

MINUTES – NOMA MEETING July 6, 2017

Montana Branch Library

1. The meeting was called to order at 7:05. A quorum, consisting of Nancy Coleman, Danilo Bach, Evelyn Lauchenauer, Jim Williams, Sonya Sultan, and Jeff Gordon, was present; absent were Victor Fresco, Todd James, Jane Koehler, Steven Lissik, Caryn Marshall and Phillis Dudick.

2 Adoption of the Minutes of the June 8, 2017 meeting was moved by Danilo Bach, seconded by Evelyn Lauchenauer and approved

3. Treasurer's report presented by Chair in the absence of the treasurer. Present balance is approximately \$15,100 in our account. We have paid our general liability insurance, (6/10/17 - '18: \$751.) All other payments are up to date.

Make Music Day expenses: \$540. We received a \$400 grant from the city.

4. The Chair announced the upcoming Council meetings to consider adoption of the city's Downtown Community Plan. The Council meeting July 10 will feature the presentation of the DCP by staff, to be followed by public input. July 10 and 11th will feature Council discussion and action. Members of NOMA are urged to communicate their opinions on the DCP to Council by email or in person during public comment.

Chair Coleman announced that a letter will be sent to Council presenting the Board's position and comments. The letter will reflect the Board's concerns with the plan's emphasis on "parklets" downtown as a way of providing open public space when the need is for a large park there on public city-owned land at 4th and Arizona, which the Board supports. The letter speaks to our concern that development downtown be guided by sustainability of the city's resources and services, that the approval process for a proposed project be returned to the 60,000 sq foot threshold and not the Planning Commission-amended 90,000 sq. ft threshold. A public vote or super-majority vote by Council for any project on publicly-owned land downtown is also urged. The present provision for 3.2M allowable new construction is opposed as being too high, and a proper study and measurement of downtown vehicular trips is necessary. The Board is also concerned that there is too much market-rate housing in the plans for affordable housing downtown and not sufficient emphasis on the affordable housing to be built by the GSH-funded affordable housing tax passed last election and the housing trust fund. We also urge a jitney service be instituted linking outlying residential neighborhoods to downtown for ease of access to downtown.

NOMA member Diana Gordon spoke about the position of her group SMCLC on the DCP, including their concern about the speeded-up approval process for DTSM okayed by the Planning Commission, which she described as an "abdication" of the Council's responsibility for oversight. Also, she asked whether

the residents' right to referendum is impacted or nullified by the present iteration of the DCP and expressed concern that the so-called 'opportunity' or 'large-area' sites were still in the DCP despite repeated resident opposition to them.

5. The meeting's central item of a debate between attorney Kevin Shenkman and Council member Glean Davis on the issue of at-large vs. district elections in the city for Council members and other elected officers was canceled, and a presentation on the issue by attorney Shenkman with a discussion and q&a from members was substituted. How elected officials in the city should be elected has become a present issue because of a lawsuit against the city under the California Voting Rights Act and the Equal Protection Clause of the State constitution brought by residents in the Pico Neighborhood, alleging that racially polarized voting that disadvantages Latinos in the Pico Neighborhood occurs under the present system of at-large voting and should be replaced by district elections, the districts to be determined upon successful conclusion of the suit. Council member Davis was to speak in opposition to the argument but explained in apology that the City Attorney advised against her participation because Davis, being a member of Council, is a principal in the suit; Davis remained to hear the ensuing discussion however.

Shenkman presented the plaintiff's case against the alleged 'racially polarized voting' under SM's current elections and why district elections are needed. He also cited the \$2M the city has already spent fighting the case, indicating the costs might run considerably higher, as they did in Palmdale before that city lost its case. His lifelong concern for civil rights and the deleterious effects of polarized voting on minority communities motivate him in bringing this case. When asked his firm's fees, he answered citing settlements in half a dozen cases taken on contingency and ranging from \$290K to \$7M.

Questions and a lively discussion with members ensued. Topics considered were whether district voting would result in less money in city elections, whether districts would encourage 'retail politics', what the history of opinion and study of district and at-large elections in the city has been. Board member Jim Williams, formerly a city manager for our city, spoke of his experience and perspective on the matter and answered questions, taking no position on the pending court case, but observing that there are different kinds of voting than those mentioned, such as rank-choice voting, that ours is a city-manager form of municipal government, and that evidence shows that regardless of the voting system, a section of a city can always come to be ignored by its own government.

The present case is before the court now, to be decided by the court, and we will keenly follow its resolution.

6. Board member Danilo Bach proposed consideration of formation of a Community Safety committee as one of our standing committees. Prompted by the resident concern over the recent home-invasion robberies and assaults, it would dedicate itself not only to informing members of such incidents and actions that could be taken to reduce their possibility, but also to the larger issue of safety in the NOMA neighborhood -- pedestrian, bike, and auto, in light of the

incidents of accident and injury -- and how street safety can be maintained and improved. Regular liaison with the SMPD and city services and related organizations would be needed, the committee's mission to be specifically described and volunteers and input sought.

7. Meeting was adjourned at 8:33 pm, moved by Jeff Gordon, seconded by Bach.

Next meeting to be held August 3, 2017, at the Montana Branch Library, with City Forester Matthew Wells and other officials of the Public Landscape Division presenting.