RESOLUTION NO. 2024-12

A RESOLUTION OF THE ARCHITECTURAL & PRESERVATION COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF HISTORICAL PROPERTY (MILLS ACT) AGREEMENT #24-MA01 BETWEEN THE CITY AND THE OWNERS OF THE PROPERTY LOCATED AT 1195 BERKELEY AVENUE – APPLICANTS: NATALIE AND ISAAC KELLY.

WHEREAS, on July 1, 2024, the owners of 1195 Berkeley Avenue filed a request for approval of a Historical Property Agreement; and

WHEREAS, the historic property at 1195 Berkeley Avenue meets the established criteria for participating in the Mills Act program and the Historical Property Agreement will result in the preservation of the character defining features of the property; and

WHEREAS, notice of the proposed agreement and the Architectural and Preservation Commission meeting at which this matter was considered was duly given and published; and

WHEREAS, the proposed scheduled improvements within the contract are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15331 in that these improvements are for the restoration and rehabilitation of a historical resource, will be conducted in a manner consistent with the Secretary of the Interior's Standards of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Guidelines for Rehabilitation of Historic Properties, and the State Historical Building Code and will be subject to applicable City permitting requirements. Therefore, no further environmental review is necessary.

WHEREAS, the Architectural & Preservation Commission considered the request at its meeting on November 13, 2024, at which time all persons wishing to testify in connection with said agreement were heard, and the agreement was fully studied.

NOW, THEREFORE, THE CLAREMONT ARCHITECTURAL & PRESERVATION COMMISSION DOES HEREBY RESOLVE:

Section 1. That the Architectural & Preservation Commission of the City of Claremont recommends to the City Council approval of Historical Property Agreement #24-MA01.

Section 2. The Chair shall sign this Resolution and the Secretary shall attest and certify to the passage and adoption there of.

PASSED, APPROVED, AND ADOPTED this 13th day of November, 2024.



Architectural & Preservation Commission Chair

ATTEST:



Architectural & Preservation Commission Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.
CITY OF CLAREMONT)

I, Pearl Juarez, Administrative Assistant of the City of Claremont, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 2024-12 was adopted by the Architectural & Preservation Commission of said City of Claremont at a regular meeting of said Commission held on November 13, 2024, by the following vote:

AYES:	Commissioners:	Bennett, Cervera, Neiuber, Perry, Spivack, Zimmerman
NOES:	Commissioners:	None
ABSTENSIONS:	Commissioners:	None
ABSENT:	Commissioners:	Castillo



Administrative Assistant
City of Claremont



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5383

Item No: 10.

TO: ADAM PIRRIE, CITY MANAGER

FROM: BRAD JOHNSON, COMMUNITY DEVELOPMENT DIRECTOR

DATE: DECEMBER 10, 2024

Reviewed by:

City Manager: AP

SUBJECT:

HISTORICAL PROPERTY (MILLS ACT) AGREEMENT #24-MA02, BETWEEN THE CITY OF CLAREMONT AND ADAM BYRNES, PROPERTY OWNER OF 487 HARRISON AVENUE

SUMMARY

The owner of the property at 487 Harrison Avenue, a two-story Spanish Colonial style home built in 1927, have submitted a request to enter into a Historic Property (Mills Act) Agreement with the City. The Mills Act is a preservation tool enacted by state legislature to ensure the long-term preservation of eligible historic properties and other significant site features of such properties. In return for committing to preserve their property via the agreement, owners receive a reduction in property taxes, which in turn helps finance needed repairs and renovations to the property.

On November 13, 2024, the Architectural & Preservation Commission reviewed the proposed agreement and voted unanimously to recommend approval of the subject Mills Act request. The City Council is the decision-making body for Mills Act requests and is asked to take final action on the agreement at this meeting.

RECOMMENDATION

Staff recommends the City Council:

- A. Approve a Historic Property (Mills Act) Agreement between the City of Claremont and Adam Byrnes, property owner of 487 Harrison Avenue; and
- B. Find this item is exempt from environmental review under the California Environmental Quality Act (CEQA).

ALTERNATIVES TO RECOMMENDATION

In addition to staff's recommendation, there are the following alternatives:

- A. Continue the discussion and request additional information.
- B. Make revisions to the proposed Mills Act Agreement and approve the agreement as revised.
- C. Deny Mills Act Agreement #24-MA02.

FINANCIAL REVIEW

The costs associated with the review of this application have been borne by the applicant. The cost to prepare this report is estimated at \$183 and is included in the operating budget of the Community Development Department.

Upon approval of a Mills Act historical property contract (Attachment A), the value of the subject property is reassessed based on a formula that considers the rental income that could be expected from the property, the Federal home loan interest rate, a historic property risk component, and an amortization component to result in a special Mills Act capitalization rate. The total tax savings for the property owner is determined by using the formula outlined in Attachment B, which also estimates the anticipated tax savings for the property owner/applicant. With approval of a Mills Act contract, the value of property tax savings must be put towards the scope of work, identified in Attachment A, to preserve or rehabilitate the historic character-defining elements of the property and ensure its ongoing historical and structural integrity. Approval of a Mills Act contract will also result in a minor loss of tax revenue to the City. This loss represents the City's contribution to ensuring the property's preservation for the benefit of the community.

Staff has prepared estimates of the anticipated tax savings (Attachment B) for the owner and the loss in tax revenue to the City if the Mills Act agreement is approved. The calculations estimate a potential tax savings to the owner of \$10,897.00 per year (\$108,970.00 over ten years) and a potential loss to the City in tax revenue of \$1,264.00 per year. The remaining tax savings, \$9,633.00 per year, would be the resulting loss in potential revenue the contract would create for other local, regional, and state agencies, and districts that receive a portion of property taxes paid.

ANALYSIS

Background

What is the Mills Act?

The Mills Act is a preservation tool created by the California state legislature in 1972 to encourage the preservation and restoration of historic properties. The act enables cities to enter into historical property agreements with owners of qualifying properties to reduce owners' property taxes in order to incentivize investment in their historic property. While resulting in some lost tax revenue, the agreements provide benefits to cities in that they ensure preservation, high-quality rehabilitation, and maintenance of historic properties that represent important cultural resources.

As provided for by State law, the Mills Act is administered and implemented by local governments. Mills Act contracts are executed between the property owner and the local government granting the tax reduction. Cities have considerable discretion in evaluating Mills Act requests and are not mandated to approve historical property agreements. Each local government establishes its own

eligibility criteria, application procedures, and the number of contracts to allow within its jurisdiction. The California Office of Historic Preservation (OHP) does not participate in the contract negotiations, is not a signatory to the contract, and has no authority over the administration of the Mills Act program.

City's Mills Act Program

In October 2000, the City Council approved procedures and review criteria for agreements for properties in Claremont. Initially, the program was restricted to historic properties suffering severe deterioration and in danger of near-term demolition or eventual demolition due to long-term neglect. In January 2009, the City Council revised the review criteria to include all residential properties listed in the City's Register of Structures of Historic and Architectural Merit of the City of Claremont (Register). In addition, the Council limited the maximum number of Mills Act contracts that can be approved to six per year.

On October 9, 2012, the City Council amended the program once more to provide clarification to one of the review criteria, and to establish an annual compliance review fee. These newly revised criteria and procedures are included as Attachment D (City Council Resolution 2012-75).

Property Description

The subject property, known as the Robbins House, is located within the Historic Claremont (HC) 7,500 zoning district and the Residential 6 General Plan Land Use Designation. The home was built in 1927 and designed by Lena Robbins who occupied the home with Homer Robbins, a mayor of Claremont from 1938-1946. Homer Robbins also built 530 Berkeley, the home directly to the north of the subject property, which has been an active Mills Act property since 2019 (Attachment G).

The character-defining features of the home were identified through site visits to the property and with input from the property owner. The home is a two-story Spanish Colonial style home with features including asymmetric volumes and planes, overhanging second story with false beams, and Spanish red tile roofing. The home also features extended rafters, arched openings, wood casement and single-hung windows, and decorative tile vents.

The interior character-defining features of the home include textured white stucco walls, arched doorways, curved ceilings in the family and dining room, tiled kitchen and entryway floor, and Spanish tile on the stair banister.

The home is in good condition, and with appropriate restoration and repair, it can continue conveying its historical appearance and significance.

Proposed Work Plan

The property owner has proposed a work plan that addresses period appropriate to the home and preservation of the architectural style and the original historic appearance of the property. A detailed summary of the proposed improvements is included for reference (Attachment E) with a summary provided here. The improvements include remodeling of both the primary bathroom and hallway bathroom. These items would exceed the cost of property tax savings over ten years.

Qualifying Criteria and Staff Evaluation

Pursuant to Section 130 of City Council Resolution No. 2012-75, a historical property contract may be approved only if all the following criteria are met:

- A. The subject property meets the eligibility requirements for a Mills Act contract pursuant to California Government Code Section 50280.1 in that it is a privately owned property which is not exempt from property taxation, and is listed on the National Register of Historic Places, located in a National Register or local historic district, listed in a state or county official register of historic or architecturally significant sites, places or landmarks, or listed in the Register of Structures of Historic and Architectural Merit of the City of Claremont.

The subject property is privately owned by the applicant (Adam Byrnes) and is not exempt from property taxation. The subject property is also listed in the Register of Structures of Historic and Architectural Merit of the City of Claremont.

- B. The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community.

The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community, especially given its anchor location on the corner of Berkeley Avenue and Harrison Avenue. The home serves as a fine example of a Spanish Colonial architecture in good condition in a prominent area of the Historic Claremont district.

- C. Significant features that defined the historical character of the subject property, and its buildings have not been destroyed or can be restored based on documentary, physical, or pictorial evidence.

The significant character-defining features of the subject property have largely been preserved, not destroyed, though some repairs and restoration are needed to extend the life and usability of the home.

- D. The owner of the subject property proposes to make improvements that are related to preservation and/or rehabilitation of character defining elements and/or historical and structural integrity of the property. Additionally, the cost of such improvements must be equal to or greater than the expected property tax savings for the first ten years, which needs to be distributed into two five-year periods.

All improvements proposed by the applicant are related to either the preservation and/or rehabilitation of character defining elements, or the structural and historical integrity of the property, and improved livability of the home, and the estimated cost of these improvements exceeds the expected property tax savings. The details of the planned improvements are listed in Attachment E.

In completing the proposed work items with the benefit of a historical property contract, the property's ability to continue contributing to the historical interest and ambience of the Claremont community will be enhanced. The applicant has proposed a sensible work plan that would help ensure the home's long-term livability.

Based on estimates provided by the applicant, the total cost of the proposed scope of work is approximately \$147,857.00, 35% over the estimated savings of \$108,970.00 that would result from

the historical property contract over a 10-year period. With the signing of the historical property contract, the applicant would be required to invest the avoided property tax into the work outlined in Attachment E. Additionally, based on the proposed scope of work, the applicant would be contributing more of their own funds into the proposed work than they would be saving through their reduced property taxes.

E. The subject property is residential.

The subject property is a single-family residential property. Planning Staff have inspected the house and property and have had discussions with the property owner regarding the planned improvements to the property and supports awarding a Mills Act contract for the subject property.

COMMISSION REVIEW

The Architectural & Preservation Commission reviewed and voted unanimously to recommend approval of the agreement on November 13, 2024, with the direction for staff to work with the applicant to revise the schedule of improvements. Whereas the previous schedule of improvements reviewed by the Architectural & Preservation Commission was determined to lack sufficient detail, the revised schedule of improvements was updated to include additional qualifying items and more detailed line items with cost breakdowns. The revised schedule of improvements was emailed to the Architectural & Preservation Commission and found to be satisfactory. The Commission's resolution is Attachment G.

LEGAL REVIEW

The City Attorney has reviewed and approved as to form the proposed Historical Property Agreement.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds it related to the following: General Plan, 2024-26 Budget, and the Sustainable City Plan.

CEQA REVIEW

The proposed scheduled improvements within the contract are exempt from environmental review under CEQA Guidelines Sections 15301 and 15302. The Class 1 exemption (CEQA Guidelines Section 15301) allows for the operation, maintenance, repair, or minor alteration of existing public facilities or mechanical equipment, with negligible or no expansion. The Class 2 exemption (CEQA Guidelines Section 15302) allows for the replacement or reconstruction of existing facilities involving negligible expansion of capacity. This item involves the maintenance, repair, minor work, or replacement of existing facilities.

The proposed scheduled improvements within the contract are also categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15331 in that these improvements are for the restoration and rehabilitation of a historical resource, will be conducted in a manner consistent with the Secretary of the Interior's Standards of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Guidelines for Rehabilitation of Historic Properties, and the State Historical Building Code and will be subject to applicable City permitting requirements. Therefore, no further environmental review is necessary.

None of the exceptions to the categorical exemptions set forth in State CEQA Guidelines Section 15300.2 applies to the proposed project because the proposed project: (1) is not located in a uniquely sensitive environment; (2) is not located within a highway officially designated as a State scenic highway; (3) is not located on a hazardous waste site; (4) would not have a cumulative impact; and, (5) would not have a significant adverse change in the significance of a historical resource. Therefore, the exemption applies and the exceptions do not. No further environmental review is necessary.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a paper copy, please contact the City Clerk's office.

Submitted by:

Brad Johnson
Community Development Director

Prepared by:

Daniel Kim
Assistant Planner

Reviewed by:

Christopher Veirs
Principal Planner

Attachments:

- A - Draft Mills Act Contract
- B - Estimated Tax Savings Calculation
- C - APC Staff Report
- D - Resolution No. 2012-75
- E - Schedule of Improvements
- F - Photo Survey
- G - Resolution No. 2024-13

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

CITY OF CLAREMONT
Attn: City Clerk, City of Claremont
207 Harvard Avenue
P.O. Box 880
Claremont, CA 91711

HISTORICAL PROPERTY (MILLS ACT) AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2024 by and between the CITY OF CLAREMONT, a municipal corporation of the State of California (“City”) and Adam Byrnes, owner of real property located at 487 Harrison Avenue, Claremont (“Owner”).

RECITALS

WHEREAS, the City Council of the City of Claremont (“City Council”) is authorized by California Government Code Section 50280 et seq. (known as “the Mills Act”) to enter into contracts with the owners of qualified historical properties to provide for appropriate use, maintenance, and rehabilitation such that these historic properties retain their historic characteristics; and

WHEREAS, on October 24, 2000, the City Council adopted Resolution No. 2000-157 establishing review criteria and procedures for historical property (Mills Act) contracts to encourage historical preservation, and on January 13, 2009, the City Council adopted Resolution No. 2009-04 expanding the review criteria for historic property (Mills Act) contracts; and

WHEREAS, on October 9, 2012, the City Council adopted Resolution No. 2012-75 amending the review criteria for historic property (Mills Act) contracts that supersedes Resolution Nos. 2000-157 and 2009-04; and

WHEREAS, Owner possesses fee title interest in real property, together with associated structures and improvements thereon, generally located at 487 Harrison Avenue within the City and more particularly described in Exhibit A hereto attached and made a part hereof (“the Property”); and

WHEREAS, the Property is a qualified historic property within the meaning of Government Code Section 50280.1, in that it is a privately owned property which is not exempt from property taxation and is listed in the Register of Structures of Historical and Architectural Merit of the City of Claremont; and contains the character-defining elements described in Exhibit “B”; and

WHEREAS, all of the required criteria of Section 130 of City Council Resolution No.2012-75 are met; and

WHEREAS, both Owner and City, for their mutual benefit, desire to protect and preserve the Property so as to retain its characteristics of historical and architectural significance.

AGREEMENT

NOW, THEREFORE, both Owner and City, in consideration of the mutual promises, covenants and conditions contained herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. **AUTHORITY:** This Agreement is made pursuant to California Government Code Sections 50280-50290 and Article 1.9 (commencing with Section 439) of Chapter 3, Part 2, of Division 1 of the California Revenue and Taxation Code and is subject to all of the provisions of those statutes.

2. **TERM:** This Agreement shall be effective commencing on the date of this Agreement and shall remain in effect for a period of ten years therefrom. Such term shall be renewed pursuant to the provisions of paragraph six below.

3. **PRESERVATION OF PROPERTY:** During the term of this Agreement, the Property shall be subject to the following conditions, requirements, and restrictions:

a. Owner shall preserve and maintain the characteristics of historical significance of the Property, and, where necessary, restore and rehabilitate the Property and its character-defining features, in accordance with the regulations of the Claremont Municipal Code Chapter 16.300 and in conformance with the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Standards for Rehabilitation of Historic Properties, and the State Historical Building Code.

b. Prior to commencing work on physical changes to the property, Owner shall notify the Director of Community Development to ensure that the changes comply with all applicable standards and regulations. All significant exterior building and site changes, and changes to the interior character-defining features described in Exhibit "B" shall be subject to prior review by the City.

c. Owner shall obtain building permits for all permitted work prior to commencing work. When applying for building permits, Owner shall inform Building Division staff that the Property is under a Mills Act contract so that the City can be assured all work will be done in the manner required by the City and federal historic preservation standards.

d. Owner agree to make several improvements to the Property and shall complete this work in accordance with the attached schedule of home improvements, drafted by Owner, attached hereto as Exhibit "C." In addition, the cost of these improvements shall be equal to or greater than the property tax savings received for the first ten years. The cost of these improvements may be distributed over two, five-year periods.

e. Owner shall maintain all buildings, structures, yards and other improvements in a manner that does not detract from the appearance of the immediate neighborhood. The following conditions are prohibited:

- i) Dilapidated, deteriorating, or unrepaired structures, such as fences, roofs, doors, walls, and windows;
- ii) Storage of scrap lumber, junk, trash or debris visible from adjacent properties and the public right-of-way;
- iii) Outside storage of abandoned, discarded or unused objects or equipment visible from adjacent properties and the public right-of-way;
- iv) Stagnant water or excavations, including pools or spas;
- v) Any device, decoration, design, structure, or vegetation, which is unsightly by reason of its height, condition, or its inappropriate location.

f. Owner shall agree to periodic public access to Property for a limited tour or special event in coordination with Claremont Heritage or other community group. The first such event may occur within approximately five years from the date of this Agreement, and subsequent events may occur approximately once every five to eight years thereafter.

g. Owner shall not be held responsible for replacement of the historic structures if damaged or destroyed through "Acts of God" such as flood, tornado, lightning or earthquake.

h. Appeals under this Section shall be made to the Architectural Commission pursuant to the City's standard appeal procedures set forth in the Claremont Municipal Code, Chapter 16.321.

4. FURNISHING OF INFORMATION AND ANNUAL COMPLIANCE REVIEW FEE: Owner shall furnish City any and all information requested by City, which may be necessary or advisable to determine compliance with the terms and provisions of this Agreement. This shall include an annual letter from Owner describing the home improvements completed during the previous year, along with other necessary documentation (i.e. pictures, receipts). In addition, Owner shall furnish City the required annual compliance review fee, which is calculated at 2.2 hours of staff time at the prevailing hourly rate approved by the City Council.

5. INSPECTIONS: Owner agree to permit examinations of the interior and exterior of the Property by representatives of the City, County Assessor, the State Department of Parks and Recreation, and the State Board of Equalization, to determine Owner's compliance with this Agreement. Such examinations shall be scheduled by appointment in advance, with a mandatory examination being performed every five years along with periodic examinations on an as-needed basis.

6. AUTOMATIC RENEWAL: On each anniversary date of this Agreement, one year shall be automatically added to the then-remaining term of this Agreement, unless notice of nonrenewal is given pursuant to the provisions of Paragraph 7 below.

7. NOTICE OF NONRENEWAL: If, in any year, either Owner or City desire not to renew the Agreement, that party shall serve written notice of nonrenewal on the other party in advance of the annual renewal date of the Agreement. Unless such notice is served by Owner at least 90 days, or by City at least 60 days, prior to the renewal date, one year shall automatically be added to the term of this Agreement. Upon receipt by Owner of the notice of nonrenewal

from City, Owner may make written protest to the City Council. At any time prior to the renewal date, City may withdraw its notice to Owner of nonrenewal.

8. EFFECT OF NOTICE NOT TO RENEW: If, in any year, either party serves notice of intent not to renew this Agreement, this Agreement shall remain in effect for the balance of the original ten-year term or, if applicable, until the date that is ten years after the effective date of the last renewal, whichever is later. Thereafter, this Agreement shall terminate.

9. CANCELLATION: City may cancel this Agreement if City determines that the Owner have breached any of the conditions or covenants of the Agreement or have allowed the Property to deteriorate to the point that it no longer meets the standards for a qualified historic property. City may also cancel this Agreement if it determines Owner have failed to timely restore or rehabilitate the Property in the manner specified in this Agreement.

10. NOTICE OF CANCELLATION: This Agreement may not be canceled pursuant to paragraph nine above until after City has given notice of, and has held, a public hearing as required by Governmental Code Section 50285.

11. CANCELLATION FEE: If City cancels this Agreement in accordance with paragraph nine above, Owner shall pay a cancellation fee of 12½% of the full value of the Property at the time of cancellation. The full value shall be determined by the County Assessor, without regard to any restrictions imposed on the Property pursuant to this Agreement. The cancellation fee shall be paid to the State Controller at such time and in such manner as the Controller shall prescribe and shall be deposited in the State General Fund.

12. NOTICES: All notices required by or provided for in this Agreement shall be given in writing and may be mailed or delivered in person. If mailed, notice by mail shall be deemed to have been given upon deposit of notice in the mail, postage prepaid, addressed as appropriate, to Owner at Owner's last known address on City's records, or to City at P.O. Box 880, Claremont, CA 91711, Attention: City Clerk.

13. NO COMPENSATION: Owner shall not receive any payment from City in consideration of the obligations imposed under this Agreement, it being recognized and agreed that the consideration for the execution of this Agreement is the substantial public benefit to be derived therefrom and the advantage that will accrue to Owner as a result of the effect upon the Property's assessed value on account of the restrictions required for the preservation of the Property.

14. EMINENT DOMAIN PROCEEDINGS: In the event that during the term of this Agreement, the Property is acquired in whole or in part by eminent domain or other acquisition by any entity authorized to exercise the power of eminent domain, and the acquisition is determined by the City Council to frustrate the purpose of this Agreement, the Agreement shall be canceled, and no fee shall be imposed pursuant to paragraph 11 hereof. In such event, this Agreement shall be deemed null and void for all purposes of determining the value of the Property so acquired.

If, subsequent to the filing of any action in eminent domain, the proposed condemnation is abandoned by the condemning agency as to all or a portion of the Property subject to the Agreement, the restriction on the use of the Property included in this Agreement shall without

further agreement of the parties, be reinstated and the terms of this Agreement shall be in force and effect.

15. REMEDIES AND ENFORCEMENT OF AGREEMENT: In lieu of, and/or addition to, any provisions to cancel this Agreement herein, City may specifically enforce, or enjoin the breach of, the terms of this Agreement. In the event that it is determined this Agreement does not constitute an enforceable restriction within the meaning of the applicable provisions of the California Government Code and the California Revenue and Taxation Code, except for unenforceability arising from the cancellation of nonrenewal of this Agreement, for any tax year during the term or any renewal of this Agreement, then this Agreement shall be null and void and without further effect and the Property subject to this Agreement shall from that time be free from any restriction whatsoever under this Agreement, without any payment or further act of the parties to the Agreement.

16. GENERAL PROVISIONS:

a. None of the terms, provisions or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors, or assigns, nor shall such terms, provisions or conditions cause them to be considered joint ventures or members of any joint enterprise.

b. Owner agree to, and shall hold City and its elected officials, officers, agents, employees, representatives, and volunteers harmless from, liability for damage or claims for property damage which may arise from the direct or indirect use of operations of Owner and those of their contractors, subcontractors, agents, employees, and other persons acting on their behalf which relate to the use, operation and maintenance of the Property. Owner hereby agree(s) to and shall defend the operation and maintenance of the Property. Owner hereby agree(s) to and shall defend City and its elected officials, officers, agents, employees, representatives, and volunteers with respect to any and all actions for damages suffered, or alleged to have been suffered, by reason of the operations referred to in this Agreement regardless of whether or not City prepared, supplied, or approved the plans, specifications or other documents for the Property.

17. NOTICE OF RECORDATION OF AGREEMENT: No later than 20 calendar days after the parties execute and enter into the Agreement, City shall cause this Agreement to be recorded in the office of the County Recorder of Los Angeles and shall submit a certified copy of this Agreement to the County Assessor's Office. Owner or their agent shall provide written notice of the Agreement to the State Office of Historic Preservation within six months of entering into the Agreement.

18. SUCCESSORS AND ASSIGNS: This Agreement is binding upon Owner's successors and assigns in interest or title to the Property. A successor in interest or title shall have the same rights and obligations under the Agreement as Owner. Each and every contract, deed or other instrument hereinafter executed, covering or conveying the Property, or any portion thereof, shall conclusively be held to have been executed, delivered and accepted subject to the covenants, reservations and restrictions expressed in this Agreement regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instrument.

19. NONWAIVER: No acts or admissions by City, or any agent(s) of City shall constitute a waiver of any or all of City's right under this Agreement.

20. AMENDMENTS: This Agreement may be amended in whole or in part, only by a written recorded instrument executed by the parties hereto.

21. ATTORNEY'S FEES: In the event legal proceedings are brought by any party or parties hereto, for breach of this Agreement, or to compel conformance under this Agreement, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding shall be entitled to an award of reasonable attorneys' fees and costs in addition to all other relief to which it may be entitled.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date shown below, but this Agreement is effective as of the date and year first above written.

Property Owner:

DATE: _____

Adam Byrnes
Property Owner

DATE: _____

THE CITY OF CLAREMONT

By _____
Adam Pirrie
City Manager

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

The Property is located at 487 Harrison Avenue in the City of Claremont, County of Los Angeles, State of California, and is more particularly described as follows:

PARCEL 1:

LOTS 15 AND 16 IN BLOCK 3 OF THE EUCACIA PARK TRACT, IN THE CITY OF CLAREMONT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 46 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THE NORTH 76 FEET OF SAID LOTS.

PARCEL 2:

THE SOUTH 4 INCHES OF THE NORTH 76 FEET OF LOTS 15 AND 16 IN BLOCK 3 OF THE EUCACIA PARK TRACT, IN THE CITY OF CLAREMONT, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 13 PAGE 46 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

APN: 8309-028-016

EXHIBIT B

CHARACTER DEFINING ELEMENTS OF PROPERTY – 487 Harrison Avenue

Significant Exterior Features

- Asymmetric volumes and planes of the first and second story massing
- Overhanging second story at the south elevation
- False beams
- Spanish red tile roof
- Wood casement windows
- Arched entryway
- Decorative tile vent

Significant Interior Features

- Textured white stucco walls and ceiling
- Curved ceilings in family room
- Tiled kitchen and entryway floor
- Spanish tile on the stair banister

EXHIBIT C

SCHEDULE OF IMPROVEMENTS – 487 Harrison Avenue

DESCRIPTION OF IMPROVEMENTS

Primary bath **\$86,499**

Project scope: Update bathroom to period appropriate aesthetics and repair electrical
See attachment from The Ranch Architects and Reg Abersek, Sr. Project
Manager at Hartman Baldwin

Paint house exterior **\$11,500**

Professionally prepare and paint exterior stucco on exterior. 2 Coats. Color
to be decided.
See Item 2 in attachment from John Diaz Painting

Window repairs **\$4,020**

Various repairs to multiple windows throughout the house.
See attachment from Window Restoration & Repair per Claremont Heritage
Craftsman Directory

Wood floor refinishing **\$9,320**

Sand, stain, and finish floors (3 coats). Breakdown provided by area:

- Upstairs (~1,000 sq. ft) \$3,500
- Downstairs (~1,250 sqft) \$3,900
- Stairs \$1,920

Quote provided by Professional Hardwood Floors per Claremont Heritage
Craftsman Directory (no paperwork provided).

Project List Total **\$111,339**

Note: All work must conform to standards of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Guidelines for Rehabilitation of Historic Properties, and the State Historical Building Code. All work subject to City of Claremont design review as required by the Claremont Municipal Code.

Calculation of Estimated Reduced Property Taxes for Properties Subject to Historical Property Contracts

Address: 487 Harrison Avenue

Current Property Owner: Adam Brynes

Upon approval of a historical property contract, the county assessor determines the reasonable expected yield by analyzing rental income of similar properties in the area or, if available, what the property would yield under prudent management. Reasonable expected yield for income-producing property is based on rents actually received and typical rents received for similar property in similar use, less maintenance and operating expenses.

The Mills Act capitalization rate is calculated by adding four component percentages including:

- An interest rate based on the Federal Home Loan Bank rate (Cost of Funds Index) on conventional mortgages (3.942% as of October, 2024).
- The historical property risk (4% for owner-occupied single-family dwellings)
- A percentage equal to the reciprocal of the remaining life of the structure. The typical remaining life for a wood frame building is 20 years ($1/20 = 5\%$) and for masonry building is 50 years ($1/50 = 2\%$); however, typical remaining life for most buildings is 50 years ($1/50 = 2\%$) if adequate care is applied.
- The percentage of the tax rate times the assessment ratio (typically 1%).

The Capitalization Rate is used to calculate the estimated annual savings to the homeowner and estimated annual cost to the City, as noted in the table below:

Existing Property Value Calculations

\$1,585,000	County Assessed Value
-\$7,000	Homeowner's Exemption
<hr/>	
\$1,578,000	Value for tax purposes
\$15,780	Property tax (1% of value)
\$1,830	Claremont's share of property tax (11.6% of property tax)

Estimated Rental Calculations

\$6,000	Estimated monthly rent
\$72,000	Annual rent
\$5,000	Annual rent expenses (M&O costs)
\$67,000	Annual rent less expenses

Capitalization Rate

6.72%	Federal home loan interest rate (November 2024)
4.00%	Historical property tax
2.00%	Amortization - 50 year life
1.00%	Tax rate
<hr/>	
13.72%	Capitalization rate

New Property Value Calculation Under Mills Act Contract

\$488,338	New estimated property value (Annual rent less expenses/capitalization rate)
\$4,883	New estimated property tax (1% of new value)
\$10,897	Owner's annual savings
\$566	Claremont's share of reduced property tax (11.6% of new property tax)
\$1,264	Estimated annual loss to Claremont

Note: This Calculation does not include any special assessment district fees included in annual tax



Claremont Architectural and Preservation Commission

Agenda Report

File #: 5357

Item No: 4.

TO: ARCHITECTURAL & PRESERVATION COMMISSION

FROM: BRAD JOHNSON, COMMUNITY DEVELOPMENT DIRECTOR

DATE: NOVEMBER 13, 2024

SUBJECT:

REVIEW OF HISTORICAL PROPERTY (MILLS ACT) AGREEMENT REQUEST #24-MA02 BETWEEN THE CITY AND THE OWNER OF THE PROPERTY LOCATED AT 487 HARRISON AVENUE - APPLICANT: ADAM BYRNES

SUMMARY

The owner of the property at 487 Harrison Avenue has submitted a request to enter into a Historic Property (Mills Act) Agreement with the City. The Mills Act is a preservation tool enacted by the state legislature to ensure the long-term preservation of eligible historic properties and significant site features of such properties. In return for committing to preserve their property via the agreement, owners receive a reduction in property taxes, which in turn helps finance needed repairs and renovations to the property. The Architectural and Preservation Commission is the recommending body for Mills Act requests. The Architectural and Preservation Commission recommendation is then forwarded to the City Council for final action. Staff has reviewed the application and finds that each of the required criteria for entering a Mills Act agreement, as established by the City Council, can be met.

RECOMMENDATION

Staff recommends the Architectural & Preservation Commission:

- A. Adopt A RESOLUTION OF THE ARCHITECTURAL & PRESERVATION COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF HISTORICAL PROPERTY (MILLS ACT) AGREEMENT #24-MA01 BETWEEN THE CITY AND THE OWNERS OF THE PROPERTY LOCATED AT 487 HARRISON AVENUE - APPLICANT: ADAM BYRNES; and
- B. Find this item is exempt from environmental review under the California Environmental Quality Act (CEQA).

ALTERNATIVES TO RECOMMENDATION

- A. Continue the discussion and request additional information.
- B. Express the intent to recommend denial of the Mills Act contract, specifically identifying the criteria that cannot be met, and continue the item to December 11, 2024 for adoption of the denial recommendation resolution.

FINANCIAL REVIEW

The costs associated with the review of this application have been borne by the applicant.

ANALYSIS

Upon approval of a Mills Act historical property contract, the value of the subject property is reassessed based on a formula that considers the rental income that could be expected from the property, the Federal home loan interest rate, a historic property risk component, and an amortization component to result in a special Mills Act capitalization rate. The total tax savings for the property owners is determined by using the formula outlined in Attachment C, which also estimates the anticipated tax savings for the property owners/applicants. With the approval of a Mills Act contract, the value of property tax savings must be put towards the scope of work identified in Attachment F to preserve or rehabilitate the historic character-defining elements of the property and ensure its ongoing historical and structural integrity. Approval of a Mills Act contract will also result in a minor loss of tax revenue to the City. This loss represents the City's contribution to ensuring the property's preservation for the benefit of the community.

Staff has prepared estimates of the anticipated tax savings (Attachment C) for the owner and the loss in tax revenue to the City if the Mills Act agreement is approved. The calculations estimate a potential tax savings to the owners of \$10,897.00 per year (\$108,970.00 over ten years), and a potential loss to the City in tax revenue of \$1,264.00 per year. The remaining tax savings, \$9,633 per year, would be the resulting loss in potential revenue the contract would create for other local, regional and state agencies, and districts that receive a portion of property taxes paid.

Background

What is the Mills Act?

The Mills Act is a preservation tool created by the California state legislature in 1972 to encourage the preservation and restoration of historic properties. The act enables cities to enter into historical property agreements with owners of qualifying properties to reduce owners' property taxes in order to incentivize investment in their historic property. While resulting in some lost tax revenue, the agreements provide benefits to cities in that they ensure preservation, high-quality rehabilitation, and maintenance of historic properties that represent important cultural resources.

As provided for by State law, the Mills Act is administered and implemented by local governments. Mills Act contracts are executed between the property owner and the local government granting the tax reduction. Cities have considerable discretion in evaluating Mills Act requests and are not mandated to approve historical property agreements. Each local government establishes their own eligibility criteria, application procedures, and the number of contracts to allow within their jurisdiction. The California Office of Historic Preservation (OHP) does not participate in the contract negotiations,

is not a signatory to the contract, and has no authority over the administration of the Mills Act program.

City's Mills Act Program

In October 2000, the City Council approved procedures and review criteria for agreements for properties in Claremont. Initially, the program was restricted to historic properties suffering severe deterioration and in danger of near-term demolition or eventual demolition due to long term neglect. In January 2009, the City Council revised the review criteria to include all residential properties listed in the City's Register of Structures of Historic and Architectural Merit of the City of Claremont (Register). In addition, the Council limited the maximum number of Mills Act contracts that can be approved to six per year.

On October 9, 2012, the City Council amended the program once more to provide clarification to one of the review criteria, and to establish an annual compliance review fee. These newly revised criteria and procedures are included as Attachment D (City Council Resolution 2012-75).

Property Description

The subject property, known as the Robbins House, is located within the Historic Claremont (HC) 7,500 zoning district and the Residential 6 General Plan Land Use Designation. The home was built in 1927 and designed by Lena Robbins, who occupied the home with Homer Robbins, a mayor of Claremont from 1938-1946. Homer Robbins also built 530 Berkeley, the home directly to the north of the subject property, which is an active Mills Act property since 2019 (Attachment G).

The home is an excellent example of the Spanish Colonial style and retains much of its original interior and exterior character. The character-defining features of the home were identified through site visits to the property and with input from the property owner. The home is two-stories tall with features that include asymmetric volumes and planes, overhanging second story with false beams, and Spanish red tile roofing. The home also features extended rafters, arched openings, wood casement and single hung windows, a red tile roof, and decorative tile vents.

The interior character defining features of the home include textured white stucco walls, arched doorways, curved ceilings in the family and dining room, tiled kitchen and entryway floor, and Spanish tile on the stair banister.

The home is in good condition and, with appropriate restoration and repair can continue conveying its historical appearance and significance.

Proposed Work Plan

The property owner has proposed a work plan that addresses period appropriate interior improvements to the home and preservation of the architectural style and the original historic appearance of the property. A summary of the proposed improvements is included for reference (Attachment F). The improvements include remodeling of both the primary bathroom and hallway bathroom. These items would exceed the cost of property tax savings over ten years. Staff encourages the applicant to be vigilant regarding the maintenance of the exterior of the home to prevent damage to exposed wood and to maintain an authentic clay tile roof should the roof require replacing while this property is subject to a Mills Act Agreement.

Qualifying Criteria and Staff Evaluation

Pursuant to Section 130 of City Council Resolution No. 2012-75, a historical property contract may be approved only if all the following criteria are met:

- A. The subject property meets the eligibility requirements for a Mills Act contract pursuant to California Government Code Section 50280.1 in that it is a privately owned property which is not exempt from property taxation, and is listed on the National Register of Historic Places, located in a National Register or local historic district, listed in a state or county official register of historic or architecturally significant sites, places or landmarks, or listed in the Register of Structures of Historic and Architectural Merit of the City of Claremont.

The subject property is privately owned by the applicant (Adam Byrnes) and is not exempt from property taxation. The subject property is also listed in the Register of Structures of Historic and Architectural Merit of the City of Claremont.

- B. The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community.

The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community, especially given its anchor location on the corner of Berkeley Avenue and Harrison Avenue. The home serves as a fine example of a Spanish Colonial architecture in a prominent area of the Historic Claremont district.

- C. Significant features that defined the historical character of the subject property, and its buildings have not been destroyed or can be restored based on documentary, physical, or pictorial evidence.

The significant character-defining features of the subject property have largely been preserved, not destroyed, though some repairs and restoration are needed to extend the life and usability of the home.

- D. The owner of the subject property proposes to make improvements that are related to preservation and/or rehabilitation of character defining elements and/or historical and structural integrity of the property. Additionally, the cost of such improvements must be equal to or greater than the expected property tax savings for the first ten years, which needs to be distributed into two five-year periods.

All improvements proposed by the applicant are related to either the preservation and/or rehabilitation of character defining elements, or the structural and historical integrity of the property, and improved livability of the home, and the estimated cost of these improvements exceeds the expected property tax savings. The details of the planned improvements are listed in Attachment F.

In completing the proposed work items with the benefit of a historical property contract, the property's ability to continue contributing to the historical interest and ambience of the Claremont community will be enhanced. Though the scope of improvements does not include any existing historic features in need of repair or structural items necessary to maintain the safety and integrity of the home, the applicant has proposed a sensible work plan that would help ensure the home's long-term livability and usability.

Based on estimates provided by the applicant, the total cost of the proposed scope of work is approximately \$147,857.00, 35% over the estimated savings of \$108,970.00 that would result from the historical property contract over a 10-year period. With the signing of the historical property contract, the applicant would be required to invest the avoided property tax into the work outlined in Attachment F. Additionally, based on the proposed scope of work, the applicant would be contributing more of their own funds into the proposed work than they would be saving through their reduced property taxes.

E. The subject property is residential.

The subject property is a single-family residential property.

Planning Staff have inspected the house and property and have had discussions with the property owner regarding the planned improvements to the property and supports awarding a Mills Act contract for the subject property.

CEQA REVIEW

The proposed improvements scheduled for completion within the contract period are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15331 in that these improvements are for the restoration and rehabilitation of a historical resource, will be conducted in a manner consistent with the Secretary of the Interior's Standards of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Guidelines for Rehabilitation of Historic Properties, and the State Historical Building Code and will be subject to applicable City permitting requirements. Therefore, no further environmental review is necessary.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact Commission Secretary, Pearl Juarez at 909-399-5499 or via email at pjuarez@claremontca.gov

Notice of this matter was published in the Claremont Courier on October 31, 2024. Copies of this staff report have been sent to the applicant and Claremont Heritage.

Submitted by:

Reviewed by:

Brad Johnson
Community Development Director

Christopher Veirs
Principal Planner

Prepared by:

Daniel Kim
Assistant Planner

Attachments:

A - Draft Mills Act Contract

B - Draft APC Resolution

C - Calculations of Reduced Property Taxes

- D - Adopted Procedures for Review and Approval of Historic Property Contracts
- E - Photo Survey
- F - Schedule of Improvements
- G - Local Register Listing

RESOLUTION NO. 2012-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT AMENDING THE CITY'S PROCEDURES AND CRITERIA FOR APPROVAL OF HISTORICAL PROPERTY (MILLS ACT) CONTRACTS.

WHEREAS, the City of Claremont ("City") has established a policy of historic preservation by addressing historic preservation as part of the City's General Plan; and

WHEREAS, as set forth in the Land Use, Community Character, and Heritage Preservation, the City recognizes the importance of conserving and safeguarding the City's cultural, architectural, and historical resources that contribute to the special and unique character of the City, and create a recognizable identity for the community; and

WHEREAS, the Historic Preservation Element sets forth the following goal and policies:

- Goal 2-14 Retain and celebrate Claremont's rich history and heritage, as evidenced through its development patterns, buildings and building materials, landscaping, street treatments, parks and open space, and civic architecture.
- Policy 1-14.1 Continue to protect architectural, historical, open space, environmental, and archaeological resources throughout the City.
- Policy 1-14.3 Continue to encourage pride in the quality and character of historic areas.
- Policy 1-14.5 Continue to support the retention and/or adoptive reuse of existing residential, commercial, and industrial buildings where possible, particularly structures listed on the Register of Structures of Historical and Architectural Merit of the City of Claremont.
- Policy 1-14.6 Strive to prevent the demolition of structures listed on the Register of Historical and Architectural Merit of the City.
- Policy 1-14.8 Continue to offer historic preservation tools such as the Mills Act.
- Policy 1-14.9 Explore and evaluate different approaches to protect and enhance historic resources throughout the community; and

WHEREAS, the State of California enacted the Mills Act (California Government Code Section 50820, et seq.) to allow cities to enter into contracts with owners of "qualified historical property" to preserve historical properties by reducing property taxes; and

WHEREAS, Mills Act contracts provide a benefit to the City in helping to ensure that important community resources are preserved and/or restored, and to help carryout the goals and policies of the City's General Plan; and

WHEREAS, in October, 2000, the City Council adopted Resolution 2000-157 that established a procedure and qualifying criteria for historical property contracts, which included a criteria that limited the number of properties that qualified for historical property contracts; and

WHEREAS, in January 2009, the City Council adopted Resolution 2009-04, which expanded the criteria for historic property contracts in order to encourage additional Mills Act contracts that will help to advance the City's historic preservation goals and policies, and to restrict the number of Mills Act contracts to no more than six per calendar year in order to limit the fiscal impact the Mills Act contracts will have on the City; and

WHEREAS, the City Council retains the final authority to approve, deny, or modify any Mills Act contract recommended by the Architectural Commission; and

WHEREAS, on February 29 and September 12, 2012, the Architectural Commission reviewed and analyzed the current procedures and criteria for the Mills Act Program, and adopted Resolution 2012-12 recommending approval to the City Council to amend the existing program to incorporate an annual review fee to recover the cost of staff time associated with annual reviews for contract compliance, which is calculated at 2.2 staff hours at the prevailing hourly rate approved by the City Council (current rate is \$98.50 making the annual review fee \$217), and to modify Criteria D to state that the proposed improvements be related to the preservation and/or the rehabilitation of character defining elements and/or historical and structural integrity of the property. Additionally, the cost of such improvements must be equal to or greater than the expected property tax savings for the first ten years, which needs to be equally distributed into two five-year periods; and

WHEREAS, on October 9, 2012, the City Council fully reviewed the subject matter at its regular meeting.

NOW, THEREFORE, THE CLAREMONT CITY COUNCIL DOES HEREBY RESOLVE:

SECTION 1. The City Council has determined that amendment of procedures for approval of Mills Act contracts is not a project defined by Section 15378 of the California Environmental Quality Act (CEQA) guidelines. Therefore, no further environmental review is necessary.

SECTION 2. The procedure and qualifying criteria for approval of historical property contracts are amended to read as follows:

PROCEDURES FOR REVIEW AND APPROVAL OF HISTORICAL PROPERTY (MILLS ACT) CONTRACTS

110 PURPOSE OF MILLS ACT

In 1976, legislation was adopted in California that created an alternative method for determining assessed value of certain qualified historical properties. Commonly referred to as the Mills Act, the law provides an income-based tax formula for eligible properties subject to historical property contracts (Article 12, commencing with Section 50280, of Chapter 1, Part 1 Division 1, Title 5, of the California Government Code).

The use of the Mills Act gives communities the flexibility to deal with historical structures on a case-by-case basis. Local government has the option to choose which properties are suitable for the incentive by evaluating various factors. These contracts can be used both as a tool to rehabilitate and preserve an individual building, and as part of a broader community-wide program.

As a preservation incentive, historical property contracts offer advantages to both local government and property owners. The contracts provide property tax relief for owners of qualified historical properties who agree to abide by reasonable preservation requirements. For local government, the preservation requirements ensure an authentic rehabilitation and a high level of maintenance of a cultural resource that is important to the community.

120 APPLICATION FILING

Any residential property owner may file an application with the required submittal deposit of \$1,000 for a historical property contract with the Department of Community Development. The application shall be made on forms provided by the department and submitted to the department together with the application fee deposit, and such documentation, information, and photographs required by the department for a complete understanding of the qualities and characteristics of the property for which the historical property contract is requested, and a description of, and timeframe for, proposed improvements to the property. City costs in processing applications shall be charged against application fee deposits.

Prior to determining the completeness of an application, the Director shall provide a copy of the application and submitted materials to Claremont Heritage for review and comment. Prior to submittal of an application, the property owner is encouraged to discuss with City staff whether their property meets the criteria for historical property contracts.

130 CRITERIA FOR AN HISTORICAL PROPERTY CONTRACT

An historical property contract may be approved only if all the following criteria are met:

- A. The subject property meets the eligibility requirements for a Mills Act contract pursuant to California Government Code Section 50280.1 in that it is a privately owned property which is not exempt from property taxation, and is listed on the National Register of Historic Places, located in a National Register or local historic district, or listed in a state or county official register of historic or architecturally significant sites, places or landmarks, or in the Register of Structures of Historic and Architectural Merit of the City of Claremont;

- B. The subject property contributes significantly to the quality, diversity, historical interest, and ambience of the community;
- C. Significant features that define the historical character of the subject property, and its buildings have not been destroyed or can be restored based on documentary, physical, or pictorial evidence;
- D. The owner of the subject property proposes to make improvements that are related to preservation and/or rehabilitation of character defining elements and/or historical and structural integrity of the property. Additionally, the cost of such improvements must be equal to or greater than the expected property tax savings for the first ten years, which needs to be distributed into two five-year periods; and
- E. The subject property is residential.

140 PREPARATION OF HISTORICAL PROPERTY CONTRACT

Upon receipt of a complete application for a property meeting the above criteria, the Director of Community Development or his/her designee shall assist the property owner in preparing a draft historical property contract and agreement conditions, and an example of tax savings. The city attorney shall review the proposed contract to ensure it conforms to statutory guidelines.

As part of the contract, the owner of the property shall agree to periodic examinations, by appointment, of the interior and exterior of the property by representatives of the City, County Assessor, the State Department of Parks and Recreation, and the State Board of Equalization, to determine the owner's compliance with the contract. The owner shall also agree to conform to the rules and regulations of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Standards for Rehabilitation of Historic Properties, and the State Historical Building Code.

150 HEARING REQUIREMENTS

After the City Attorney has completed a review of a draft historical property contract, the matter shall be referred to the Architectural Commission at their next available meeting. Notice of the hearing by the Architectural Commission shall be given not less than ten days prior to any action taken on the application by publishing a notice in a local newspaper. Such notice shall include the date, time, and place of the hearing and general explanation of the matter to be considered. Notice of the hearing shall also be sent to the record owner(s) and to other persons who have requested to be notified of such matters, or whom staff determines may have an interest in the matter.

160 COMMISSION RECOMMENDATION AND COUNCIL DECISION

The Architectural Commission shall, by resolution, make a recommendation related to the application, and the resolution shall be forwarded to the City Council. The City

Council shall consider the recommendation of the Architectural Commission and make a decision on the proposed historical property contract. The City Council shall have complete and final authority to approve, deny, or modify any historical property contract recommended by the Architectural Commission.

170 EXECUTION OF CONTRACT

The City Manager shall have the authority on behalf of the City to execute historical property contracts approved by the City Council.

180 CONTRACT RECORDATION

Upon approval and execution of a historical property contract, the City Clerk shall submit a certified copy of the agreement for recording to the County Recorder of Los Angeles, and the County Assessor's Office. Written notice of the agreement shall also be provided to the State Office of Historic Preservation.

190 PERIODIC REVIEW OF CONTRACT

The Director of Community Development shall periodically review the historical property contract and inspect the property to determine the property owner's compliance with the contract. The owner of the property shall, on an annual basis, provide the Director with a letter describing the home improvements completed during the preceding year, along with the annual review fee (calculated at 2.2 staff time at the prevailing hourly rate approved by the City Council).

200 MAXIMUM NUMBER OF CONTRACTS PER YEAR

The City Council shall approve no more than six historical property contracts during any one calendar year period.

SECTION 3. If applicable, the applicant shall be notified when the City costs in processing the application exceed \$1,000 and advised of the estimated costs to continue/finish processing the application. If applicable, the applicant shall be notified again when the City costs in processing the application exceed \$1,500 and advised of the estimated costs to continue/finish processing the application.

SECTION 4. Resolution Nos. 2000-157 and 2009-04 are hereby repealed in their entirety and superseded by the provisions set forth in this Resolution.

SECTION 5. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

SECTION 6. This Resolution shall take effect immediately, provided that the fee for the annual review of the historical property contract shall not take effect until 60 days after the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 9th day of October, 2012.



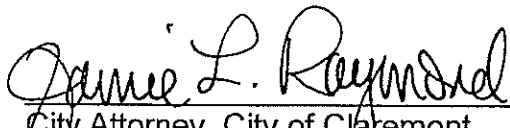
Mayor, City of Claremont

ATTEST:



City Clerk, City of Claremont

APPROVED AS TO FORM:



City Attorney, City of Claremont

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.
CITY OF CLAREMONT)

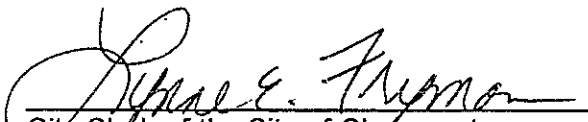
I, Lynne E. Fryman, City Clerk of the City of Claremont, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 2012-75 was regularly adopted by the City Council of said City of Claremont at a regular meeting of said Council held on the 9th day of October, 2012, by the following vote:

AYES: COUNCILMEMBERS: NASIALI, PEDROZA, CALAYCAY, LYONS, SCHROEDER

NOES: COUNCILMEMBERS: NONE

ABSTENSIONS: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE



City Clerk of the City of Claremont

487 Harrison Ave Mills Act Application
Updated Proposal

Primary bath	\$86,499
Project scope: Update bathroom to period appropriate aesthetics and repair electrical See attachment from The Ranch Architects and Reg Abersek, Sr. Project Manager at Hartman Baldwin	
Paint house exterior	\$11,500
Professionally prepare and paint exterior stucco on exterior. 2 Coats. Color to be decided. See Item 2 in attachment from John Diaz Painting	
Window repairs	\$4,020
Various repairs to multiple windows throughout the house. See attachment from Window Restoration & Repair per Claremont Heritage Craftsman Directory	
Wood floor refinishing	\$9,320
Sand, stain, and finish floors (3 coats). Breakdown provided by area:	
- Upstairs (~1,000 sq. ft)	\$3,500
- Downstairs (~1,250 sqft)	\$3,900
- Stairs	\$1,920
-	
Quote provided by Professional Hardwood Floors per Claremont Heritage Craftsman Directory (no paperwork provided).	
Project List Total	\$111,339

Reisman-Byrnes
487 Harrison Ave.
Claremont CA

10/10/2024

Preliminary Estimate based on Dwgs. 7/31/2024
Primary Bathroom

General Conditions	\$3,500
Daily cleanup, material handling & Final clean	
Temporary Bin	\$300
2-4 yard trash bins	
Temporary Facilities	\$1,000
3-month duration	
Protection	\$1,000
Protection of floors, adjacent areas & Finishes duration construction	
Demolition	\$4,250
Demo bathroom	
Framing	\$3,500
Frame arched ceiling at tub alcove, tub platform and niches Install header for new med cabs Fill in old med cab	
Framing Materials	\$1,000
Materials for new walls and header	
Rough & Finish Plumbing	\$7,100
move location of lavatory sinks New toilet in existing location Convert shower to new tub at same location	
Plumbing Fixtures	\$4,586
1 cast iron tub 1 low-flow toilet 2 sinks 2 faucets 1 tub filler/shower assembly Per Bathworks quote dated 8/28/24	

HVAC	\$500
Allowance to relocate existing all register To new dropped ceiling	
Rough & Finish Electrical	\$4,640
Per Jones Electric bid 8/29/24	
Surface Mounted Light Fixtures	\$800
Allowance for 4 surface mounted fixtures	
Insulation	\$1,250
Walls, ceiling and floor	
Drywall	\$4,800
Per Spraytec bid 8/29/24	
Flooring	\$2,800
Labor to install bath floor with a \$500 material allowance	
Interior door installation	\$800
1 interior dr. install	
Interior Door material	\$1,000
1 doug fir shaker door	
Door & Cabinet Hardware	\$430
Allowance for Labor & materials	
Cabinetry	\$4,679
Paint grade White melamine interiors maple dovetail drawers 5 piece, flat panel door with Tandem 562 hinges and Blumotion drawer slides per Alpine Custom Cabinetry 9/6/24	
Cabinet finish	\$1,850
Per Spencer bid 9/3/24	
Countertops	\$ 4,200
Install granite countertop. Includes \$1,000 allowance for 1 slab	

Tile tub surround	
2 niches	\$6,200
\$1,500 Tile material allowance	
Stone Tub Deck	\$2,500
Labor and use material from countertop slab	
Interior trim installation	\$2,650
Installation of interior paint grade integrated base board, base shoe & casing	
Interior Paint	\$2,200
Paint bathroom and 1 wall in bedroom Per Spencer bid 9/3/24	
Shower doors	
NIC	
Medicine cabinets	\$3,214
2 Robern medicine cabinets Per Bathworks quote 8/29/24	
Bath accessories Install	\$1,611
Material quote from Bathworks 8/28/24 and labor allowance	
Supervision	\$6,230
Cost for client meetings, project supervision, scheduling and material ordering	

	Subtotal
	\$78,590
	Profit and Overhead
	<u>\$ 7,859</u>
	Total Estimated Project Cost
	\$86,449

Add alt: Forbo Marmoleum bathroom floor
Estimated to add \$1,400



Byrnes Interior / Exterior

Prepared for: Adam Byrnes

adam.byrnes@gmail.com / 714.315.9825

Work to be performed at:

487 Harrison ave.

Claremont, Ca. 91711

Prepared by: John Diaz / Estimator / Project Manager

March 23, 2024

JOHN DIAZ PAINTING

Licensed SINCE 1994

C-33 • #685540

909-841-2040

Alta Loma, Ca. 91701

Claremont, Ca. 91711

Project Outline

The Interior & Exterior areas outlined in scope of work, (listed below, page 2) will be cosmetically renovated, using only professional grade materials.

All of our finish materials will be High Quality coating's, produced by Dunn - Edwards Paints.

(NO LATEX BLENDS, which are cheaper, but do not last the test of time !)

Our Proposal, reflects TWO coats, an industry standard for a Quality finish that will last for years and years to come.

INTERIOR and EXTERIOR

- Interior & Exterior preparation is as follows, power washing stucco surface, on 2 story home. Interior, thoroughly clean surfaces, to ensure that we remove all dirt and contaminants.
- This is followed by Interior / Exterior wall repair (stucco repair on exterior) Interior: caulking corners and patching nail holes, in walls, and ceilings, prior to finish paint application.
- We take special care, preparing all surfaces, that are in our scope of work.
- After all the surface prep is complete, we will begin masking all, floors.
- Any thing that is not supposed to be painted, will be covered.
- After we have properly prepared, masked, rechecked our preparation and masking, we will apply A High Quality Finish, to Interior / Exterior surfaces, listed in scope of work.
- Once we have completed an area, we will remove all masking from that area.

Note: we will spend an extensive amount of time, on surface preparation. Interior and Exterior.

**We will apply 2 coats of of High Quality, Finish Paint to all surfaces.
(Interior and Exterior)**

Scope of work:

1. Interior: Paint Ceilings, Walls and Built in Cabinets.

David's room: Closet, to include, ceiling, walls and built in cabinets in closet.

Robbie's bedroom and closet, ceiling and walls, to include built ins in closet

Upstairs hallway, Tall walls stairway, downs stairs, entry way, and hall, between kitchen and Lizzie's office, Ceilings and Walls.

Lizzie's office, ceiling and walls.

Guest bedroom, interior of closet. Ceiling and walls.

4,700

2. Exterior stucco, on 2 Story walls / 2 coats Elastomeric

Includes trenching down dirt, below natural dirt line.

Power washing stucco, patching any / all cracks and holes in stucco / plaster. Applying primer to patched areas, followed by brush and roller application of two coats of elastomeric paint, to two story home. Professional finish requires 2 coats of elastomeric, specialized finish paint

\$11,500

Our Proposal includes, Journeyman labor and High Quality materials. Our proposal reflects the considerable amount of time to Professionally prepare and finish, interior surfaces and exterior surfaces, listed in our scope of work.

BUDGET

Upon acceptance of our proposal, our payment schedule is as follows:

10% deposit upon acceptance, this insures your place on our calendar,

10% payment upon start date, followed by a 40% progress payment at the end of 5 business days on project, and 40% balance upon completion of your project

Description	Quantity	Unit Price	Cost
Item 1. Professionally Prepare and Paint, Interior: Walls, Ceilings. Common areas, upstairs and down stairs. Bedrooms, closets and built in cabinets: (<i>includes small wall repairs</i>) Scope of work is listed above.	1	\$ 4,700	\$ 4,700
Item 2. Professionally Prepare and Paint Exterior Stucco on exterior of 2 story home. 2 Coats. Color to be decided.	1	\$ 11,500	\$ 11,500
We will communicate, with you everyday, to insure we are on the same page with the tasks that will be occurring, and in what areas, they will be occurring.			
If you choose to proceed with both line items, we will paint down stairs, entry way, interior of closet, as our gift to you. We appreciate your business!			
Our proposal excludes all doors and frames downstairs, and items not mentioned in scope of work.			
Total			\$

Thank you, for calling John Diaz Painting, for your Professional Painting Projects

We look forward to hearing from you, and working with you, to create your vision.

John Diaz

JOHN DIAZ PAINTING

Licensed SINCE 1994

C-33 · #685540

909-841-2040

Alta Loma, Ca. 91701

Claremont, Ca. 91711



2/20/2024

3377 Cerritos Ave
Los Alamitos, CA 90720

lic #987212

"...repairing windows is ALL we do..."

What we do NOT DO... 1. Prep/Paint 2. Re-screen 3. Glazing putty

4. Strip window entirely 5. Install door hardware

Email: James@windowrnr.com

Prepared by: James Thomas (562) 493-1590
www.windowrestorationandrepair.com

* installation starts @ 7:30-8am & will need about 2-3 feet of working space inside; install date contingent on weather condition; please remove blinds prior to install

*Price subject to visible conditions, **additional unforeseen damage could incur extra costs**; +\$15 per lb lead.

Byrnes, Adam/Lizzy

487 Harrison Avenue
Calremont CA, 91711

1 d 3 gy
Level: 2

H: (714)315-9825

C:

Mid Mar-
Mid Apr

blinds prior to install

Email: adam.byrnes@gmail.com

#	Rm	Dir	Style	Description	Balancer	Options	Options	Line Total
1	Living	south	sc.is	Tune-Up wood casement sash for easy one hand operation&locking.Lube parliament hinges.				\$ 365
2	Living	south	sc.is	Tune-Up wood casement sash for easy one hand operation&locking.Lube parliament hinges.				\$ 365
3	Bath	north	dh	R&R sash-Lubricate jambs & square windows into existing jambs to fit for easy open,close,& lock.	Pulley			\$ 490
4				Upstairs----				\$ -
5	Nurse	south	dh	R&R sash-Lubricate jambs & square windows into existing jambs to fit for easy open,close,& lock.	Pulley			\$ 490
6	Nurse	east	sc.is	Tune-Up wood casement sash for easy one hand operation&locking.Lube parliament hinges.				\$ 365
7	Bd1	west	sc.is	Tune-Up wood casement sash for easy one hand operation&locking.Lube parliament hinges.				\$ 365
8	Bd1	west	dh	R&R sash-Lubricate jambs & square windows into existing jambs to fit for easy open,close,& lock.	Pulley	Glass x1		\$ 600
9	Bd1	west	dh	R&R sash-Lubricate jambs & square windows into existing jambs to fit for easy open,close,& lock.	Pulley			\$ 490
10	Bd1	north	dh	R&R sash-Lubricate jambs & square windows into existing jambs to fit for easy open,close,& lock.	Pulley			\$ 490
11								\$ -
12				All double hung windows include NEW Q-Ion white WEATHER-STRIPPING for insulation & noise.				\$ -
13				All double hung windows include NEW solid brass sash locks (Oil rubbed bronze)				\$ -
14								\$ -
15				All casement windows include NEW bronze SILICONE WEATHER-STRIPPING for insulation & noise.				\$ -
16				All casement windows include NEW COPPER DRIP LIP to help weep the water to the exterior.				\$ -
17								\$ -
18				All double-hung windows are to be re-weighed and balaced. Missing weights/additional weights add \$15 a pound.				\$ -
19								\$ -
20				WRR does NOT guarantee after a tune up that the windows will be 100% air & water tight since they were not				\$ -
21				originally designed that way. There will be only a slight improvement, with the strong possibility that they would				\$ -
22				still have the possibility to leak water.				\$ -
				*Quote valid 30 days				\$ -
				NOTE 1: Street sweeping day is: None open ; Parking permit required: no				\$ -
				NOTE 2: WRR not responsible for damage to blinds, curtains, draperies: encourage owner to remove beforehand				\$ -
				NOTE 3: If house has alarm system, WRR not responsible for re-setting the alarm as well as alarm magnets				\$ -
				Initial: _____				\$ -
				*Price subject to visible conditions, additional unforeseen damage can incur extra costs ; add \$15per lb.				\$ -
				dh-double hung pix-picture R&R - Remove & Re-install ws-weather-strip is-inswing os-outswing bmp-bump rbt-rabbit ph-parliament hinges				GRAND TOTAL \$ 4,020
				sc-single casement xo-slider NEW - Install New sash with glass sb- slide bolt lck- lock stc- stucco mould bs- blind stop nl- night lock				TWO YR WARRANTY! Deposit \$ (400)
				dc-double casemnt awn-awning Estimator: _____ Customer: _____ Date: _____				Balance Due at Completion \$ 3,620

Photo Survey



Front of Home (South Elevation)



Tiled Entryway



Interior Arched Entryways



Family Room with curved ceilings



Dining Room



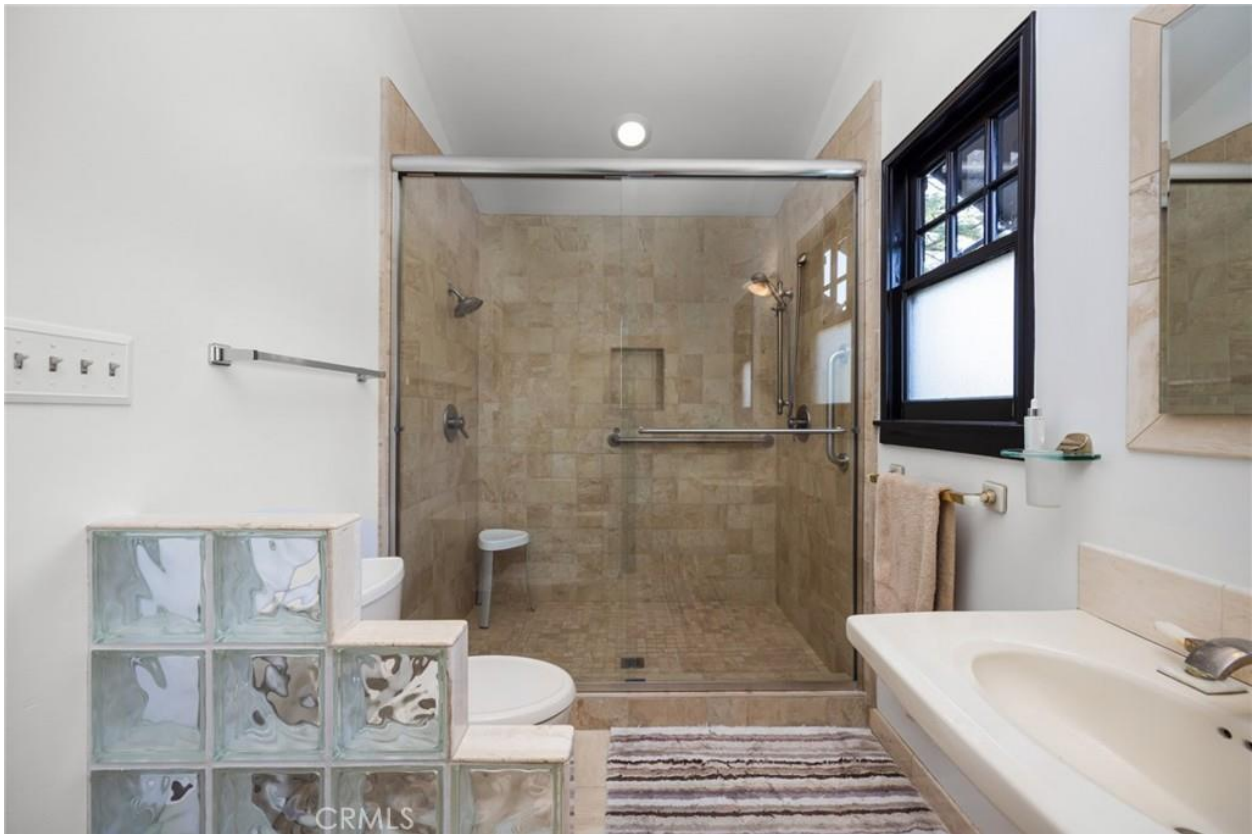
Kitchen



Hallway Bathroom



Primary (Master) Bathroom



Additional View of Primary (Master) Bathroom

RESOLUTION NO. 2024-13

A RESOLUTION OF THE ARCHITECTURAL & PRESERVATION COMMISSION OF THE CITY OF CLAREMONT, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF HISTORICAL PROPERTY (MILLS ACT) AGREEMENT #24-MA02 BETWEEN THE CITY AND THE OWNER OF THE PROPERTY LOCATED AT 487 HARRISON AVENUE-- APPLICANT: ADAM BYRNES.

WHEREAS, on July 18, 2024, the owner of 487 Harrison Avenue filed a request for approval of a Historical Property Agreement; and

WHEREAS, the historic property at 487 Harrison Avenue meets the established criteria for participating in the Mills Act program and the Historical Property Agreement will result in the preservation of the character defining features of the property; and

WHEREAS, notice of the proposed agreement and the Architectural and Preservation Commission meeting at which this matter was considered was duly given and published; and

WHEREAS, the proposed scheduled improvements within the contract are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15331 in that these improvements are for the restoration and rehabilitation of a historical resource, will be conducted in a manner consistent with the Secretary of the Interior's Standards of the Office of Historic Preservation of the Department of Parks and Recreation, United States Secretary of the Interior's Guidelines for Rehabilitation of Historic Properties, and the State Historical Building Code and will be subject to applicable City permitting requirements. Therefore, no further environmental review is necessary.

WHEREAS, the Architectural and Preservation Commission considered the request at its meeting on November 13, 2024, at which time all persons wishing to testify in connection with said agreement were heard, and the agreement was fully studied.

NOW, THEREFORE, THE CLAREMONT ARCHITECTURAL & PRESERVATION COMMISSION DOES HEREBY RESOLVE:

SECTION 1. That the Architectural & Preservation Commission of the City of Claremont recommends to the City Council approval of Historical Property Agreement #24-MA02.

SECTION 2. The Chair shall sign this Resolution and the Commission Secretary attest and certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED this 13th day of November, 2024.



Architectural & Preservation Commission Chair

ATTEST:



Architectural & Preservation Commission Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.
CITY OF CLAREMONT)

I, Pearl Juarez, Administrative Assistant of the City of Claremont, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 2024-13 was adopted by the Architectural & Preservation Commission of said City of Claremont at a regular meeting of said Commission held on November 13, 2024, by the following vote:

AYES:	Commissioners:	Bennett, Castillo, Cervera, Neiber, Perry, Spivack, Zimmerman
NOES:	Commissioners:	None
ABSTENSIONS:	Commissioners:	None
ABSENT:	Commissioners:	None



Administrative Assistant
City of Claremont



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5384

Item No: 11.

TO: ADAM PIRRIE, CITY MANAGER

FROM: JEREMY SWAN, COMMUNITY SERVICES DIRECTOR

DATE: DECEMBER 10, 2024

Reviewed by:

City Manager: AP

SUBJECT:

APPROPRIATION FROM THE EQUIPMENT AND FACILITY REVOLVING RESERVE TO ADDRESS DEFERRED PARK MAINTENANCE ITEMS AND AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH EXCEL LANDSCAPE MAINTENANCE FOR REPLENISHMENT OF ENGINEERED WOOD FIBER AT CITY PARKS (FUNDING SOURCE: GENERAL FUND)

SUMMARY

As established in Administrative Policy 10-25 (Reserve Policy), the City maintains a dedicated reserve fund for the purpose of addressing ongoing equipment and facility repair and/or maintenance, and/or the acquisition of needed amenities. Any use of these reserve funds is at the sole discretion of the City Council, and specific City Council action is required to authorize the use of any of the funds.

The reserve was established to fund the following types of equipment and facility repairs, replacements, and acquisitions:

- a. Renovation projects pertaining to existing City buildings.
- b. Replacement and refurbishment of furniture and other equipment utilized in City facilities.
- c. Minor enhancements of City buildings, parks, and other facilities.
- d. Safety equipment, emergency response equipment, recreation facilities equipment, etc.

Staff has identified several park projects for which the Equipment and Facility Revolving Reserve is proposed as a funding source. Most of these projects are small and do not require City Council approval. One of the proposed projects is replenishing the engineered wood fiber at City parks, which totals \$63,000. Staff recommends entering into an agreement with Excel Landscape to provide engineered wood fiber at City parks.

RECOMMENDATION

Staff recommends the City Council:

- A. Appropriate \$100,000 from the Equipment and Facility Revolving Account to fund the cost of the improvements described in the staff report; and
- B. Authorize the City Manager to enter into an agreement with Excel Landscape in an amount not to exceed \$63,000 for the replenishing of engineered wood fiber at City parks.

ALTERNATIVES TO RECOMMENDATION

In addition to the recommendation, there are the following alternatives:

- A. Approve and fund only selected equipment and/or projects.
- B. Request more information from staff.

FINANCIAL REVIEW

Staff has identified park fixtures that are in need of replacement and small projects for which the Equipment and Facility Revolving Reserve may be used. The projects and their estimated costs are summarized as follows:

Soap dispensers	\$	2,000
Toilet seats	\$	1,000
Toilet paper dispensers	\$	2,000
Sinks	\$	1,500
Wax rings	\$	500
Faucets	\$	2,000
Mirrors	\$	2,000
Restroom signs	\$	1,000
Partitions	\$	20,000
Feminine hygiene disposal containers	\$	1,000
Paint	\$	2,000
Miscellaneous materials (tools, fasteners)	\$	2,000
Engineered Wood Fiber Replenishment	\$	63,000
<hr/>		
Total	\$	100,000

The total cost of the proposed fixture replacements and small park projects is \$100,000. Staff recommends the use of Equipment and Facility Revolving Reserve funds for these projects. The current balance of the reserve is \$1,154,662. Should the City Council approve the appropriation as recommended, the remaining balance in the Equipment and Facility Revolving Reserve be \$1,054,662. Staff will continue to recommend that the City Council allocate a portion of any future General Fund surpluses to the replenishment of this reserve, should financial circumstances allow.

The cost to prepare this project and complete this report is estimated at \$1,022. These costs are for staff time allocated to the project and are included in the operating budget of the Community Services Department.

ANALYSIS

The Equipment and Facility Revolving Reserve was established to fund ongoing equipment and facility repair and/or maintenance, and/or the acquisition of needed amenities for City programs. Staff has identified several such items and proposes the use of the reserve to fund them. Specific information related to each of the requested appropriations from the reserve is detailed below.

Park Restroom Improvements (\$37,000) - Staff inventoried all City-owned park restrooms and developed a list of improvements needed at each park, with the exception of those parks that have new restroom facilities. Items that were considered include flooring, paint, fixtures, and partitions. Restroom fixtures include sinks, faucets, toilets, and paper and soap dispensers. Signage at park restrooms was also taken into consideration. Those park restroom floors that are currently painted will be stripped and sealed for easier maintenance and an improved appearance. Additionally, each park restroom will be repainted.

Engineered Wood Fiber Refurbishment (\$63,000) - Several park playground surfaces have been converted from sand to engineered wood fiber. Although the Community Services Department budgets annually for a small amount of wood fiber, this amount covers only a light refill. A complete refurbishment of engineered wood fiber has not taken place since the fiber has been installed. The National Parks and Recreation Association (NPRA) sets requirements for playground safety, which includes the amount of fiber fill under playground equipment to provide a safe landing. Currently, several parks do not meet this threshold.

Excel Landscape maintenance provides minor refill of engineered wood fiber for City parks under their current park maintenance contract. Because Excel Landscape is our current provider of wood fiber, staff reached out to Excel Landscape for a proposal to replenish the fiber fill at all City playgrounds. Excel Landscape provided a quote of \$63,000 to refurbish fiber fill to meet NPRA safety standards.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Council Priorities and the 2024-26 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Jeremy Swan
Community Services Director

Prepared by:

Cari Dillman
Community Services Manager



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5388

Item No: 12.

TO: ADAM PIRRIE, CITY MANAGER

FROM: JEREMY SWAN, COMMUNITY SERVICES DIRECTOR

DATE: DECEMBER 10, 2024

Reviewed by:

City Manager: AP

SUBJECT:

AWARD OF CONTRACT TO PINEDA GENERAL CONSTRUCTION, INC. FOR THE BLAISDELL COMMUNITY CENTER KITCHEN REMODEL PROJECT (FUNDING SOURCE: GENERAL CAPITAL PROJECTS FUND)

SUMMARY

The Blaisdell Community Center kitchen is in need of a remodel due to its age and current demand. The site has provided meal service to seniors for the past forty years and is outdated. The small kitchen was designed to serve meals to approximately thirty people daily, but now serves more than fifty people daily. Demand for lunch service is increasing; however, the facility is struggling to accommodate the need due to aging infrastructure and overcrowding.

In April 2024, the City solicited bids for the Blaisdell Community Center Kitchen Remodel Project. At the end of the bid period, no bids were received. In August 2024, staff directly contacted three contractors for quotes, two of which were non-responsive. OTL Builders, Inc. submitted a proposal of \$69,300 to complete the project. Prior to signing the contract, OTL Builders, Inc. provided the City with a revised scope of work and declined the original scope of work to which they had agreed. In October 2024, the City again solicited bids for the project. At the end of the bid period, two bids were received for \$109,595 and \$127,700.

RECOMMENDATION

Staff recommends the City Council:

- A. Award a contract to Pineda General Construction, Inc. in the amount of \$109,595 for the Blaisdell Community Center Kitchen Remodel Project and authorize a ten percent contingency in the amount of \$10,959, for a total amount not to exceed \$120,554, and authorize the City Manager to execute the agreement;
- B. Authorize the City Manager to enter into an agreement with Lotus Construction Group in the amount of \$7,000 for project management services;

- C. Appropriate \$127,554 from the General Capital Projects Fund to fully fund the Blaisdell Community Center Kitchen Remodel Project; and
- D. Authorize acceptance of \$127,554 from the Claremont Senior Foundation, Inc. to reimburse the City for the total cost of the project.

ALTERNATIVES TO RECOMMENDATION

In addition to the recommendation, there are the following alternatives:

- A. Request additional information from staff.
- B. Reject all bids and direct staff to rebid the project.

FINANCIAL REVIEW

The proposed cost of the Blaisdell Community Center Kitchen Remodel Project is \$109,595, plus a ten percent contingency of \$10,959, for a total cost of \$120,554. The cost for Lotus Construction to provide construction management services on the project is \$7,000. The total project cost is \$127,554, which will be funded using the General Capital Projects Fund. Once the project is complete, the Claremont Senior Foundation, Inc. will reimburse the City for the full cost of the project.

The staff cost to prepare this report and administer this project is estimated at \$4,946 and is included in the operating budget of the Community Services Department.

ANALYSIS

The Blaisdell Community Center serves as one of the Claremont Senior Program's two lunch sites, providing a hot meal for seniors and a friendly atmosphere that encourages socialization, fun, and ways to participate in the full array of programs and services offered by the Claremont Senior Program. However, after forty years of nonstop service as a nutrition site for seniors, the Blaisdell Community Center's kitchen is not able to keep up with the demands placed on it as a bustling congregate meal site, a source for social service referrals, and a festive special event venue. The kitchen is cramped and outdated, making it challenging for staff and volunteers to hold daily meal deliveries at a safe temperature until time for service. The electrical system is outdated and unable to meet the needs of current appliances and programs. Additionally, the Blaisdell site lacks the dishwasher and plated service available at the Joslyn Center, the other location providing senior meal service.

In response to this need, the Claremont Senior Foundation, Inc. (CSF) launched a multi-year fundraising campaign in 2019 to revamp the kitchen. The CSF is a non-profit organization that has existed since 2006 solely to serve as a steward for funds that benefit the Senior Program. Thanks to the CSF's leadership, large grants and many gifts from community donors resulted in exceeding the goal to support this initiative.

Lotus Construction Group was enlisted to draft conceptual drawings for the project and developed a scope of work that was included in the Request for Proposals (RFP) released in April 2024. The project will include the demolition and disposal of the existing appliances and fixtures, counters, cabinets, pony wall, and flooring. Following the demolition, Pineda General Construction, Inc. will install new walls and countertops per the new design. To complete the project, new flooring, electrical components, cabinets, fixtures, and cabinets will be installed. Lotus Construction Group will serve in a project management role to keep the construction project on schedule and to ensure adherence to

the scope of work.

In April 2024, an RFP was sent directly to ten contractors and posted on the City website. Six potential contractors attended the mandatory pre-bid meeting held on Thursday, May 9, 2024. At the close of the bid period, no bids were received. Per the Public Contracting Code, if the identified bid process is followed and a responsive, responsible bidder is not identified, staff may directly negotiate with a contractor. Staff directly negotiated with OTL Builders, Inc. OTL Builders agreed to the scope of work and proposed a cost of \$69,300. In September 2024, the City Council awarded contract to OTL Builders. Prior to signing the agreement, OTL Builders provided the City with a revised scope of work. OTL Builders did not agree to approximately half of the required work that was originally agreed upon and refused to sign the agreement.

In October 2024, an RFP was sent directly to six contractors and posted on the City website. Five potential contractors attended the mandatory pre-bid meeting held on November 7, 2024. At the close of the bid period, two bids were received for \$109,595 and \$127,700. Staff reviewed the proposals and determined Pineda General Construction, Inc. to be the lowest responsive, responsible bidder.

Staff recommends awarding a contract to Pineda General Construction, Inc. for the Blaisdell Community Center Kitchen Remodel Project. Pineda General Construction, Inc. has experience with similar projects. Staff contacted references for Pineda General Construction, Inc., which came back favorable. Additionally, staff recommends retaining Lotus Construction Group for project management services.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Council Priorities, Sustainable City Plan, Economic Sustainability Plan, General Plan, and the 2024-26 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Jeremy Swan
Community Services Director

Prepared by:

Cari Dillman
Community Services Manager



Claremont City Council, Financing Authority,
and Successor Agency to the Claremont
Redevelopment Agency
Agenda Report

File #: 5368

Item No: 13.

TO: ADAM PIRRIE, CITY MANAGER
FROM: JAMIE EARL, ASSISTANT CITY MANAGER
DATE: DECEMBER 10, 2024

Reviewed by:
City Manager: AP

SUBJECT:

PUBLIC TESTIMONY ON THE RENEWAL OF THE CLAREMONT TOURISM BUSINESS IMPROVEMENT DISTRICT (FUNDING SOURCE: GENERAL FUND)

SUMMARY

The Claremont Tourism Business Improvement District (CTBID) is a benefit assessment district proposed to continue a revenue source to help fund marketing programs for CTBID lodging businesses. In November 2009, the Claremont City Council approved a Resolution of Formation, which confirmed the City Council's intent to establish the CTBID and levy of assessments.

The City began collecting the CTBID assessment levy on January 1, 2010 for an initial five-year term (expiring December 31, 2014). In June 2014, the City Council approved a resolution renewing the CTBID for an additional ten-year term (January 1, 2015 to December 31, 2024).

The CTBID recently approached the City and expressed interest in extending for an additional ten-year term. On November 26, 2024, the City Council adopted a Resolution of Intention to renew the CTBID. As required by law, on December 10, 2024, the City Council will allow public testimony on the renewal of the CTBID and levy of assessments. No further City Council action will be taken during the December 10 meeting. On January 14, 2025, the City Council will hold the final public hearing required before considering a formal Resolution of Formation.

If ultimately approved, the renewed CTBID would have a ten (10) year term, beginning January 1, 2025, or as soon as possible thereafter, and ending on December 31, 2034.

RECOMMENDATION

Staff recommends the City Council allow public testimony on the renewal of the Claremont Tourism Business Improvement District and levy of assessments.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

Renewing the CTBID has no immediate financial impact on the City. Because the CTBID programs are intended to increase visitation to the City, there may be an increase in transient occupancy tax and sales tax collections.

The staff cost to review and prepare the material for this report is estimated at \$500. The staff cost to administer this program annually is estimated at \$2,200. These costs are included in the operating budgets of the Administrative Services and Financial Services Departments.

ANALYSIS

Background

Tourism Business Improvement Districts (TBIDs) utilize the efficiencies of private sector operation in the market-based promotion of tourism. These special assessment districts allow lodging business owners to organize their efforts to increase tourism. TBIDs have been used successfully in other destination areas throughout the state to improve tourism and drive additional room nights to assessed lodging businesses.

In November 2009, the Claremont City Council approved a Resolution of Formation, which confirmed the City Council's intent to establish the Claremont Tourism Business Improvement District (CTBID) and levy of assessments. The CTBID is a benefit assessment district that provides a revenue source to help fund marketing programs for CTBID lodging businesses. The City began collecting the CTBID assessment levy on January 1, 2010 for an initial five-year term (expiring December 31, 2014). In June 2014, the City Council approved a resolution renewing the CTBID for an additional ten-year term (January 1, 2015 to December 31, 2024).

The CTBID recently approached the City and expressed interest in extending for an additional ten-year term. The renewed CTBID includes all lodging businesses, existing and in the future, available for public occupancy located within the boundaries of the City of Claremont. Lodging business owners decided to pursue renewal of the CTBID in order to continue a revenue source devoted to marketing Claremont as a tourist, meeting and event destination. If renewed, the CTBID would generate approximately \$325,000 on an annual basis for promotion of travel and tourism specific to Claremont.

Lodging business owners within the CTBID fund the CTBID, and those funds are used to provide services that are desired by and benefit the lodging businesses within the CTBID.

CTBID benefits include:

- Funds cannot be diverted for other government programs;
- They are customized to fit the needs of each destination;

- They allow for a wide range of services; including: destination marketing, tourism promotion, and sales lead generation;
- They are designed, created and governed by those who will pay the assessment; and
- They provide a stable funding source for tourism promotion.

In California, TBIDs are primarily formed pursuant to the Property and Business Improvement District Law of 1994 (94 Law). This law allows for the creation of special benefit assessment districts to raise funds within a specific geographic area. The key difference between TBIDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the TBID.

Management District Plan

The Management District Plan (Attachment A) includes the proposed boundary of the TBID, a service plan, budget, and a proposed means of governance. The TBID will include all lodging businesses, existing and in the future, available for public occupancy within the boundaries of the City of Claremont.

The annual assessment rate is two percent (2%) of gross short-term sleeping room rental revenue. Based on the benefit received, assessments will not be collected on stays of more than thirty (30) consecutive days, stays by any person as to whom it is beyond the power of the City to impose the assessment, stays by any federal or state employee when on official business, or stays of any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty.

The renewed CTBID would have a ten (10) year term, beginning January 1, 2025, or as soon as possible thereafter, and end on December 31, 2034. The assessment will be implemented beginning January 1, 2025. Once per year beginning on the anniversary of CTBID renewal there is a thirty (30) day period in which business owners paying fifty percent (50%) or more of the assessment may protest and begin proceedings to terminate the CTBID.

The City of Claremont (City) will be responsible for collecting the assessment on a monthly basis from each lodging business located in the CTBID boundaries. The City shall forward the assessments to the Claremont Chamber, which will have the responsibility of managing CTBID programs as provided in the Management District Plan.

CTBID Renewal Process

November 26, 2024: RESOLUTION OF INTENTION

Upon the submission of a written petition, signed by the business owners in the renewed district who will pay more than fifty percent (50%) of the assessments proposed to be levied, the City Council may initiate proceedings to renew a district by the adoption of a resolution expressing its intention to renew a district. Petitions in favor of CTBID renewal (“Renewal Petitions”) were submitted which represent over 50% of the total CTBID assessment. Renewal Petitions can be found in Attachment C. This majority petition allowed the City Council to initiate proceedings for CTBID renewal at its November 26, 2024 meeting. The “Resolution of Intention” that was adopted by the City Council can be found in Attachment B.

November 29, 2024: NOTICE

The 94 Law requires that written notices be mailed to the owners of all businesses proposed to be

within the CTBID. The City provided the CTBID's consultant, Civitas Advisors, with this information prior to the November 26 Council meeting so that they could fulfill this requirement on the CTBID's behalf, which they did on November 29. Mailing the notice begins a mandatory forty-five (45) day period in which owners may protest CTBID renewal.

December 10, 2024: PUBLIC MEETING

Allow public testimony on the renewal of the CTBID and levy of assessments. No City Council action is required.

January 14, 2025: FINAL PUBLIC HEARING

If written protests are received from the owners of businesses in the renewed CTBID which will pay fifty percent (50%) or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than fifty percent (50%), no further proceedings to levy the proposed assessment against such businesses shall be taken for a period of one (1) year from the date of the finding of a majority protest by the City Council.

If the City Council, following the public hearing, decides to establish the renewed CTBID, the City Council shall adopt a Resolution of Formation.

LEGAL REVIEW

The Management District Plan (Attachment A) and the Resolution of Intention that was adopted by City Council (Attachment B) have been reviewed and approved as to form by the City Attorney.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Council Priorities, Economic Sustainability Plan, and the 2024-26 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Adam Pirrie
City Manager

Prepared by:

Katie Wand
Deputy City Manager

Attachments:

- A - Management District Plan
- B - Resolution of Intention
- C - Renewal Petitions



DISCOVER
CLAREMONT

**CLAREMONT TOURISM BUSINESS
IMPROVEMENT DISTRICT
MANAGEMENT DISTRICT PLAN**

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Prepared by Civitas
 (800) 999-7781
www.civitasadvisors.com



I. OVERVIEW

Developed by Claremont lodging businesses and the Claremont Chamber of Commerce (the Chamber), the Claremont Tourism Business Improvement District (CTBID) is an assessment district proposed to continue to provide specific benefits to payors, by funding marketing efforts for assessed lodging businesses. This approach has been used successfully in other destination areas throughout the country to provide the benefit of additional room night sales directly to payors. The CTBID was initially created in 2009 for a five (5) year term, and was subsequently renewed in 2014 for a ten (10) year term. The Chamber and Claremont lodging businesses now wish to renew the CTBID for an additional ten (10) year term.

Location: The renewed CTBID includes all lodging businesses, existing and in the future, available for public occupancy located within the boundaries of the City of Claremont (City), as shown on the map in Section III.

Services: The CTBID is designed to provide specific benefits directly to payors by increasing awareness and demand for room night sales. Marketing will increase demand for overnight tourism and market payors as tourist, meeting and event destinations, thereby increasing demand for room night sales.

Budget: The total CTBID annual assessment budget for the initial year of its ten (10) year operation is anticipated to be approximately \$325,000. A similar assessment budget is expected to apply to subsequent years, but this assessment budget is expected to fluctuate as room sales do and as businesses open and close.

Cost: The annual assessment rate is two percent (2%) of gross short-term sleeping room rental revenue. Based on the benefit received, assessments will not be collected on:

- Stays of more than thirty (30) consecutive days;
- Stays by any person as to whom it is beyond the power of the City to impose the assessment;
- Stays by any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty; and
- Stays by any federal or state employee when on official business.

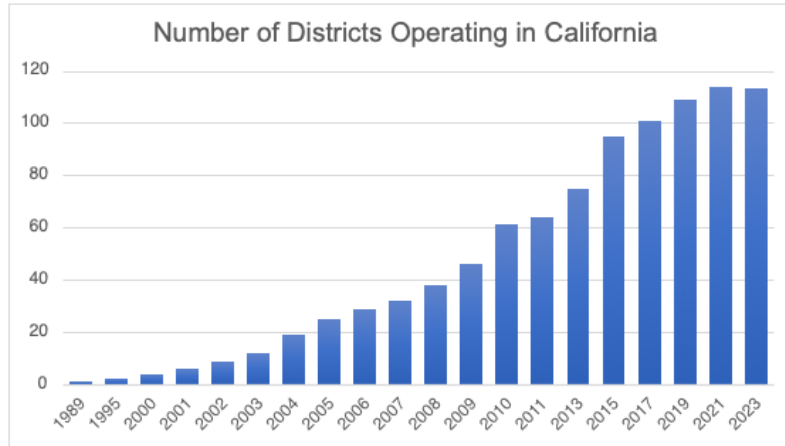
Collection: The City will be responsible for collecting the assessment on a monthly basis (including any delinquencies, interest, and overdue charges) from each lodging business located in the boundaries of the CTBID. The City shall take all reasonable efforts to collect the assessments from each assessed lodging business.

Duration: The renewed CTBID will have a ten (10) year life, beginning January 1, 2025 or as soon as possible thereafter, and ending ten (10) years from its start date. After ten (10) years, the CTBID may be renewed pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq. (94 Law) if assessed business owners support continuing the CTBID programs.

Management: The Chamber shall continue to serve as the CTBID's Owners' Association. The Owners' Association is charged with managing funds and implementing programs in accordance with this Plan, and must provide annual reports to the City Council.

II. BACKGROUND

TBIDs are an evolution of the traditional Business Improvement District. The first TBID was formed in West Hollywood, California in 1989. Since then, over 100 California destinations have followed suit. In recent years, other states have begun adopting the California model –Illinois, Minnesota, Massachusetts, Montana, South Dakota, Washington, Colorado, Texas and Louisiana have adopted TBID laws. Several other states are in the process of adopting their own legislation. The cities of Wichita, Kansas and Newark, New Jersey used an existing business improvement district law to form a TBID. Additionally, some cities, like Portland, Oregon and Memphis, Tennessee have utilized their home rule powers to create TBIDs without a state law.



California’s TBIDs collectively raise over \$300 million annually for local destination marketing. With competitors raising their budgets, and increasing rivalry for visitor dollars, it is important that Claremont lodging businesses continue to invest in stable, commerce-specific marketing programs.

TBIDs utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TBIDs allow tourism business owners to organize their efforts to increase commerce. Lodging business owners within the TBID pay an assessment and those funds are used to provide services that increase commerce.

TBIDs utilize the efficiencies of private sector operation in the

In California, most TBIDs are formed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a benefit assessment district to raise funds within a specific geographic area. *The key difference between TBIDs and other benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.*

There are many benefits to TBIDs:

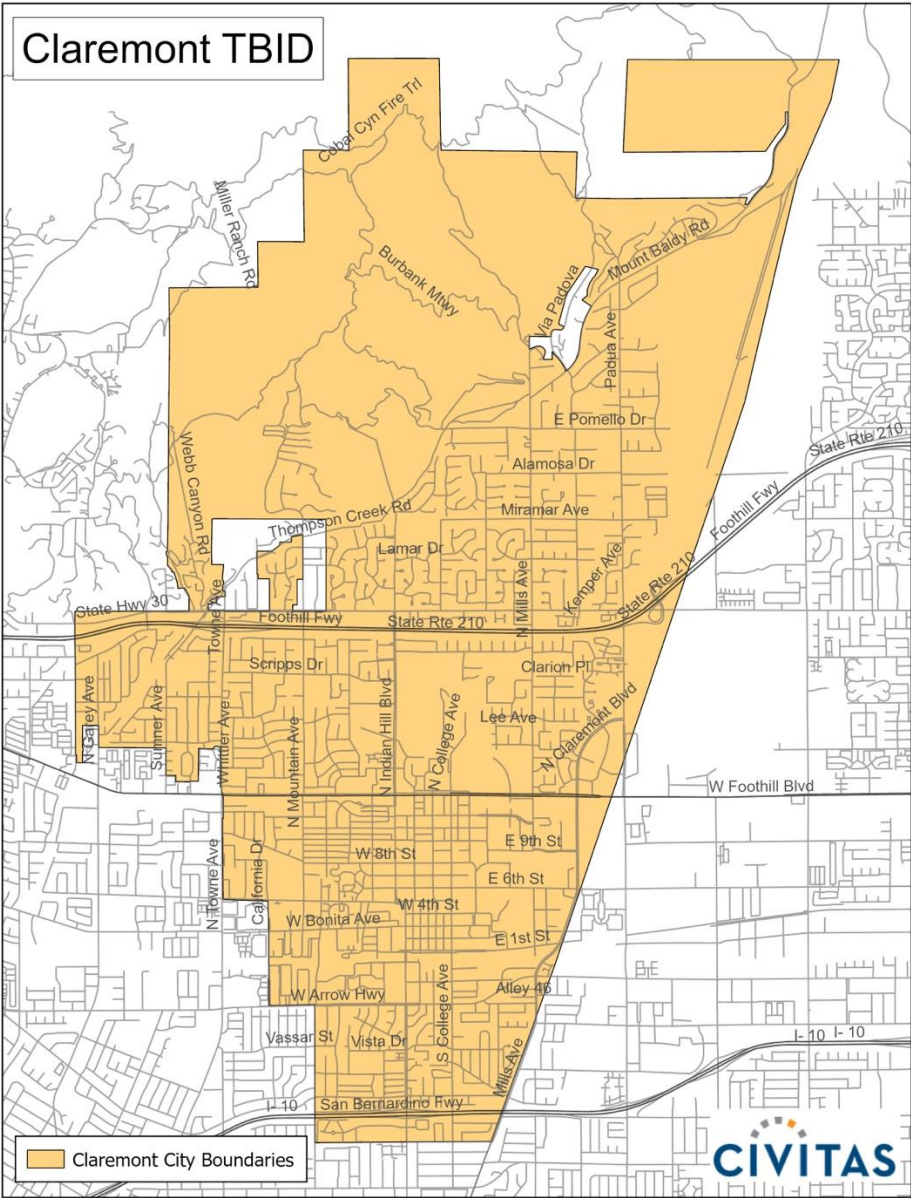
- Funds must be spent on services and improvements that provide a specific benefit only to those who pay;
- Funds cannot be diverted to general government programs;
- They are customized to fit the needs of payors in each destination;
- They allow for a wide range of services;
- They are ***designed, created and governed by those who will pay*** the assessment; and
- They provide a stable, long-term funding source for tourism promotion.

III. BOUNDARY

The CTBID will continue to include all lodging businesses, existing and in the future, available for public occupancy within the boundaries of City of Claremont, as shown in the map below.

Lodging business means: any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, motel, studio hotel, and bachelor hotel at a fixed location, or other similar structure or portion thereof.

A complete listing of assessed lodging businesses within the renewed CTBID can be found in Appendix 2.



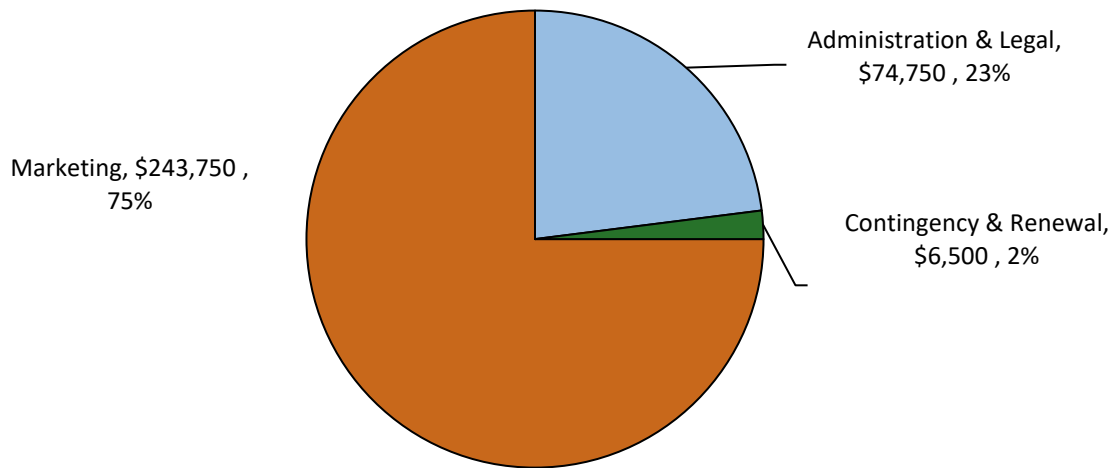
IV. ASSESSMENT BUDGET AND SERVICES

A. Annual Service Plan

Assessment funds will be spent to provide specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or granting the privileges. The privileges and services provided with the CTBID funds are marketing programs available only to assessed businesses.

A service plan assessment budget has been developed to deliver services that benefit the assessed businesses. A detailed annual assessment budget will be developed and approved by the Chamber. The chart below illustrates the initial annual assessment budget allocations. These activities and allocations will also apply in subsequent years. The total initial assessment budget is estimated to be \$325,000.

Initial Annual Assessment Budget - \$325,000



Although actual revenues will fluctuate due to market conditions, the proportional allocations of the budget shall remain the same. However, the City and the Chamber shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the CTBID, any and all assessment funds may be used for the costs of defending the CTBID.

Each budget category includes all costs related to providing that service. For example, the marketing budget includes the cost of staff time dedicated to overseeing and implementing the marketing program. Staff time dedicated purely to administrative tasks is allocated to the administration & legal portion of the budget. The costs of an individual staff member may be allocated to multiple budget categories. The staffing levels necessary to provide the services below will be determined by the Chamber on an as-needed basis.

Marketing

A marketing program will promote assessed businesses as tourist, meeting, and event destinations. The marketing program will have a central theme of promoting Claremont as a desirable place to visit.

The program will have the goal of increasing overnight visitation and room night sales at assessed businesses, and may include the following activities:

- Planning, sponsoring, and staging special events which bring overnight visitors to assessed lodging businesses;
- Print advertising featuring and driving room night sales at assessed lodging businesses;
- Internet advertising driving room night sales at assessed lodging businesses;
- Television advertising featuring and driving room night sales at assessed lodging businesses;
- Radio advertising featuring and driving room night sales at assessed lodging businesses;
- Posters, flyers, brochures, and billboards featuring and driving room night sales at assessed lodging businesses;
- Media relations activities to solicit and encourage travel journalist reviews to drive overnight visitation;
- Social media dialogue and advertising to drive overnight visitation;
- Promotional partnerships and sponsorships with other travel organizations or destinations to drive overnight visitation;
- Co-marketing with local businesses that attract overnight visitors;
- Sponsorship or partnership with event marketing and meeting planning organizations to reach decision makers and increase overnight visitation;
- Travel promotions targeted at overnight visitors;
- Advertising racks featuring promotions designed to drive room night sales at assessed businesses; and
- Services designed to improve the visitors' experience such as but not limited to, beautification, and/or creation of new Arts, Cultural and Educational activities.

Administration and Legal

The administrative and legal portion of the budget shall be utilized for administrative staffing costs, office costs, advocacy and other general administrative costs such as insurance, legal, and accounting fees.

Contingency and Renewal

A prudent portion of the budget will be set aside in a contingency fund, to be used for unforeseeable costs in carrying out the marketing programs. If at the expiration of the CTBID there are contingency funds remaining, and business owners wish to renew the CTBID, the remaining contingency funds may be used for renewal costs.

B. Annual Budget

The total ten (10) year assessment budget is projected at approximately \$325,000 annually, or \$3,250,000 through 2034. A similar assessment budget is expected to apply to subsequent years, but this budget is expected to fluctuate as room sales do and as businesses open and close.

C. California Constitutional Compliance

The CTBID assessment is not a property-based assessment subject to the requirements of Proposition 218. Courts have found Proposition 218 limited the term "assessments" to levies on real property.¹ Rather, the CTBID assessment is a business-based assessment, and is subject to Proposition 26. Pursuant to Proposition 26 all levies are a tax unless they fit one of seven exceptions. Two of these

¹ *Jarvis v. the City of San Diego* 72 Cal App. 4th 230

exceptions apply to the CTBID, a “specific benefit” and a “specific government service.” Both require that the costs of benefits or services do not exceed the reasonable costs to the City of conferring the benefits or providing the services.

1. Specific Benefit

Proposition 26 requires that assessment funds be expended on, “a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.”² The services in this Plan are designed to provide targeted benefits directly to assessed businesses, and are intended only to provide benefits and services directly to those businesses paying the assessment. These services are tailored not to serve the general public, businesses in general, or parcels of land, but rather to serve the specific businesses within the CTBID. The activities described in this Plan are specifically targeted to increase demand for room night sales for assessed lodging businesses within the boundaries of the CTBID, and are narrowly tailored. CTBID funds will be used exclusively to provide the specific benefit of increased demand for room night sales directly to the assessees. Assessment funds shall not be used to feature non-assessed lodging businesses in CTBID programs, or to directly generate sales for non-assessed businesses. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed businesses. Nothing in this Plan limits the ability of the Owners’ Association to enter into private contracts with non-assessed lodging businesses for the provision of services to those businesses.

The assessment imposed by this CTBID is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in demand for room night sales. The specific benefit of an increase in demand for room night sales for assessed lodging businesses will be provided only to lodging businesses paying the district assessment, with marketing programs promoting lodging businesses paying the CTBID assessment. The marketing programs will be designed to increase room night sales at each assessed lodging businesses. Because they are necessary to provide the marketing programs that specifically benefit the assessed lodging businesses, the administration and contingency services also provide the specific benefit of increased demand for room night sales to the assessed lodging businesses.

Although the CTBID, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, “A specific benefit is not excluded from classification as a ‘specific benefit’ merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor.”³

2. Specific Government Service

The assessment may also be utilized to provide, “a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.”⁴ The legislature has recognized that marketing and promotions services like those to be provided by the CTBID are government services within the meaning of Proposition 26⁵. Further, the legislature has determined that “a specific government service is not excluded from classification as a ‘specific government

² Cal. Const. art XIII C § 1(e)(1)

³ Government Code § 53758(a)

⁴ Cal. Const. art XIII C § 1(e)(2)

⁵ Government Code § 53758(b)

service' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor.”⁶

3. Reasonable Cost

CTBID services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. The full amount assessed will be used to provide the services described herein. Funds will be managed by the Chamber, and reports submitted on an annual basis to the City. Only assessed lodging businesses will be featured in marketing materials, receive sales leads generated from CTBID-funded activities, be featured in advertising campaigns, and benefit from other CTBID-funded services. The assessed lodging business list was compiled from records provided by the jurisdiction and complies with the requirements of the 94 Law. Pursuant to Streets and Highways Code Section 36615, the City Council's determination of ownership is final and conclusive, with no obligation to obtain other information. Non-assessed lodging businesses will not receive these, nor any other, CTBID-funded services and benefits.

The CTBID-funded programs are targeted directly to benefit assessed businesses. It is, however, possible that there will be a spill over benefit to non-assessed businesses. If non-assessed lodging businesses receive incremental room nights, that portion of the promotion or program generating those room nights shall be paid with non-CTBID funds. CTBID funds shall only be spent to benefit the assessed lodging businesses, and shall not be spent on that portion of any program which directly generates incidental room nights for non-assessed lodging businesses.

D. Assessment

The annual assessment rate is two percent (2%) of gross short-term sleeping room rental revenue. Based on the benefit received, assessments will not be collected on:

- Stays of more than thirty (30) consecutive days;
- Stays by any person as to whom it is beyond the power of the City to impose the assessment;
- Stays by any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty; and
- Stays by any federal or state employee when on official business.

The assessment was calculated based on the total cost of the activities to be provided for the benefit of the businesses within the CTBID, with costs allocated based on the proportional benefit conferred to each business. Activities funded by the CTBID, are specifically targeted to increase room nights at assessed businesses. All room night sales do not represent the same benefit to the payors. For example, a higher priced room night is of greater benefit than a lower priced room night because the assessee derives greater revenue. To account for this benefit differential and to make sure the benefits are proportional, an assessment formula based on a percentage of revenue has been selected. The proposed formula accurately reflects greater benefit to assessed businesses with higher priced room nights.

The term “gross short-term sleeping room rental revenue” as used herein means: the consideration charged for the occupancy of space in a lodging business valued in money.

Gross sleeping room rental revenue shall not include, and therefore the assessment shall not be charged upon, any federal, state or local taxes collected, including but not limited to transient occupancy taxes.

⁶ Government Code § 53758(b)

The assessment is levied upon and a direct obligation of the assessed lodging business. However, the assessed lodging business may, at its discretion, pass the assessment on to transients. The amount of assessment, if passed on to each transient, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the business. If the CTBID assessment is identified separately it shall be disclosed as the “CTBID Assessment.” As an alternative, the disclosure may include the amount of the CTBID assessment and the amount of the assessment imposed pursuant to the California Tourism Marketing Act, Government Code §13995 et seq. and shall be disclosed as the “Tourism Assessment.” The assessment is imposed solely upon, and is the sole obligation of the assessed lodging business even if it is passed on to transients. The assessment shall not be considered revenue for calculation of transient occupancy taxes.

Bonds shall not be issued.

E. Interest and Overdue Charges

Assessed businesses which are delinquent in paying the assessment shall be responsible for paying:

1. *Original Delinquency:* Any business which fails to remit any assessment within the time required shall pay an overdue charge of ten percent (10%) of the amount of the assessment in addition to the amount owed. Such overdue charge shall be added on the first day of each month after the due date thereof. The amount of such overdue charge shall in no event exceed fifty percent (50%) of the amount due. When the last day of the month in which the assessment is due falls on a Saturday, Sunday, or a state or national holiday, payment of the assessment may be made without overdue charge on the first working day of the succeeding month. Overdue charges in such cases shall attach on the second working day of the succeeding month. Postmarks shall be accepted as the date of payment made, providing that the transmitting envelope contains a post office postmark cancellation not later than the due date, has been sent to the city first class mail, postage prepaid, and has been properly addressed.
2. *Fraud:* If it is determined that the nonpayment of any assessment is due to fraud, an overdue charge of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the overdue charges stated above.
3. Every overdue charge imposed and such interest as accrues shall become a part of the assessment required to be paid.

F. Time and Manner for Collecting Assessments

The CTBID assessment will be implemented beginning January 1, 2025 or as soon as possible thereafter, and ending ten (10) years from its start date. The City will be responsible for collecting the assessment on a monthly basis (including any delinquencies, interest and overdue charges) from each assessed lodging business. The City shall take all reasonable efforts to collect the assessments from each assessed lodging business. The City shall forward the assessments collected to the Owners’ Association on a quarterly basis.

V. GOVERNANCE

A. Owners' Association

The City Council, through adoption of this Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the CTBID as defined in Streets and Highways Code §36612. The City Council has determined that the Chamber will continue to serve as the Owners' Association for the CTBID.

The Chamber shall have a Tourism Business Improvement District committee. The committee shall be charged with direct oversight of the CTBID. The committee shall be comprised of one (1) representative of each assesse, one (1) Chamber Board members, and one (1) City of Claremont representative. Action by the committee shall be taken based on a majority vote of the committee as long as the representative of at least one of the two largest assesses is in attendance and voting in the affirmative.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the Board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act.

C. Annual Report

The Chamber shall present an annual report to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

APPENDIX 1 – LAW

*** THIS DOCUMENT IS CURRENT THROUGH THE 2023 EXTRA SESSION CH 1, 2023 REGULAR SESSION CH. 890***
(ALL 2023 LEGISLATION)

STREETS AND HIGHWAYS CODE DIVISION 18. PARKING PART 7. PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

CHAPTER 1. General Provisions

ARTICLE 1. Declarations

36600. Citation of part

This part shall be known and may be cited as the “Property and Business Improvement District Law of 1994.”

36601. Legislative findings and declarations; Legislative guidance

The Legislature finds and declares all of the following:

- (a) Businesses located and operating within business districts in some of this state’s communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
- (b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
- (c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.
- (d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.
- (e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:
 - (1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.
 - (2) Job creation.
 - (3) Business attraction.
 - (4) Business retention.
 - (5) Economic growth.
 - (6) New investments.
- (f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.
- (g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.
- (h) The act amending this section is intended to provide the Legislature’s guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.
 - (1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.
 - (2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not

assessed. Therefore, for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5 Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

ARTICLE 2. Definitions

36606. “Activities”

“Activities” means, but is not limited to, all of the following that benefit businesses or real property in the district:

- (a) Promotion of public events.
- (b) Furnishing of music in any public place.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. “Assessment”

“Assessment” means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. “Business”

“Business” means all types of businesses and includes financial institutions and professions.

36608. “City”

“City” means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. “City council”

“City council” means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. “Clerk”

“Clerk” means the clerk of the legislative body.

36609.5. “General benefit”

“General benefit” means, for purposes of a property-based district, any benefit that is not a “special benefit” as defined in Section 36615.5.

36610. “Improvement”

“Improvement” means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the district.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

36611. “Management district plan”; “Plan”

“Management district plan” or “plan” means a proposal as defined in Section 36622.

36612. “Owners’ association”

“Owners’ association” means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners’ association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners’ association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners’ association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), for all records relating to activities of the district.

36614. “Property”

“Property” means real property situated within a district.

36614.5. “Property and business improvement district”; “District”

“Property and business improvement district,” or “district,” means a property and business improvement district established pursuant to this part.

36614.6. “Property-based assessment”

“Property-based assessment” means any assessment made pursuant to this part upon real property.

36614.7. “Property-based district”

“Property-based district” means any district in which a city levies a property-based assessment.

36615. “Property owner”; “Business owner”; “Owner”

“Property owner” means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. “Business owner” means any person recognized by the city as the owner of the business. “Owner” means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. “Special benefit” [Effective January 1, 2023]

(a) “Special benefit” means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

(b) “Special benefit” also includes, for purposes of a property-based district, a particular and distinct benefit provided directly to each assessed parcel within the district. Merely because parcels throughout an assessment district share the same special benefits does not make the benefits general.

36616. “Tenant”

“Tenant” means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

ARTICLE 3 Prior Law

36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

CHAPTER 2. Establishment

36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

- (a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
- (b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
 - (1) A map showing the boundaries of the district.
 - (2) Information specifying where the complete management district plan can be obtained.
 - (3) Information specifying that the complete management district plan shall be furnished upon request.
- (c) The resolution of intention described in subdivision (a) shall contain all of the following:
 - (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
 - (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:

- (a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.
- (b) The name of the proposed district.
- (c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
- (d) The improvements, maintenance, and activities proposed for each year of operation of the district and the estimated cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities

and a statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against their property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years.

Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k)

(1) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.

(3) In a property-based district, properties throughout the district may share the same special benefits. In a district with boundaries that define which parcels are to receive improvements, maintenance, or activities over and above those services provided by the city, the improvements, maintenance, or activities themselves may constitute a special benefit. The city may impose assessments that are less than the proportional special benefit conferred, but shall not impose assessments that exceed the reasonable costs of the proportional special benefit conferred. Because one or more parcels pay less than the special benefit conferred does not necessarily mean that other parcels are assessed more than the reasonable cost of their special benefit.

(l) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.

(m) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be

mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

- (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.
- (2) The number, date of adoption, and title of the resolution of intention.
- (3) The time and place where the public hearing was held concerning the establishment of the district.
- (4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.
- (5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.
- (6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the

district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

CHAPTER 3: Assessments

36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

- (a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.
- (b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.
- (c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in an action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36625. An appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of the resolution of intention

- (a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:
 - (1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
 - (2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.
- (b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

36638. Assessment as government improvised fee on Civ C § 1770 transaction [Operative July 1, 2024]

- (a) A business assessment pursuant to this part is a fee imposed by a government on the transaction for purposes of paragraph (29) of subdivision (a) of Section 1770 of the Civil Code.
- (b) This section shall become operative on July 1, 2024.

CHAPTER 3.5 Financing

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

- (a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks–Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.
- (b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.
- (c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

CHAPTER 4. Governance

36650. Report by owners' association; Approval or modification by city council

- (a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.
- (b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:
- (1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.
 - (2) The improvements, maintenance, and activities to be provided for that fiscal year.
 - (3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.
 - (4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.
 - (5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
 - (6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.
- (c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements, maintenance, and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

CHAPTER 5. Renewal

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

- (a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.
- (b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.
- (c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment

36670. Circumstances permitting disestablishment of district; Procedure

- (a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:
 - (1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.
 - (2) During the operation of the district, there shall be a 30-day period each year in which assesses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.
- (b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

- (a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by

applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

Business	Business Address
Claremont Lodge	736 S Indian Hill Blvd Claremont, CA 91711
Double Tree Hotel	555 W Foothill Blvd Claremont, CA 91711
Hotel Casa 425	425 W 1st Street Claremont, CA 91711
Motel 6	840 S Indian Hill Blvd Claremont, CA 91711
University Inn* <small>*The University Inn has been demolished and a new Residence Inn is currently under construction at the site of the former University Inn.</small>	721 S Indian Hill Blvd Claremont, CA 91711

Jurisdiction list as of October 31, 2024

RESOLUTION NO. 2024-59**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, DECLARING ITS INTENTION TO RENEW THE CLAREMONT TOURISM IMPROVEMENT DISTRICT (CTBID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF**

WHEREAS, the City of Claremont (City) created the CTBID on November 10, 2009 by Resolution No. 2009-81 and

WHEREAS, the CTBID was renewed for a ten (10) year term which ends on December 31, 2024; and

WHEREAS, the Property and Business Improvement Law of 1994, Streets and Highways Code §36600 et seq., authorizes the City to renew business improvement districts for the purposes of promoting tourism; and

WHEREAS, The Claremont Chamber, lodging business owners, and representatives from the City have met to consider the renewal of the CTBID; and

WHEREAS, The Claremont Chamber has drafted a Management District Plan (Plan) which sets forth the proposed boundary of the CTBID, a service plan and budget, and a proposed means of governance; and

WHEREAS, the renewed CTBID includes all lodging businesses, existing and in the future, available for public occupancy located within the boundaries of the City of Claremont; and

WHEREAS, lodging business who will pay more than fifty percent (50%) of the assessment under the CTBID have petitioned the City Council to renew the CTBID.

NOW THEREFORE, THE CLAREMONT CITY COUNCIL DOES HEREBY RESOLVE:

SECTION 1. The recitals set forth herein are true and correct.

SECTION 2. The City Council finds that lodging businesses that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the renewal of the CTBID. The City Council accepts the petitions and adopts this Resolution of Intention to renew the CTBID and to levy an assessment on certain lodging businesses within the CTBID boundaries in accordance with the Property and Business Improvement District Law of 1994.

SECTION 3. The City Council finds that the Plan satisfies all requirements of Streets and Highways Code §36622.

SECTION 4. The City Council declares its intention to renew the CTBID and to levy and collect assessments on lodging businesses within the CTBID boundaries pursuant to the Property and Business Improvement District Law of 1994.

SECTION 5. The CTBID shall include all lodging businesses, existing and in the future, available for public occupancy located within the boundaries of the City of Claremont, as shown in the map attached as an Exhibit.

SECTION 6. The name of the district shall be the Claremont Tourism Business Improvement District (CTBID).

SECTION 7. The annual assessment rate is two percent (2%) of gross short-term sleeping room rental revenue. Based on the benefit received, assessments will not be collected on stays of more than thirty (30) consecutive days, stays by any person as to whom it is beyond the power of the City to impose the assessment, stays by any federal or state employee when on official business, or stays of any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty.

SECTION 8. The assessments levied for the CTBID shall be applied toward marketing programs to increase demand for assessed lodging businesses in Claremont as tourist, meeting, and event destinations, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which CTBID assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.

SECTION 9. The renewed CTBID will have a ten (10) year term, beginning January 1, 2025 or as soon as possible thereafter, or as soon as possible thereafter, and ending ten (10) from its start date, unless renewed pursuant to Streets and Highways Code § 36660.

SECTION 10. Bonds shall not be issued.

SECTION 11. The time and place for the public meeting to hear testimony on establishing the CTBID and levying assessments are set for December 10, 2024, at 6:30 PM, or as soon thereafter as the matter may be heard, at the City Council Chambers located at 225 West Second Street, Claremont, CA 91711.

SECTION 12. The time and place for the public hearing to establish the CTBID and the levy of assessments are set for January 14, 2025, at 6:30 PM, or as soon thereafter as the matter may be heard, at the City Council Chambers located at 225 West Second Street, Claremont, CA 91711. The City Clerk is directed to provide written notice to the lodging businesses subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code § 36623, no later than August 16, 2024.

SECTION 13. At the public meeting and hearing the testimony of all interested persons for or against the renewal of the CTBID may be received. If at the conclusion of the public hearing, if there are of record written protests by the owners of the lodging businesses within the renewed CTBID that will pay fifty percent (50%) or more of the estimated total assessment of the entire CTBID, no further proceedings to renew the CTBID shall occur for a period of one (1) year.

SECTION 14. The complete Plan is on file with the City Clerk and may be reviewed upon request.

SECTION 15. This resolution shall take effect immediately upon its adoption by the City Council.

SECTION 16. The Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED this 26th day of November, 2024.



Mayor, City of Claremont

ATTEST:



City Clerk, City of Claremont

APPROVED AS TO FORM:



City Attorney, City of Claremont

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.
CITY OF CLAREMONT)

I, Shelley Desautels, City Clerk of the City of Claremont, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 2024-59 was regularly adopted by the City Council of said City of Claremont at a regular meeting of said Council held on the 26th day of November, 2024, by the following vote:

AYES: COUNCILMEMBERS: CALAYCAY, LEANO, MEDINA, REECE, STARK

NOES: COUNCILMEMBERS: NONE

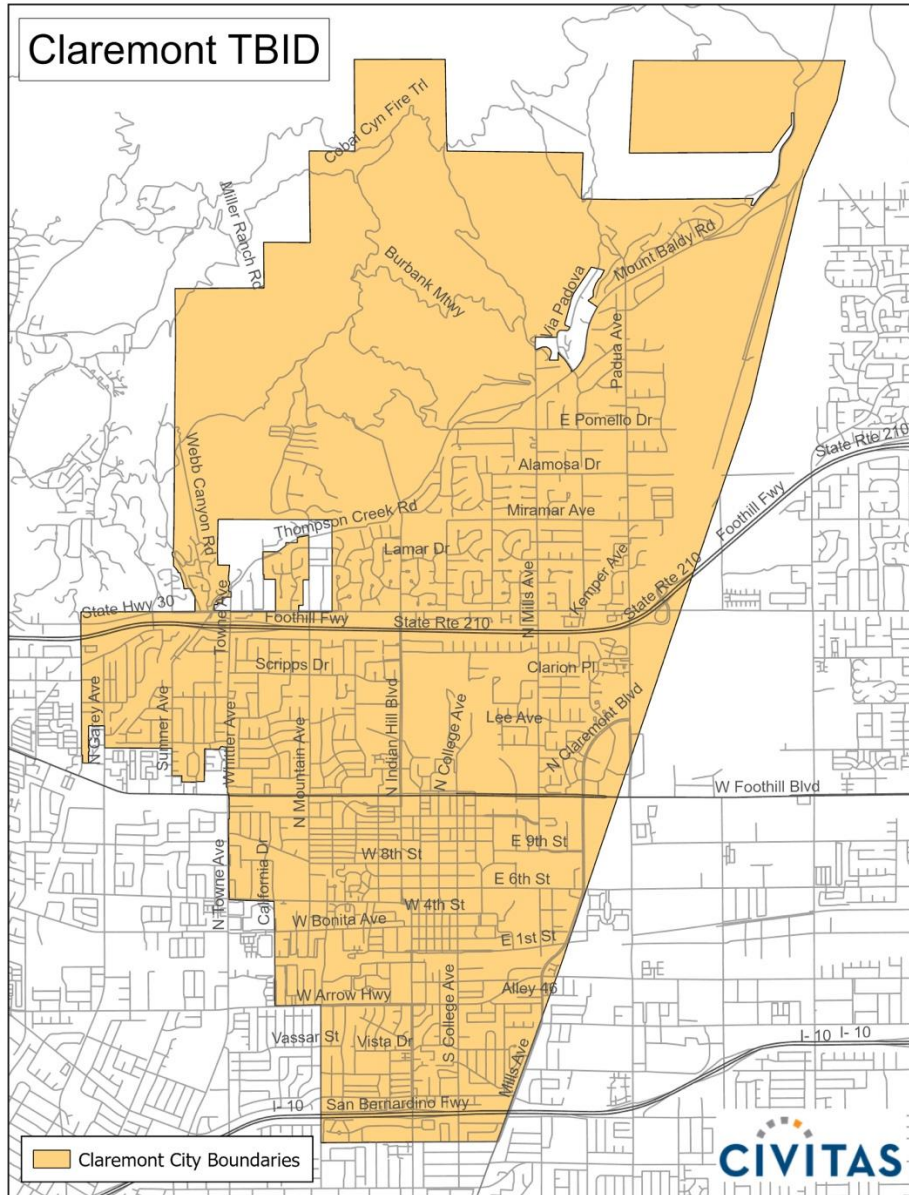
ABSTENTIONS: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE



City Clerk of the City of Claremont

District Boundaries



**PETITION TO THE CITY OF CLAREMONT
TO RENEW THE CLAREMONT TOURISM BUSINESS IMPROVEMENT DISTRICT**

We petition you to initiate proceedings to renew a Tourism Business Improvement District in accordance with the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq., for the purpose of providing services as described in the summary of the Management District Plan attached hereto as Exhibit A.

Business Establishment & Address

Business Owner

Doubletree by Hilton Claremont

Claremont Star LP

The undersigned is the business owner or the authorized representative of the business owner and is the person legally authorized and entitled to sign this petition.

Andrew Behnke

Vice President

Owner /Owner Representative Name (printed)

Title

Andrew Behnke

11/19/2024

Owner/Owner Representative Signature

Date

A complete copy of the Management District Plan will be furnished upon request. Requests for a complete copy of the Management District Plan should be made to:

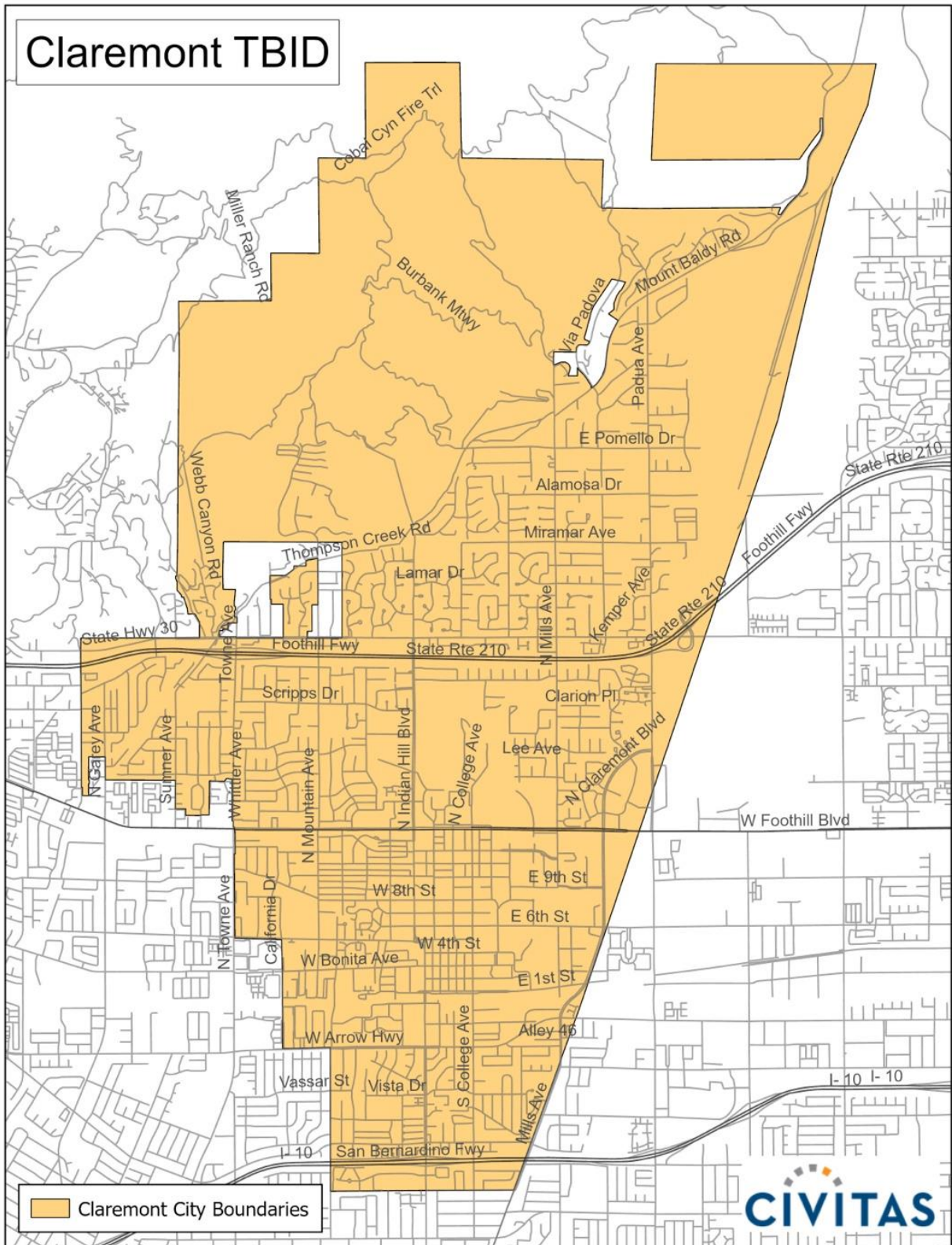
Randy Lopez
205 Yale Avenue
Claremont, CA 91711
(909) 624-1681

John Neiuber
205 Yale Avenue
Claremont, CA 91711
(909) 624-1681
jhneiuber@gmail.com

EXHIBIT A
MANAGEMENT DISTRICT PLAN SUMMARY

- Location:* The renewed Claremont Tourism Business Improvement District (CTBID) includes all lodging businesses, existing and in the future, available for public occupancy located within the boundaries of the City of Claremont (City), as shown on the map included herein.
- Services:* The CTBID is designed to provide specific benefits directly to payors by increasing awareness and demand for room night sales. Marketing will increase demand for overnight tourism and market payors as tourist, meeting and event destinations, thereby increasing demand for room night sales.
- Budget:* The total CTBID annual assessment budget for the initial year of its ten (10) year operation is anticipated to be approximately \$325,000. A similar assessment budget is expected to apply to subsequent years, but this assessment budget is expected to fluctuate as room sales do and as businesses open and close.
- Cost:* The annual assessment rate is two percent (2%) of gross short-term sleeping room rental revenue. Based on the benefit received, assessments will not be collected on:
- Stays of more than thirty (30) consecutive days;
 - Stays by any person as to whom it is beyond the power of the City to impose the assessment;
 - Stays by any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty; and
 - Stays by any federal or state employee when on official business.
- Collection:* The City will be responsible for collecting the assessment on a monthly basis (including any delinquencies, interest, and overdue charges) from each lodging business located in the boundaries of the CTBID. The City shall take all reasonable efforts to collect the assessments from each assessed lodging business.
- Duration:* The renewed CTBID will have a ten (10) year life, beginning January 1, 2025 or as soon as possible thereafter, and ending ten (10) years from its start date. After ten (10) years, the CTBID may be renewed pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq. if assessed business owners support continuing the CTBID programs.
- Management:* The Claremont Chamber of Commerce shall continue to serve as the CTBID's Owners' Association. The Owners' Association is charged with managing funds and implementing programs and must provide annual reports to the City Council.

EXHIBIT A
MANAGEMENT DISTRICT PLAN SUMMARY



**PETITION TO THE CITY OF CLAREMONT
TO RENEW THE CLAREMONT TOURISM BUSINESS IMPROVEMENT DISTRICT**

We petition you to initiate proceedings to renew a Tourism Business Improvement District in accordance with the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq., for the purpose of providing services as described in the summary of the Management District Plan attached hereto as Exhibit A.

Business Establishment & Address

Business Owner

Hotel Casa 425

Jonathan Tolkin

425 W. 1st Street, Claremont ca 91711

The undersigned is the business owner or the authorized representative of the business owner and is the person legally authorized and entitled to sign this petition.

Tara Naughtin

Director of Operat

Owner /Owner Representative Name (printed)

Title



21/11/2024

Tara (Nov 21, 2024 10:22 PST)

Owner/Owner Representative Signature

Date

A complete copy of the Management District Plan will be furnished upon request. Requests for a complete copy of the Management District Plan should be made to:

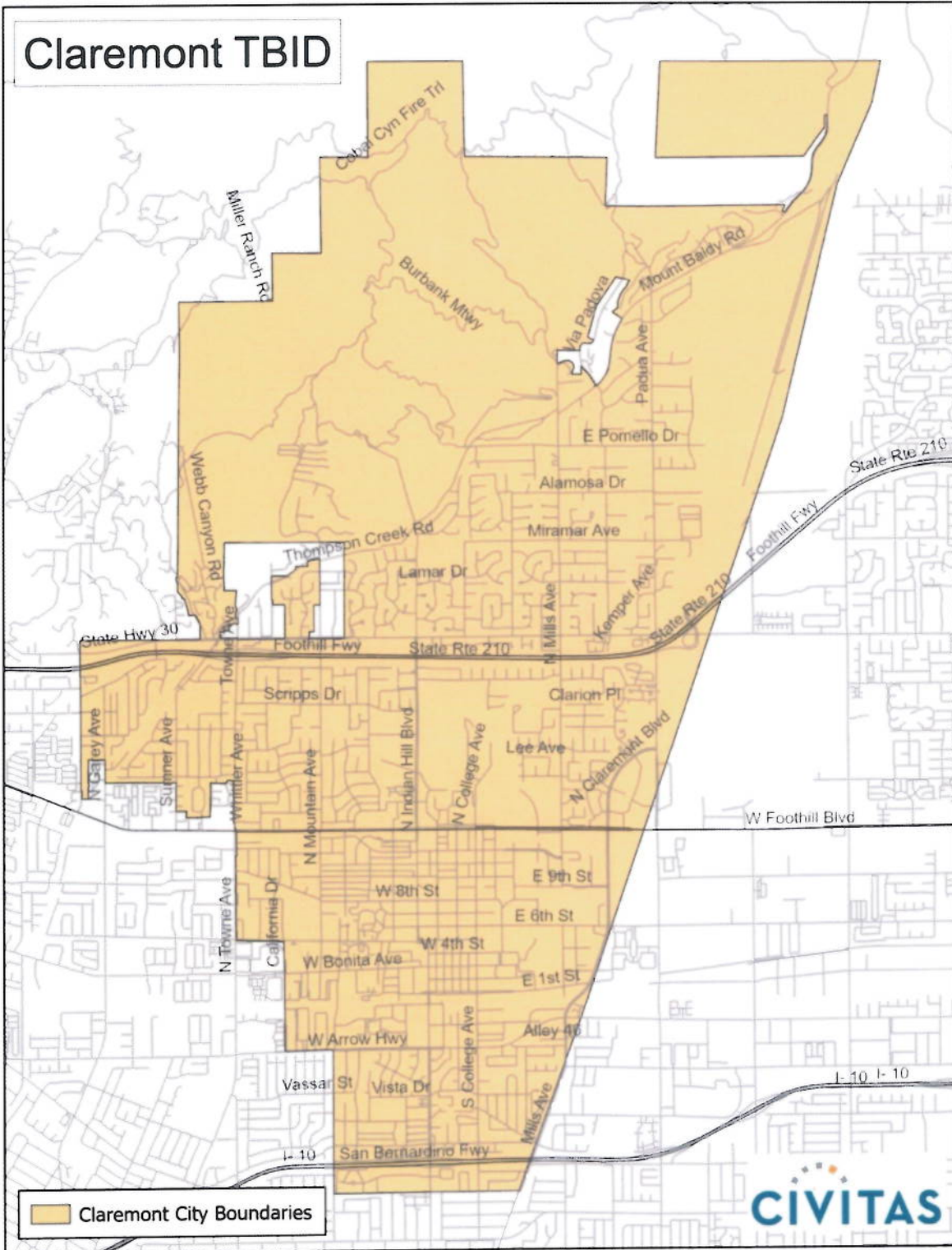
Randy Lopez
205 Yale Avenue
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EXHIBIT A
MANAGEMENT DISTRICT PLAN SUMMARY

- Location:* The renewed Claremont Tourism Business Improvement District (CTBID) includes all lodging businesses, existing and in the future, available for public occupancy located within the boundaries of the City of Claremont (City), as shown on the map included herein.
- Services:* The CTBID is designed to provide specific benefits directly to payors by increasing awareness and demand for room night sales. Marketing will increase demand for overnight tourism and market payors as tourist, meeting and event destinations, thereby increasing demand for room night sales.
- Budget:* The total CTBID annual assessment budget for the initial year of its ten (10) year operation is anticipated to be approximately \$325,000. A similar assessment budget is expected to apply to subsequent years, but this assessment budget is expected to fluctuate as room sales do and as businesses open and close.
- Cost:* The annual assessment rate is two percent (2%) of gross short-term sleeping room rental revenue. Based on the benefit received, assessments will not be collected on:
- Stays of more than thirty (30) consecutive days;
 - Stays by any person as to whom it is beyond the power of the City to impose the assessment;
 - Stays by any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty; and
 - Stays by any federal or state employee when on official business.
- Collection:* The City will be responsible for collecting the assessment on a monthly basis (including any delinquencies, interest, and overdue charges) from each lodging business located in the boundaries of the CTBID. The City shall take all reasonable efforts to collect the assessments from each assessed lodging business.
- Duration:* The renewed CTBID will have a ten (10) year life, beginning January 1, 2025 or as soon as possible thereafter, and ending ten (10) years from its start date. After ten (10) years, the CTBID may be renewed pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq. if assessed business owners support continuing the CTBID programs.
- Management:* The Claremont Chamber of Commerce shall continue to serve as the CTBID's Owners' Association. The Owners' Association is charged with managing funds and implementing programs and must provide annual reports to the City Council.

EXHIBIT A
MANAGEMENT DISTRICT PLAN SUMMARY



Petition CTBID

Final Audit Report

2024-11-21

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