

WILSON SIGNS CHURCH BILL (AB 133)

On September 30 Governor Wilson signed AB 133, the bill that prohibits any local government from designating churches and other religious property as local historic landmarks. The Governor was heavily lobbied by both sides, but we had hoped for a different result and we can offer no rationale for Wilson's action on this bill.

The battle to stop this bill consumed the month of August. With San Francisco Heritage opening important doors, Senator Quentin Kopp was willing to initiate the preparation of amendments to the bill which would have reintroduced sanity to this issue. What we proposed would have allowed churches to demonstrate — not just allege — that historic designation truly was a hardship, and those facts would be a key factor in any designation proceeding. We also proposed language reaffirming that religious institutions had defined constitutional protections, and that these could not be violated. San Francisco church representatives were unwilling to seriously discuss these amendments.

With strong support from the National Trust, and in concert with the Planning and Conservation League, League of California Cities and the AIA, we moved to reverse an earlier Senate Committee vote on the Senate floor. Senator Petris agreed to carry our floor amendments.

(go to page 2)

RIVERSIDE TO HOST 20th ANNUAL STATE PRESERVATION CONFERENCE

Mark your calendars for the 20th California Preservation Conference, scheduled for June 1 through 4, 1995 in Riverside. Appropriately, the historic Mission Inn Hotel has been selected as the site of the 1995 conference. The very first California Preservation Conference was held here in 1976 to bring attention to the Inn's historical and architectural significance and its then endangered property status. As a result of this exposure the Mission Inn was designated a National Historic Landmark.

This designation stimulated efforts by the Riverside Redevelopment Agency to preserve the hotel. After being closed off and on during rehabilitation, work was nearly complete — but at the peak of the recession. Another two years passed before the hotel was purchased by Duane Roberts, a prominent local business man, on Christmas Eve of 1992. It opened one week later to usher in the New Year. The grand opening was May 1993.

More than one year later, the hotel is both a preservation and economic success story. Adopting original owner Frank Miller's philosophy, Mr. Roberts has continued to enhance the beauty and ambience of the Inn by restoring and returning many of the treasured artifacts and art works that once gave the Inn its reputation.

(more on page 4)



*The Mission Inn's St. Francis Chapel
(pen and ink drawing by Judy Field)*

WILSON SIGNS AB 133 (from page 1)

Senators Petris, Kopp and Tom Campbell led the debate for the amendments and we received support from Senators Alfred Alquist, Daniel Boatwright, Ralph Dills, Gary Hart, Tom Hayden, Patrick Johnston, Lucy Killea, Bill Lockyer, Milton Marks, Dan McCorquodale, Herschel Rosenthal, and Michael Thompson.

Simply stated, those voting for the Petris amendments may be seen as the "liberals" who viewed the church bill as a violation of home rule principles, holding instead that local government was fully capable of handling designation controversies without State interference. "Conservatives" generally saw the issue in terms of private property rights and voted against the Petris amendments — voting against the idea of land use regulation more than for a bill promoted by Catholic Church interests.

Our main hopes were pinned on the Senate floor vote which took place on August 29. Despite an almost daily habit of preparing "floor alerts" at each stage of the game, there was limited opposition, led by Assemblyman Mike Gotch of San Diego. When the Assembly voted late on the last day of session the bill passed easily in a chamber Willie Brown controls. Those voting against AB 133 — and deserving our thanks — were Tom Bates, Debra Bowen, John Burton, Luis Caldera, Terry Friedman, Mike Gotch, Burt Margolin, Bill Morrow and Byron Sher.

Despite the final results, your willingness to contact elected representatives made a huge difference. We did very well in the Senate and the AB 133 proponents were clearly worried about how the vote would go.

Senator Petris was a terrific advocate for our position and was brilliantly supported by Senators Kopp and Campbell. These men

deserve real gratitude because this issue was a sticky one and many legislators ducked for cover because they were told AB 133 was all about religious freedom.

Now, what does this all mean? Local government still has jurisdiction over land use in the community. Historic property, "land-marked" or not, is still subject to CEQA. The demolition of any significant structure in your town should be a matter for an EIR. Make sure that continues to be the case.

Finally, the legal minds in the preservation community suggest that the final version of AB 133, being a clear case of preferential legislation solely for religious property, has a severe constitutionality problem. We suspect the courts will have the opportunity to confirm this view and the interested parties are exploring various legal options as we go to press.

The battle over AB 133 may have national implications. Was this bill targeted by "wise use" proponents and will we see variations of this bill in other states as anti-regulation forces attempt to undo many years of environmental land use law, attacking historic designation procedures as a weak point?

The National Trust came in heavy on this bill, unlike anything we have seen in California for many years. We are grateful to the Trust for the special attention given to this bill which accounts for the flurry of lobbying pieces — way beyond what our limited financial resources would permit — that some of you may have received. We were also graced with legal help from Zane Gresham of Morrison & Foerster, a major San Francisco law firm. Gresham's analysis of the constitutional questions raised by AB 133 was fine work, well researched, and it will prove to be very useful in building the case for a legal challenge.

This battle is not over yet. Stay tuned.



Design Awards Program set for Berkeley, February 11, 1995

Applications for the 12th Annual Design Awards competition are now available. If you know of a strong candidate for this prestigious award in your town, call immediately for the application brochure. Submissions are due no later than November 29.



(photo courtesy of Susan Cerny)

The Design Awards event will be held in Berkeley's Town and Gown Club, the masterful creation of Bernard Maybeck. A late afternoon lecture on Maybeck and his career work has been planned to enhance this event. Invitations will be in the mail in January.

Some Changes in the Works

The Foundation is in the midst of rethinking its broad program offerings. We are pleased that so many of the workshop themes pioneered by CPF are being picked up by local preservation groups and presented in a

local context. This trend is a good sign that our movement is maturing. CPF will continue to produce more specialized presentations as we have in the past, e.g., the first workshops on historic preservation and ADA, on the use of computers, and on hazardous materials in historic buildings. But, as local workshops and seminars proliferate, CPF's need to diversify in order to maintain financial stability is obvious.

We have been staging the Design Awards Event separately from the Annual Conference for three years now. With a "Maybeck and Berkeley" lecture this year we are beginning to move that event in a larger, educational direction so that the program is more than simply a presentation of awards.

CPF's efforts to diversify our program will not eliminate workshops. We are planning a "cultural landscapes" workshop for January, in Southern California, "successful design solutions" programs in both sections of the state next April, and we may reproduce the affordable housing workshops in the Sacramento and San Diego areas.

The focus on affordable housing in historic buildings will continue as we establish longer term working relationships with non-profit affordable housing providers. CPF is also returning to the question of "disaster management" thanks to a grant from "Partners for Earthquake Response." Learning from the Northridge Earthquake should help us identify those public policy areas where improvements are necessary, much as was done with *History at Risk* following the 1989 Loma Prieta Earthquake. We will report more on these focal efforts as they evolve.

We intend to keep CPF out front, producing new programs and new information that you can use in your town. Count on it!

Ruthann Lehrer, President

Riverside Conference (continued from page 1)



It is fitting that, after twenty years, the Conference returns to the beautifully restored Mission Inn to celebrate its success. As the conference headquarters, the Mission Inn will serve as an example of the economic, esthetic and educational value of investing in the preservation of our nation's heritage.

Located in the center of Riverside's original historic Mile Square, the Inn is the heart of Riverside's downtown. Seventh Street, designed by early planner Charles Cheney, boasts seven other National Register listed structures all within easy walking distance of the Mission Inn. Several of these will serve as conference venues, including the Municipal Auditorium, the Congregational Church, the Municipal Museum, and the Unitarian Universalist Church.

Sessions will focus on preservation and planning, the preservation of sacred structures and historic landscapes, using historic preservation as an economic development tool, preserving history through art-in-public places, and transportation impacts on historic communities. Riverside's many fine historic resources will be the focus of workshops and seminars on these and other current issues facing every community. The conference is structured to appeal to professionals as well as community volunteers and preservation advocates.

Riverside's balmy evenings make it a perfect place for out-of-door evening events. Some conference planners are threatening to make the opening pool side reception a celebrity splash event, so come prepared. "Three Minute Success Stories," the usual hit of the conference, takes place in the historic Fox Theater, site of "Gone With the Wind's" 1939 preview and the present home of the Riverside Film Festival. The "Stories" will be followed by the showing of a classic preservation film. The annual Saturday night Gala and auction will indeed be a celebration in the beautifully restored Mission Inn Music Room.

To make it easier for conferees to stay for the Gala, the Mission Inn is offering discounted rates, and for those staying both Friday and Saturday nights, the acclaimed Sunday Brunch will be included. With this incentive, conferees might also plan to take in at least one of the Sunday tours to other Inland Empire communities, including Redlands, Palm Springs and Claremont.



Historic downtown churches — such as the Universalist Unitarian Church, designed by A.C. Willard and constructed by A.W. Boggs in 1891 — will welcome conferees on Sunday, June 4, with post-service receptions and informal conversation about the issues facing the preservation of sacred structures.

Photo credits: Michael Elderman



Municipal Auditorium, designed by Arthur Benton and G. Stanley Wilson, 1927-29 (Photo: Michael Elderman)

The 1995 Conference Local Planning Committee represents a broad cross section of the community, and the many preservation organizations and institutions in the Riverside area. The Riverside Redevelopment Agency, our Local Cosponsor, is providing major support for the conference, certain that you will see and appreciate how redevelopment can promote historic preservation. All are anxious to be your hosts, to share their preservation successes, and to learn from your experiences. The 20th Annual State Preservation Conference celebrates the Mission Inn, a great success resulting, in part, from the first conference held here in 1976. Come to Riverside, June 1 through 4, 1995, and join the celebration.

Remember that the conference experience is heightened by participating in "Three-Minute-Success Stories" and by nominating candidates for Preservationist of the Year or President's Awards. Applications will be available soon.

For more information on the conference, please call Marion Mitchell-Wilson or Anthea Hartig in the City of Riverside's Office of Historic Preservation (909) 782-5371.

Other Happenings

San Diego — SOHO (Save Our Heritage Organisation) has been joined in a court appeal by CPF, the National Trust and Resources Agency to challenge the demolition of historic Gaslamp Quarter buildings. CPF attorney Susan Brandt-Hawley, who filed our *Amicus* brief, notes that, "... once again, as in Glendora, judges have trouble understanding that National Register eligibility requires full CEQA compliance." Two 1890s buildings, the T.M. Cobb Warehouse and the First and Last Chance Saloon are at risk.

Oakland — A plan for the mixed-use development of Merritt College/University High School, using federal tax credits, has been proposed IDG/Baner Urban Ventures. The last stumbling block to rehabilitation and reuse of this long-vacant historic school still seems to be the City's Office of Housing and Neighborhood Development which, despite a viable plan for a certifiable project in front of them, wants to retain the option to demolish some significant contributing buildings without losing the historic tax credits. OHP and the National Park Service say no deal !

South Pasadena — 710 opponents were very disappointed Governor Wilson signed AB 2556 (Martinez) but vow they will stand firm. The Martinez bill, which allows CalTrans to bypass normal concurrence by cities impacted by transportation projects, narrowly passed the Assembly late in the session and the coalition working to defeat the bill had hopes of a Wilson veto.

The Federal Highways Administration still must approve the CalTrans plan for the 6.2 mile freeway, but the No on 710 Coalition still hopes the "low build alternative" will be preferred because of the enormous cost-savings and greatly reduced impacts on historic districts. If not, there will be litigation.

STATE HISTORICAL BUILDING CODE: Board Battles for Respect

CMSI The fate of the 1912 California Exposition (Ahmanson) Building, Los Angeles' oldest major civic building, remains uncertain. Bids for its demolition were opened on August 24th, with demolition to commence October 1st, but Senator Petris has requested that the Attorney General withhold approval of the demolition contract until an investigation by the State Auditor has been completed.

At issue is the way in which this project evolved. The Auditor's investigation is required by legislative language accompanying the funding bill. A number of legislators felt they were misled when they approved \$45 million for the California Museum of Science and Industry (CMSI) which occupies this and other buildings in Los Angeles' Exposition Park. Two of CMSI's major buildings were closed to museum patrons, although not closed for other purposes, because of seismic safety concerns.

It is certain that at least some of the Legislators voted to appropriate this large sum (out of the \$300 million Seismic Retrofit Bonds approved by the voters subsequent to the Loma Prieta Earthquake) believing that seismic retrofit of these historic resources would be the outcome, not virtual demolition. Instead, CMSI has pursued its efforts to eliminate the Exposition Building and abandon the neighboring historic Armory as well. In a gesture to the preservation community, CMSI modified its original plan in order to retain as a relic a fraction of the Exposition Building's original perimeter wall.

Designed and built by the State of California to showcase the varied and exotic products of the 6th Agricultural District (on whose fairgrounds it was built), the building's exterior reflects the highly decorative and endur-

ing Tuscan Revival style, which features rich tapestries of brick masonry, embellished with terra cotta ornament, and roofed with red mission tile. It is a style typical of UCLA's and USC's academic cores. An extensive sunken rose garden was planted in front of the Exposition Hall, facing the USC Campus. Two flanking buildings, the Los Angeles Museum of Natural History and the Los Angeles Armory, were soon added. This grouping of fine old buildings, enclosing the historic Rose Garden, remains the last place in Los Angeles where one can stand outdoors, look all around, and gain some sense of pre-World War I Los Angeles.

The museum was sandblasted, painted white and its principal entrance was severely altered in the 1960s, and numerous insensitive interior modifications were made as well. Yet the great over-arching steel trusses remain, as do parts of the original clear heart redwood ceiling; and even fragments of the original richly polychromed decorative designs remain on concrete beams. Renamed the Ahmanson Building in the 1980s, it has been the California Museum of Science and Industry's principal exhibit building since CMSI began operations. Although the building currently stands as a monument to architectural and cultural insensitivity, its historic appearance is reclaimable. Both OHP and the State Historical Building Safety Board (SHBSB) provided the Museum board with alternate schemes that would strengthen and return most of the building to a realistic level of historic integrity, meet museum space needs and do so with a much lower pricetag. The Northridge Earthquake, which did \$35 million damage to the adjacent Los Angeles Coliseum, did negligible damage to the Ahmanson.

However, the CMSI board was not much interested in the views of OHP or the State Historical Building Safety Board. CMSI went through the motions, belatedly, of allowing

More on the SHBSB

for review by the State's preservation experts, and when forced by the Legislature to forego Seismic bond monies, CMSI found another state funding source for the project as designed.

Thus far CMSI has been able to ignore its mandated responsibility to use, protect, and restore, when feasible (and the feasibility can no longer be in serious doubt) state-owned historic property. CMSI simply wants to house its museum in a new building and has the political support within the administration to go ahead with its original plans.

SHBSB Funding Oddly, just as the Legislature began to take another look at the funding sources for the CMSI project, the State Historical Building Safety Board learned that its own funding for this next fiscal year had been cut from the budget ... not for the first time in recent years. While we have been assured that enough money to retain the SHBSB's single staff member has since been discovered, it is not clear that the staff responsibilities will remain the same. Funding for Board operations has not been budgeted, however, and the State Historical Building Safety Board may have to find external funding to cover basic operations such as holding meetings.

ADA GUIDE On another front, we have just received a copy of the State Department of Rehabilitation's ADA "Access Guide" which baldly proclaims:

"Alterations to a qualified historic building or facility must comply with the ADA and California Title 24, unless such compliance would destroy the historic significance of the building. In such cases, alternative requirements may be used as described in the ADAAG and California State Historic building Code. State and local government buildings which do not have historic preservation as a primary purpose, may not use the alternative requirements (28 CFR Part 35.150). (our underlining)

This is not the whole story and, as a result, the statement quoted above is misleading at best. The federal regulations citation is meant to suggest that there are no questions about this interpretation, i.e., it's *the law*, but ADA is not that simple. The State Historical Building Safety Board holds a much different opinion of ADA's intent — both the spirit and the letter of the law. Did the Board have an opportunity to review this document and further define this single paragraph? Of course not.

Unfortunately, this "Access Guide" has gone out to every local jurisdiction in the state, without any further discussion of the treatment of historic buildings other than the simplistic paragraph we quoted. It is likely that many building departments will see this as the authoritative document, and may be less inclined to be as flexible as the law really allows. We alert you to this problem now, and hope we can report that a fuller treatment of the subject of ADA and historic buildings will be developed for the next edition of the Department of Rehabilitation's Access Guide due in April.

WHAT'S THE PROBLEM HERE ? The State Historical Building Safety Board is in its twentieth year of existence. The beneficial effects of having an alternate code are generally known and accepted. The use of the code is mandated at the local level (and *Prentice v. City of South Pasadena* reaffirms this fact) and the ability of the Board and staff to provide good solutions to some difficult building code questions — preserving historic integrity without sacrificing life safety — is a given. California's program is viewed nationally as a pace-setter. The major problem, after twenty years, is that the State won't provide the program adequate support, and State agencies and institutions continue to ignore the board's legitimate prerogatives.

WE THANK THOSE WHO SUPPORT OUR WORK - CPF Contributors from July through September

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*Our Guerneville friends
tells us, and we are
delighted to report that
DINO is saved ! Dino's
home, the Pee Wee Golf
Course, was to be
destroyed by the new
bridge CalTrans is
building next to the
historic bridge. But Dino
was offered for adoption
by CalTrans and has
been promised a loving
new home by next door
neighbor, Jerry Skaggs.
Dino predates the 1948
Pee Wee Golf by millions
of years, of course.*

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Jurgensen's Old Corner Saloon



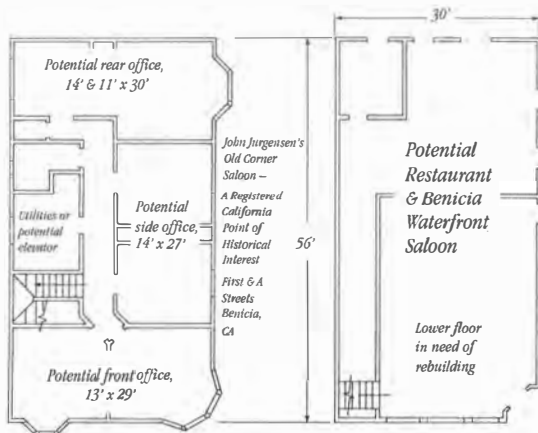
Prime Time Waterfront Property

Benicia recently completed \$1 million worth of public improvements with the new waterfront seawall and promenade, turnaround, paving and lighting. The adjacent Southern Pacific Railroad Depot is receiving a \$300,000 grant from the Intermodal Surface Transportation Efficiency Act (ISTEA) + \$40,000 worth of matching City funds for its refurbishing and landscaping. The City is also negotiating for a ferry service to the Bay Area...

Who will become the new restaurateur/entrepreneur for the City-owned Jurgensen's Old Corner Saloon, once author Jack London's favorite watering hole when visiting Benicia.

Call City Manager Michael Warren at (707) 746-4210 or send him your best proposal - City Hall, 250 East L Street, Benicia, CA 94510 USA.

Peter Bray, Waterfront Task Force Member



Existing Upper Floor

Peter Bray

We were remiss

In the last issue of *California Preservation* we neglected to credit the great camera work done by our "official photographer" for the State Conference in Sacramento:

Joe Perfecto
Perfecto Media Services
318 U Street
Sacramento, CA 45818
(916)448-4456

He never complained ...
 Joe, we apologize for the oversight.

MARTIN ELI WEIL
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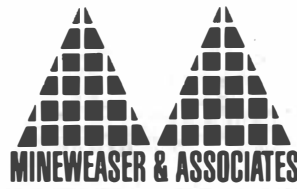
CPF is pleased to offer excellent opportunities for businesses and organizations to reach preservation-minded consumers statewide. Business card-sized advertisements are now being accepted for the quarterly newsletter and for materials distributed at the Annual Preservation Conference.

California Preservation reaches thousands of readers, including architects, developers, historic building owners, local government officials and preservation advocates.

The Annual California Preservation Conference is the major gathering for those in the preservation field. In recent years, the conference has drawn between 500 and 1000 participants; your advertisement in CPF materials will reach professionals and enthusiasts from the public, private and non-profit sectors. The fee schedule follows:

Newspletters:	\$ 50 each, 4 for \$150
Annual Conference:	\$150
Both opportunities above:	\$250

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PLEASE NOTE :

The Society for California Archaeology holds its Annual Meeting in Eureka on April 5-9, 1995. Are you ready for another earthquake.

The Local Government Commission's Second Annual Conference, "Putting Our Communities Back On Their Feet: Towards Better Land Use Planning," on May 4-5, 1994, Biltmore Hotel, Los Angeles. For more information: Michele Kelso at (916)448-1198.

Deco by the Bay: Art Deco Architecture in the San Francisco Bay Area, by Michael Crowe, a lavish publication from Viking Studio Books due for publication in February. We will be looking for this one !

Newsletters are produced by John Merritt, with the assistance of Debi Howell. Contributors to this issue were Ruthann Lehrer and Marion Mitchell-Wilson . You too can send in contributions; please include a black & white glossy photo to illustrate your story.

ARE YOU PART OF THE SOLUTION ?

The Board of Trustees and staff of the Foundation are dedicated to helping local preservationists succeed. Do feel free to call our Oakland office for assistance ... or contact a board member in your area. We also need your help as we all work hard to **IMPROVE THE CLIMATE FOR PRESERVATION IN CALIFORNIA.** If you would like to host a CPF membership event in your community, please contact our office at (510)763-0972.

SOLUTION — JOIN CPF !

To be fully aware of Foundation activities and to receive newsletters or other mailings, you must become a CPF member. CPF tries to provide levels

of membership nearly everyone can afford. We assure you, your tax-deductible contribution keeps us here working for you.

NEW MEMBERSHIP CATEGORY

In order to accommodate two people living in the same household, CPF is now offering a new reduced "Family" rate at \$50. Past confusions about who the "individual member" actually was should be resolved. Both people in the "family" are members !

MEMBERSHIP OPPORTUNITIES

Individuals and Libraries may join CPF at the \$35 "individual" rate.

"Family", a new category, covers both adults in your household for \$50.

"Sponsors" (\$150) are those who really like what we do and want to give more.

The **"Partners"** category (\$500) is CPF's special donor group, and Partners are afforded special benefits - call for more information.

Non-profit organization dues are \$75. All board and staff will receive program (workshops and conference) discounts.

"Government" and "Business" categories are \$100. The rate includes automatic membership benefits for all those associated with the government or business entity, such as board members and staff assigned to a Landmarks Commission.

"Full-Time Students" and **"Senior"** rates are \$20, and we hesitate to decide for you when it is that you become a "senior," but suggest 60-plus is the line.

HELP STRENGTHEN PRESERVATION IN CALIFORNIA — BECOME AN ACTIVE MEMBER OF CPF !

Your contribution helps support workshops, research, publications, legislative efforts, conferences and direct local assistance. Clip and send this coupon with your tax-deductible membership contribution to the California Preservation Foundation, 1615 Broadway, Suite 705, Oakland, CA 94612.

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Name(s): _____
Address: _____
City: _____ Zip: _____
Home Phone: (____) _____ Work: (____) _____

I am interested in state legislative issues; put me on the CPFAN (CPF Action Network) list.

MEMBERSHIP CATEGORIES:

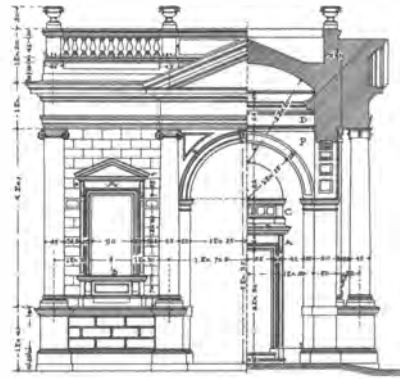
Individual or Library MEMBER —	\$35.00
Family/household MEMBER —	\$50.00
Non-Profit Organization MEMBER —	\$75.00
Business or Government MEMBER —	\$100.00
Student or Senior (over 60) MEMBER —	\$20.00
Individual or Organization SPONSOR —	\$150.00
Preservation PARTNER —	\$500.00



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**12th Annual Preservation Design Awards
CALL FOR ENTRIES**

Application forms are now available for CPF's 1995 Preservation Design Awards. Applications must be returned to CPF's Oakland office no later than November 29. This year's jury of Blair Prentice, Urban Designer (Berkeley), Steade Craigo (OHP), David Look (NPS), Dan Peterson, Architect (Point Richmond), and Kathryn Smith, Architectural Historian (SCI Arch), will be looking for excellence in preservation design and planning for the presentation of awards at Bernard Maybeck's Town and Gown Club (Berkeley) on February 11, 1995. Submit your best preservation projects now.



**CALIFORNIA PRESERVATION
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(see page 8)