
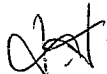


**STAFF REPORT TO THE MAYOR AND CITY COUNCIL FOR  
CONSIDERATION AT THE COUNCIL MEETING OF JULY 12, 2011**

**PREPARED BY:** Brian Nunnally, Economic Development Analyst 

**APPROVED BY:** Jim Jakel, City Manager 

**DATE:** June 30, 2011

**SUBJECT:** Consider a proposal from the non-profit Friends of Roswell Butler Hard House for the restoration and preservation of the Hard House

**RECOMMENDATION:**

Provide direction on the proposal from the Friends of Roswell Butler Hard House regarding their restoration project and ownership of the Property

**SUMMARY:**

Please Note: The following Staff Report is a slightly revised version of the Staff Report prepared for the May 25, 2010 City Council meeting when the Friends of Roswell Butler Hard House previously submitted this proposal.

The City of Antioch owns the Roswell Butler Hard House (House), which is recognized on the National Registry of Historic Buildings. Over the years the House has become dilapidated and is in currently uninhabitable. A committee, made up of members of the Antioch Historical Society, has decided they would like to renovate, restore and preserve the House. In order to position themselves to receive grants and other funding, the committee formed a separate non-profit known as the Friends of Roswell Butler Hard House (Friends). City Staff met with the Friends last year and received its restoration and ownership proposal. Staff is seeking City Council direction on the proposal.

**BACKGROUND:**

Last year The Friends made the following recommendations for the Hard House:

1. The House should be rehabilitated and restored and not reconstructed.
2. The House should be restored to its original footprint and architecture of 1869 (a rear addition would be removed).
3. The House should be owned by the newly formed private non-profit, 501 (c) (3) as this will create the highest financial potential of restoring the property.
4. The City of Antioch should transfer title of the Hard House and land to the non-profit with the property to be used for public benefit; and, if the non-profit dissolves anytime in the future, the first choice will be the transfer of the real property back to the City or, if declined, then to the Antioch Historical Society for future protection.

Staff is encouraged by the work of the Friends and their goal of restoring the House. It is exciting to think that the House may one day become a treasure of downtown Antioch. To that end, to provide the structure for a future Agreement with the Friends, and to protect the City from future liability, staff has the following recommendations and would like Council direction:

**Structural Integrity:** The Hard House is recognized on the National Registry of Historic Buildings, which may subject the renovation of the building to different standards than would otherwise apply. The Hard House has not been occupied nor maintained for many years, adding significantly to the renovation work that will be required. Therefore, staff recommends that the City require that the Friends of Roswell Butler Hard House provide the following information:

- A structural renovation plan, developed by a certified engineer that complies with California historic building code
- A site work safety plan, including rules and requirements for those working in or around the Hard House site
- A plan for the removal and disposal of all hazardous materials

**Ownership of Property:** The subject of ownership is key to several other issues regarding this project. It is understood that the Friends desire to immediately own the property on which the renovation will take place. Staff believes that the renovation is a major undertaking and will require significant financial and other resources; therefore, prior to turning this property over to the non-profit, it may be prudent for the Friends to complete certain phases of the work. Because staff differs with the approach desired by the Friends, two options are provided for City Council consideration.

- It is recommended that the City Council direct staff to structure and negotiate a Disposition and Development Agreement with the Friends. The terms and conditions of the development agreement will include, at a minimum, the items recommended in this agenda report. This Agreement will condition transition of ownership upon completion of certain milestones to be outlined in Phases I & II of the renovation project. The details of the Agreement can be worked on after City Council approval to move forward with the renovation project.
- Alternatively, ownership can be transferred immediately to the Friends. If this is the path chosen by the City Council, it is further recommended that the City not accept reversion of ownership should the non-profit disband in the future. Through the transfer of ownership, the City will completely relinquish any rights to the property in the future. In this scenario, the City will have no control over the restoration project other than approval of the required permits, and therefore should be released from any current or future liability on the property.

**Insurance:** If the City retains ownership, for the protection of the City of Antioch and the Friends of Roswell Butler Hard House organization, volunteers and paid workers, it is

prudent that a dedicated insurance policy be obtained for this project. Therefore staff recommends the following insurance requirements:

- The Friends of Roswell Butler Hard House will obtain, at their sole expense, liability insurance at a minimum of \$5 million. This is the amount required by the City's Joint Risk Pool for construction projects.
- The Friends of Roswell Butler Hard House will release and indemnify the City of Antioch of any and all liability associated with the Hard House and the renovation project.
- Insurance coverage will extend to all volunteers and paid workers taking part in the restoration project.

**Proposed Timeline:** The Friends of Roswell Butler Hard House proposed a five-year restoration timeline consisting of the following: Phase I (6 months) will address safety, security and weather proofing aspects of the project; Phase II (2 years) will address the foundation, masonry and structural issues that will be identified in the structural renovation plan required above; Phase III (3 years) completes the outside exterior street portion of the house including porches, balcony, walls and garden area; Phase IV, estimated for completion in Year 5, will address the interior finish and access issues. The City concurs with this proposed timeline and execution of the renovation project. If the City retains ownership, it is recommended that the Friends of Roswell Butler Hard House provide an estimated budget for all phases of the project outlined above.

**FINANCIAL IMPACT:**

The Friends have indicated that they will take on the full financial responsibility for this restoration project. Therefore, there is no financial impact to the City. If the property remains in City ownership, the City has not identified any funding sources for its rehabilitation.

**OPTIONS:**

- Provide direction on a potential Agreement with the Friends of Roswell Butler Hard House for the restoration of the Hard House based on bulleted items above
- Decline to enter into an Agreement with the Friends of Roswell Butler Hard House
- Provide alternate direction

**ATTACHMENTS:**

- A. Antioch Historical Society letter to the City Manager dated September 25, 2009
- B. Roswell Butler Hard House Antioch Historical Society Committee Report and Recommendations
- C. Preliminary Plans for Funding the Restoration of the Roswell Butler Hard House
- D. Friends of Roswell Butler Hard House Proposed Restoration Time Line
- E. Letter to David Brink dated January 26, 2010
- F. Letter from David Brink dated May 26, 2011

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7-12-11



## Antioch Historical Society

1500 West 4<sup>th</sup> Street, Antioch, CA 94509

Non-Profit #94-2457532

(925) 757-1326 Museum \* (925) 757-0308 Fax



Jim Jakel, City Manager  
City of Antioch  
P.O. Box 5007  
Antioch, CA 94531-5007

September 25, 2009

Re: Recommendations for the Roswell Butler Hard House

Dear Mr. Jakel,

The members of the Antioch Historical Society have met several times for the review of various documents relating to the Roswell B. Hard House, a City owned historic property. We have worked with the City representative, Dave Sanderson, for the gathering of all related files and information on hand with the City and the committee has made an additional inspection of the exterior and interior of the building to gauge it's level of deterioration and general conditions.

During this period of time, it was decided by the committee, that the only way to generate funding for the restoration of the building was to form it's own non-profit that would allow for the application to State and Federal Historic Preservation Grants as well as offering tax deductions for corporate and individual donations towards the restoration and preservation of the property. To this end, the Antioch Historical Society contributed \$1,000.00 for the filing of the new non-profit that is a stand alone organization, completely separate from the Historical Society. The bylaws and articles of incorporation have all been reviewed and as of August 5, 2009 we have received full approval from the Internal Revenue Service to operate as a tax exempt, 501 (c)(3) non-profit corporation. Our new non-profit number is now 27-0454042, representing "Friends of Roswell Butler Hard House", a California non-profit corporation.

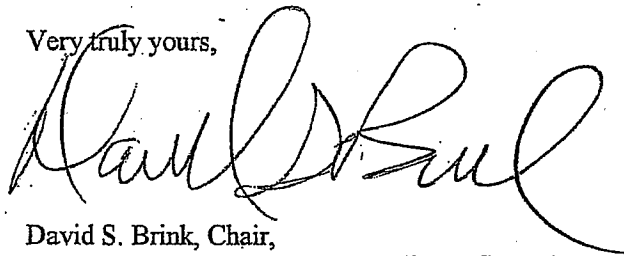
The "Friends" commitment to the Historical Society is only that should we ever disband, all monies and assets will be transferred to the Antioch Historical Society. The Society is providing a meeting place and a place to house the "Friends" records until such time that the Hard House is habitable. The following individuals represent the officers and directors of "Friends of Roswell Butler Hard House":

David Brink, President  
Tom Costello, Vice President  
Stanford E. Davis, Treasurer  
Elizabeth A. Rimbault, Secretary  
James Boccio, Sr., Director  
Laura Jacques, Director  
Dr. Chet Michaels, Director  
Phyllis Heibert, Director  
Bruce Heibert, Director  
Barbara Herendeen, Director

With the fundraising mechanism now in place, we are ready to make our proposal to the City for the restoration and preservation of the Roswell Butler Hard House and enter into negotiations for a positive outcome for both the City, and the citizens of Antioch.

Attached is our report and recommendations for saving the Hard House. Please advise us as to your pleasure for a meeting with the staff and City Attorney to further the negotiations and proposal prior to addressing the City Council. We look forward to hearing from you on this historic property.

Very truly yours,



David S. Brink, Chair,  
Antioch Historical Society Hard House Committee  
President, Friends of Roswell Butler Hard House  
[hardhouse@comcast.net](mailto:hardhouse@comcast.net)  
(925) 437-8085 cell

Attached: Committee Report and Recommendations

CC: Dave Sanderson, City Recreation Department  
Antioch Historical Society Board of Directors  
All Board members of Friends of Roswell Butler Hard House

**Roswell Butler Hard House**  
**Antioch Historical Society Committee**  
**Report and Recommendations**



**This report was prepared by The Hard House Committee of the Antioch Historical Society. It is based on a plan prepared for the City of Antioch in 1990 by the architectural firm Architectural Resources Group. Several sections of this report are direct quotes from the earlier report by Architectural Resources Group, in 1990.**

## **Report and Recommendations For The Roswell Butler Hard House**

### **Background:**

Roswell Butler Hard was one of the most influential, and by some accounts, most powerful figures in Antioch's early history. He was a county supervisor, Sheriff and the first Mayor (chairman of the town council) of Antioch. In 1869 he built the two story brick home that stands at 815 First Street. At the time it was one of the most beautiful and costly homes in the county. It served as the meeting place for the first board of trustees in the newly incorporated City of Antioch, the first city to be incorporated in the County.

The home was constructed entirely of brick manufactured in Antioch. The home was the first property in Antioch to be listed on the State and Federal Registry of Historic Sites. Following the death of Roswell B. Hard, his widow sold the home and most of its contents and "removed herself" back to San Francisco.

Additions were made to the building in the early 1920's with bathrooms and interior kitchens added and in mid-century the building was converted to a tri-plex (3 units). In 1979 the property was purchased by the City Redevelopment Agency and the parcel is now listed as being combined with the original Lynn House property, APN# 066-091-015. The original reason for the city's purchase was for the restoration and preservation of the historic home.

Over the years, the Lynn House next door, was selected to be restored first and is currently the City art gallery. The Hard House has continued to deteriorate and the property has been boarded up to prevent further damage by vagrants. To local historians dismay, earlier City staff negotiated away the original "cook house" built at the rear of the property, for the Prospect School patio. Since its purchase, periodically the public and the historical society has called for its restoration, however, with various economies at play, a source of funding has not been located by the City to carry out such a project. The property has become both a physical and financial liability to the City of Antioch and the Redevelopment Agency. In the current economic recession, many downtown storefronts are vacant and the Hard House appears doomed to continue a downward spiral.

### **PRIOR STUDIES AND REPORTS:**

Over the years various engineering studies have been commissioned by the City of Antioch with recommendations made to the Councils regarding the cost of restoration as a City owned facility. All of the engineering and architectural studies, plans and recommendations provided by the City have been reviewed by the Hard House Committee of the Antioch Historical Society and the Friends of Roswell Butler Hard House, a new non-profit California corporation. It is believed by the committee, that as long as the Hard House remains in the ownership of the City of Antioch, the costs and governmental restrictions will remain prohibitive to restoration.

### **PRESERVATION ISSUES:**

Issues specific to the Hard House include questions of documentation and interpretation. Documentation of the building's historical appearance includes research into historical records such as photographs, drawings and maps, as well as investigation of physical evidence, both archaeological and in the building's materials themselves. Few documentary photographs appear to exist showing the original appearance of the Hard House, except for the exterior of the front. The rear is undocumented, except for Sanborn Fire Insurance maps. Likewise, any physical evidence of the house's rear was partly destroyed when the present addition was constructed in the 1920's. The interior of the house, however, is fairly

intact and relatively unchanged from its original conditions, except for water related damage. Documentation of the interior finishes must be conducted before commencing any remedial action. This documentation should include paint analysis of each surface, and investigation into other historic finishes, such as wallpaper. The results of this documentation will guide future restoration work, including color and material selection.

The scope and complexity of this type of research and documentation presents an enormous historical project for a City that does not retain sufficient staff to devote such time and energy to such a project.

#### **BUILDING CODE ISSUES:**

Building codes applicable to the renovation of the Hard House include the Uniform Building Code (UBC) as adopted by the City of Antioch, and the California State Historical Building Code (SHBC) Title 24, Part 8, of the California Administrative Code. The SHBC is available to the Hard House because, as a designated landmark, it is considered a qualified historical structure. Portions of the Codes are impacted by the ownership and the level of usage of a building. Governmental ownership demands a higher level of compliance, while ownership by a private non-profit with lower usage, has fewer restrictions and less costly compliance.

#### **EXISTING CONDITIONS:**

The following analysis is a brief description of existing conditions found on site at the Hard House.

##### Site/Building Footprint

Landscaping: The landscaping around the hard House is heavily overgrown, with many mature trees and shrubs. Some of the plant materials may be part of the original nineteenth century landscaping. However, the tree that now obscures the area of the original front porch, does not appear in photos of the 1890's Hard House. Further investigation must be done to evaluate the existing landscape materials and make recommendations for their maintenance. A circular cistern, which was probably once the source of water for the house, exists at the southeast corner of the addition. The cistern has been filled with dirt by the city for safety reasons, but could be revitalized to provide landscape watering.

Porch: The original wooden porch and balcony, which once extended across the front of the building, has been removed. Its configuration and profile are indicated by traces on the building walls; the pockets in the walls, which originally held the beams are visible, although now filled with brick rubble. No remaining superficial evidence of the porch's foundation remain. After the porch was removed, a concrete platform and steps were installed at the entry door, an aluminum awning was installed above, and small metal railings were installed over the bottoms of the second floor windows.

Additions: A one-story addition, constructed with brick exterior walls and hipped roof, extends across the rear of the building. That dates back to the 1920's, and was constructed when the house was converted into apartments. The addition is divided into two symmetrical halves. The center of the addition, originally open to the rear, is enclosed by a wood framed wall with a door and wood sash windows.

##### Exterior

The exterior surfaces of the Hard House show the results of years of lack of maintenance, such as unpainted wood surfaces and deteriorated flashings, gutters and downspouts. This lack of maintenance has caused many problems due to water infiltration, such as deteriorated masonry.

Roof/Rainwater Systems: The building's hipped roof is surfaced with large diamond-shaped cement shingles. These shingles appear to be similar to asbestos-cement shingles commonly used in during the first half of the 20<sup>th</sup> century. They appear to be in fair condition, although dirty, discolored, and in some locations, loose. The sheet metal flashings, gutters, downspouts, and rainwater leaders are rusted and loose. They are in very poor condition, and in some instances, are missing altogether.

Chimneys: Two brick chimneys are located on the roof. They have not been closely examined, but the flashings appear to be in deteriorated condition, although the masonry appears to be in fair condition.

Cornice: A bracketed wood cornice encircles the building. Like the buildings other wood exterior elements, the cornice has not been painted for years. The lack of protective covering has caused the grain of the wood to become raised in some locations; nails and supporting anchorage has rusted and come loose. One bracket is missing entirely.

Masonry: The exterior walls are constructed of brick, made from soft, locally quarried clays. The brick is laid with a soft lime mortar, which appears to have been partially repointed in the past. The building's masonry surfaces are dirty and discolored because of atmospheric dirt, and water runoff from the deteriorated gutters and downspouts. Moss is growing on the masonry wall surface at one corner of the building, and efflorescence is occurring in several locations on the building's walls. The mortar is abraded and washed away, especially at the corners of the building.

Doors and Windows: The doors and windows are wood, with wood frames and trim. The headers and sills of the windows are solid wood pieces. The entry doors are glazed panel doors, which do not appear to be original. Like the cornice, the doors and windows have not been painted for considerable time, and have deteriorated as a result. The sills, because of their greater exposure to rainwater, are extensively dry-rotted; other wood elements show varying degrees of dry rot, cracking and splitting.

### Interior

The historic interior surfaces of the hard House are generally intact. However, they suffer from the results of poor maintenance and fairly extensive water damage. The most damage is located in the two west rooms on the first floor, where significant amounts of plaster are missing along the north wall. Water infiltration has caused erosion of one portion of the brick, bearing wall west of the hall.

Plaster: The interior plaster surfaces of the building are typically flat and unornamented, except for the central hall and two eastern rooms of the first floor, which have run-in-place decorative plaster cornices and decorative cast-plaster ceiling medallions. The wall plaster was originally applied directly to the masonry walls, and on wood lath on frame partition walls. The plaster is cracked in many locations, and as described above, partially missing at locations of water damage.

Flooring: The flooring throughout the house is of wood planks. These appear to be in good condition. Some are covered with linoleum in the first floor hall, the addition, and the existing bathroom and kitchen areas.

Wood Trim: The original wood trim appears to be redwood, except for the stair, which appears to be oak. Wood trim consists of baseboards with moldings, and door and window trim. The door and window casings are heavy moldings, and simple panels are located below the side and rear windows. The front windows extend to the floor. Other areas of wood trim includes the staircase, which has an ornamental newel and simple turned balusters, and three fireplace mantels, which have round-topped openings. The

wood trim appears to be intact and good condition, except for many layers of paint. Two balusters and one newel post are missing from the stairs.

### Systems

Mechanical: No environmental systems exist.

Electrical: The existing electrical system is de-energized and unusable.

Plumbing: The existing bathrooms and kitchens were probably added when the building was converted into apartments in the 1920's. The plumbing appears to be in poor condition.

### **OPTIONS CONSIDERED AND EVALUATED**

As initially promised, the historical society committee considered several different options and approaches. Questions to answer were : 1) Can the house be saved or has the deterioration progressed to the point of no return? 2) If not what are the costs of removal to limit City liability of the vacant dwelling? 3) If to be saved, which method is least costly while achieving the desired goals; Demolition and Reconstruction OR Restoration ? 4) What is the best method of financing any of the options ?

Following the thorough inspection and review, the committee was surprised and relieved to see the level of deterioration was not as bad as earlier believed. The worst portion of deterioration is in the 1920 addition, which should be removed to restore the home to its original footprint of 1869. The committee overwhelmingly agrees the home should be saved and that the least costly, and truer path to saving history is through "Restoration".

### **CONSIDERATIONS TO REHABILITATE THE BUILDING**

The following are considerations which will be required to rehabilitate the Hard House. They are arranged according to priority, as described below:

**Priority 1: Life Safety:** The most urgent need is to correct those conditions which pose immediate or potential hazards to the occupants, legal or otherwise, of the building or to the general public. This life safety issue includes potential threat of fire and damage to the adjacent Lynn House Art Gallery and to the Prospects School to the rear of the property.

**Priority 2: Water Protection:** Water is the greatest enemy of building materials. It is critical that the protective integrity of the building envelope be maintained, and restored as required.

**Priority 3: On-going Deterioration:** Additional items which are contributing to the ongoing deterioration of historic materials and finishes must be attended to in a timely manner.

**Priority 4: Functional Considerations:** Some building defects are less serious, either because they are not causing further deterioration or because they involve less significant building systems or elements. Other work may be included in this category because it is not remedial in nature, but required for the specific use of the building. This category includes recommendations for work which can be accomplished on a gradual basis through on-going maintenance.

## **SUGGESTED PROJECT PHASING**

We suggest that if the Hard House is rehabilitated in phases, no more than three phases should be considered. If the work is divided into too many discrete parts, the inefficiency and duplication inherent in the phasing process, as well as the inconvenience and disruption caused by on-going construction to an operating facility will become too burdensome.

The priorities described below will be used as general guidelines for deciding which work items to complete first. Unquestionably, the building first needs to be made safe and weather tight, so work described in priorities one and two should be accomplished in the first phase. Additionally, exterior work described in priorities three and four should be accomplished in the first phase, where it is necessary to provide access to the building, and if desired, an appearance of completeness. The interior of the building can be restored over time, as can the installation of a new mechanical system. This suggested phasing is summarized below:

### **Phase 1: Safety, Security and Weatherproofing**

- Seal and secure windows, doors and vents
- Remove debris from interior and exterior
- Remove or trim trees and shrubs to prevent further damage
- Install temporary electrical system for construction
- Remove rear addition.

### **Phase 2: Exterior Restoration**

- Repair and repoint masonry
- Replace roofing
- Repair windows and cornice.
- Reconstruct front porch with disabled access
- Construct new rear porch with disabled access.

### **Phase 3: First Floor Restoration**

- Install permanent electrical system
- Document interior finishes
- Remove all kitchen and toilet fixtures and equipment
- Restore flooring on first floor
- Restore staircase
- Repair plaster and wood surfaces

### **Phase 4: Second Floor Restoration/Functional Requirements**

- Repair and repoint masonry
- Restore flooring on second floor
- Repair wallpaper, plaster and wood surfaces
- Install new mechanical system

## **FINANCIAL CONSIDERATIONS FOR RESTORATION OF THE HARD HOUSE**

Given the current economy it is unlikely that the City of Antioch will be financially able to undertake such a renovation of the Hard House in the near future. With a decreased number of employees,

it is also unlikely that the City will have the manpower in the near future to devote to the writing of grants for the preservation of historic buildings. Fund drives are currently being run at the behest of the City to promote a South East city recreation facility and library. Should the City encourage such a fund drive for the purpose of restoring the Hard House, it would weaken the call to support the library efforts and citizens have not been known in the past to outright contribute financially to a City project without receiving major tax relief. (Exception: 10<sup>th</sup> Street City Park Project run by Citizens).

On the other hand, tax exempt non-profits are known for their ability to raise large amounts of money for community projects as exemplified by the El Campanile Theater, The Antioch Historical Society Museum with the Sports Legends Hall, the two downtown mural projects and the County library mural on east 18<sup>th</sup> Street, to name a few obvious privately funded projects. Non-profits are known for receiving bequests from estates, tax deductible donations from business, industry and private individuals, holding successful fundraisers and by writing and receiving grants from both the private and governmental sectors. Federal monies are available as grants for historic restorations and in connection with the arts and culture of a community. Federal monies are also available to non-profits via CDBG funds and in Redevelopment Districts. It is believed by the committee that a private non-profit will be more likely and more capable of raising the necessary funds to restore the Hard House due to volunteer efforts, man hours, and sheer desire to see the Hard House restored.

In addition to a non-profits ability to raise funds, typically the money necessary for a project such as this, are less. A governmental project usually demands total or all inclusive bids from general contractors that address all phases of the restoration and are usually known to be higher to address the difficulties of working with governmental bodies. Non-Profit 501 (c) (3) organizations are "charities" that may have a project manager, several volunteer workers, both skilled and unskilled, donated goods and materials and for some technical portions of the project, paid licensed contractors. Non-Profits do not usually experience the delays required for obtaining council approval for additional funding or moving into the next phase of the project.

A prime example of the lesser cost for a non-profit is the Antioch Historical Society Museum at 1500 W. 4<sup>th</sup> Street. When estimates were gathered by the Riverview Fire District for upgrading and refurbishing the building for continued governmental use, the cost was in excess of 2 million dollars (\$2,000,000.00). Since being in the ownership of the historical society, all of the massive upgrades and restorations made to date to the building are more in the range of 4 to 5 hundred thousand (\$400,000.00 - \$500,000.00) and the money has been raised through private and public grants, donations, bequests and large fundraisers.

Since it's purchase in 1979 by the City or Redevelopment Agency, the Hard House has presented a policing problem, liabilities due to individual's illegal and unauthorized entry onto and into the property and potential fire danger to other surrounding properties. Further, there has clearly been no efforts made to commence the restoration of the property in the last 30 years. So due to the weight of "desire, potential success, and probable financial ability", the committee believes the road to restoration lies with a private non-profit corporation organized for the sole purpose of restoring the Hard House to it's once grand stature.

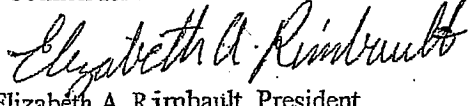
## RECOMMENDATIONS FOR THE ROSWELL BUTLER HARD HOUSE

Based on the inspection of the property and all prior studies and reports issued on the house, and further based on the facts and discussions put forth in this report from the Antioch Historical Society Committee, the recommendations of the committee are as follows:

- 1.) The Roswell Butler Hard House should be rehabilitated and restored.
- 2.) That the least invasive, least costly, and highest potential of achieving the goals of a functioning Museum Home, is through "Restoration", not reconstruction.
- 3.) That the house should be restored to it's original footprint and architecture of 1869, thereby removing the 1920 addition.
- 4.) The highest potential of restoring the property will be in the ownership of a private non-profit, 501 (c)(3).
- 5.) That the City of Antioch enter into negotiations with the newly formed private non-profit 501 (c)(3) California Corporation of "FRIENDS OF ROSWELL BUTLER HARD HOUSE", Non-profit number 27-0454042; Tax exempt date: August 5, 2009, for the successful transfer of title of the Hard House and it's original land parcel to the non-profit.
  - A. All negotiations and contracts shall guarantee the property shall be used for the public benefit and that should the non-profit corporation dissolve anytime in the future, the first choice will be the transfer of the real property back to the City of Antioch; or if declined by the City, to the Antioch Historical Society for future protection.

The recommendations stated above have been approved by the Hard House Committee of the Antioch Historical Society, The Board of Directors of the Antioch Historical Society and the Board of Directors of the newly formed none-profit, Friends of Roswell Butler Hard House. Said recommendations are hereby respectfully submitted to the City of Antioch and the Antioch City Council for their consideration.

September 25, 2009

  
Elizabeth A. Rimbault, President  
Antioch Historical Society

  
David S. Brink, Chair  
Hard House Committee of AHS



## Friends of Roswell Butler Hard House

1500 West 4<sup>th</sup> Street, Antioch, CA 94509

Dave Brink

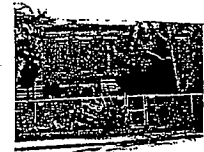
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Non-Profit # 27-0454042



### PRELIMINARY PLANS FOR FUNDING THE RESTORATION OF THE ROSWELL BUTLER HARD HOUSE

The Friends of the Roswell Butler Hard House are a nonprofit 501 (c)(3) tax exempt organization dedicated to the restoration of the Hard House in the City of Antioch. The corporation has a minimum of 9 and a maximum of 11 officers and directors but does not have members. The board of directors are responsible for the entire project. Many nonprofits have learned that maintaining a membership or increasing memberships can be time consuming, costly and frequently are not a significant source of funds. Members of the public can become a "Friend" by making a donation and general donations of any size will be solicited, and not limited by a membership fee amount.

The following are proposed sources of funding the restoration project:

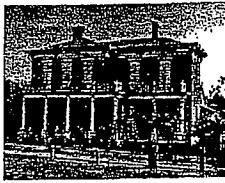
- 1.) A letter Grant request has been submitted to Mirant for \$150,000.00.  
A letter from the City of Antioch acknowledging the intent to transfer ownership of the property to the Friends, would greatly assist in moving this request along. However, No grants will be given prior to transfer of ownership.
- 2.) Solicitation of donations from the general public and individuals interested in seeing the restoration of the Hard House. Donation, gifts and bequests may be in any amount and will earn the giver of funds, the title of "Friend" of the Roswell Butler Hard House.
- 3.) Grant applications may be submitted following receipt of ownership to AASLH (American Association of State and Local History), for "Museum Home" restoration projects.
- 4.) Grant applications will be submitted to all applicable State, Federal, and local Grant programs, including the Keller Canyon Mitigation Fund.
- 5.) Application will be made to the City of Antioch CDBG funds for 2010, most likely addressing HVAC and Handicap Restrooms, and Handicap Access to the lower level of the building.
- 6.) Grants will be written for the reconstruction of the Cistern system to conserve water for the landscaping and public restroom. We would also request waiver of water fees from the City of Antioch for the balance of water needed in the dry season.
- 7.) We may seek sponsorships for various rooms, displays or the gardens from local businesses, individuals and industry.
- 8.) Through various business associations and friendships the board members will seek donations of building materials and in-kind services. This may include debris boxes and porta potties from Allied Waste; building materials from contractors; plumbing and electrical services

from retired contractors ; Gardening services from the local Garden club; historical research from the Historical Society; Temporary electrical service from the City's Lynn House; Temporary security alarm installation and permanent services upon completion from Lenhart Alarm; Masonry Contractors Union training of Apprentices; Telephones installed by retired phone installers and antique telephones restored; and others.

- 9.) Pic-nic Barbeque Fundraiser, requiring partial street closure in front of the Hard House, during good weather. Other Private Fundraisers held at individual members homes. Raffles and other fundraisers held in various locations including at the Antioch Historical Society.
- 10.) We may seek limited partnering on special projects with the Antioch Unified School District and Prospects School, which may provide a level of training for students.
- 11.) Through newspaper stories, publicity and outright begging, we WILL receive donations of money, materials and most important in restoration projects, Free labor.

All of the above listed methods of seeking funding for restoration projects have proven successful in several other existing projects in town.

11/19/2009



# Friends of Roswell Butler Hard House

1500 West 4<sup>th</sup> Street, Antioch, CA 94509

Dave Brink

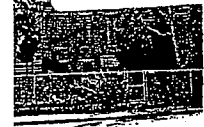
(925) 437-8085

E-Mail: [hardhouse@comcast.net](mailto:hardhouse@comcast.net)

Fax

(925) 757-8953

Non-Profit # 27-0454042



## FRIENDS OF ROSWELL BUTLER HARD HOUSE PROPOSED RESTORATION TIME LINE

It is the goal of the Friends to have the restoration project substantially completed within the next 5 (five) years. To that end the following represents our timeline structure proposed:

**Phase I. to complete within the first 6 months (with consideration for weather):**

Secure the building

Install and monitor alarm system

Remove all debris and dangers

Clean Yard completely

Demolish rear structure

Clean interior

(SAFETY, SECURITY AND  
WEATHER PROOFING)

**Phase II. Over a period of 2 Years:**

Repair Masonry and Address Structural Issues.

Foundation issues first, followed by brick and roof issues.

(STRUCTURAL)

**Phase III. Total Exterior Restoration- 3 Years:**

Porches, balcony, walls and Gardens restored.

(EXTERIOR STREET VIEW)

**Phase IV. Interior Restoration Year 5:**

All interior walls and finishes.

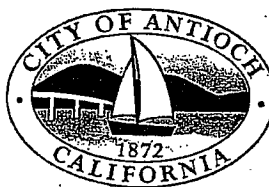
Restored wooden floors.

Heating and Air Conditioning.

Lighting, Electrical and finished plumbing.

(INTERIOR FINISH)

The above proposed timeline does not represent any acquisition of furnishings or guarantee a readiness to open to the public by the end of the 5<sup>th</sup> year. Predictions based on hoped for funding cannot be absolute.



January 26, 2010

David Brink  
Friends of Roswell Butler Hard House  
922 Orchid Lane  
Antioch, CA 94509

Dear David:

It has been a pleasure talking with you and other members of the Friends of Roswell Butler Hard House Non Profit Organization. It is exciting to think that the Hard House may one day become a treasure of downtown Antioch. To that end, and in an effort to develop criteria which may be used in a future agreement with Friends of Roswell Butler Hard House, staff has the following recommendations.

**Structural Integrity:** The Hard House is recognized on the National Registry of Historic Buildings, which may subject the renovation of the building to different standards than would otherwise apply. The Hard House has not been occupied nor maintained for many years adding significantly to the renovation work that will be required. To help us all understand the work that will be involved in this project, the City will require that the Friends of Roswell Butler Hard House provide the following information:

- A structural renovation plan, developed by a certified engineer that complies with California historic building code;
- A site work safety plan including rules and requirements for those working in or around the Hard House site; and
- A plan for the removal and disposal of all hazardous material.

**Insurance:** For the protection of the City of Antioch and the Friends of Roswell Butler Hard House organization, volunteers and paid workers, it is imperative that a dedicated insurance policy be obtained for this project. Therefore, the City will have the following insurance requirements:

- The Friends of Roswell Butler Hard House will obtain, at their sole expense, liability insurance at a minimum of \$5 million;
- The Friends of Roswell Butler Hard House Non Profit will release and indemnify the City of Antioch of any and all liability associated with the Hard House and the renovation project; and
- Insurance coverage will extend to all volunteers and paid workers taking part in the restoration project.

**Proposed Time Line:** The Friends of Roswell Butler Hard House proposed a five year restoration time line consisting of the following. Phase I (6 months) will address safety, security and weather proofing aspects of the project; a very important first step. Phase II (2 years) will address the foundation, masonry and structural issues that will be identified in the structural renovation plan required above. Phase III (3 years) completes the outside exterior street portion of the house including porches, balcony, walls and garden area. Phase IV estimated for completion in year five will address the interior finish and access issues. The City concurs with this proposed timeline and execution of the renovation project. What is needed from the Friends of Roswell Butler Hard House is an estimated budget for all phases of the project outlined above.

**Structure of Agreement and Next Steps:** After receiving from the Friends of Roswell Butler Hard House a written concurrence with the information requested in this letter, staff will prepare an agenda item for City Council review. This item will seek Council approval to structure and negotiate a Disposition and Development Agreement. The terms and conditions of the development agreement will include, at a minimum, the items outlined in this letter. We understand that the Friends of Roswell Butler Hard House desire to own the property on which the renovation will take place. It will be staff's recommendation to condition transition of ownership upon completion of certain milestones to be outlined in Phases I & II of the renovation project. Those details can be worked on after City Council approval to move forward with the renovation project.

Again I would like to reiterate that staff is excited about the possible renovation of the Roswell Butler Hard House. It is our goal to work with your organization to help make this project a reality. In doing so, we want to ensure that the project is done in a safe manner and the renovation is completed within City building codes.

I look forward to hearing from you in the near future.

Sincerely,



ARLENE MORNICK  
Assistant City Manager

Cc: Mayor and City Council  
Jim Jakel, City Manager  
Lynn Tracy Nerland, City Attorney

David Brink, President  
Friends of the Roswell Butler Hard House  
c/o 1500 West 4<sup>th</sup> Street  
Antioch, CA 94509

Mayor James Davis and Members Of the Council  
City of Antioch  
P.O. Box 5007  
Antioch, CA 94531-5007

May 26, 2011



Re: Acquisition of the Hard House by the Friends

Dear Mr. Mayor and Members of the Council,

We have been attempting to return to the Council Chambers, on the agenda for the last few months and feel our efforts are being diverted. This discussion with the Council needs to be continued and resolved.

In the past the Council has seemed concerned with potential uses of the Hard House. We have stated the best and most likely use is that of a Museum Home, which would qualify for various grants from State and National organizations as well as the Federal government. However, within that category a continued use by the City would be expected as a presentation or ceremonial office of the Mayor and Council. In addition there would be nothing precluding it from being used for "Ticket Sales" should the Antioch Ferry become a reality. In fact the potential of rental income from a transportation company would guarantee funds for continued maintenance of the building after the restoration.

In addition we have discussed the potential of letting space upstairs to the Antioch Schools Foundation or partnering with Prospect school to further the connection between the schools and city interests. This building is not seen as a huge potential retail or business concern, but as an interesting historic attraction for downtown.

This last year the City of San Ramon opened the "Glass House" which is located on the South side of Highway 680 in San Ramon. The Glass House is a reverse floor plan of the Hard House and an excellent example of the fully restored structure from the same period. If you have the opportunity to tour the Glass House, some of your concerns might be answered.

Some of you voiced a concern for the size of our bank account. We still have less than \$2,000.00 in the bank, however, our taxes are filed and all the cost of incorporation and qualifying for our non-profit have been paid and we continue to operate with 100% volunteer effort and no debts.

By specific intent, we have not held fundraisers or ask for community donations as yet because history has showed us too many projects in Antioch that sold bricks or held street fairs and never got started. The members of our board all have long histories of past restoration and preservation projects that include The Carnegie Library, The Woman's Club of Antioch, The El Campanile Theater, The Riverview Union High School (Antioch Historical Museum) and the McCoy Cook House. We are all still here in town, know and understand how to keep the trust of the citizens of Antioch, and we know how to raise the funds and volunteer help to complete historic projects.

Further with two of our board members we have significant understanding of the Redevelopment Laws. Elizabeth Rimbault, our secretary, served 6 ½ years on the Council and as the Redevelopment district sub-committee under Mayor Joel Keller. Much of her work was concentrated in this very block and included the land transfer to the school district and the design and construction of Prospect school as well as the completion of restoration of the Lynn house and it's opening. Stanford Davis, our treasurer, served as City Engineer from the 1960's until his retirement and has vast experience with dealing in Redevelopment Law in the City of Antioch.

With this knowledge we proposed a transfer through the Redevelopment Agency that would guarantee a timeline for meeting goals and allowed for consequences if goals were not met. It further guaranteed the property would always be used as a community asset and attraction to the downtown. Our entire mission is the preservation and restoration of the first property in Antioch placed on the State and National Roster of Historic Sites. There is no allowance in our proposal for individual benefit or windfall profits or resale of the site. Under Redevelopment Law the City may make this transfer to the Friends and be relieved of all liability of this currently neglected property and will not be responsible for any of our actions as well. We can guarantee that within the first 18 months of transfer we will meet all of our stage one goals.

However, we cannot even begin with the City now in title. Our best advice received tells us this one parcel can be transferred back to the Redevelopment Agency and then transferred to the Friends and all Redevelopment Law will continue to be in force. We have now been working with the staff and council for 2 years. We have patiently waited for budget sessions to be concluded, only to be set aside for the next item of city urgency and nothing in the City's financial strength or in the stability of the Hard House has changed. We Need to save this wonderful historic asset of downtown Antioch and we cannot do that with the City in ownership of the property.

**THE PLUSES:** With the Friends in ownership, we can qualify for a number of private grants, fundraisers and community donations. Many citizens are joining our number for volunteer labor to save this property. The City will be relieved of the burden of finance and liability for this property. The City will retain an open agreement for use of the building as a presentation or ceremonial office of the Mayor. The property will go back on the tax roll. Blight will be removed from the neighborhood and the property will be restored and usable. The citizens will gain access to the property and be able to enjoy this historic site.

**THE CONS:** If we Fail the property remains the same as it is today, unusable blight on the block, just as it has been since the 1970's when the Agency acquired it. No money, no plans and no incentive to improve.

You can take a chance and move forward into bright potential or stay the same and remain paralyzed in finance and politics. What's to loose?

None of us will be here forever and as taxpaying citizens and strong volunteers we believe we are owed a timely good faith response from our cities representatives. We await your response.

Very truly yours,

David Brink, President  
Friends of Roswell Butler Hard House