

# **DRAFT MINUTES**

**NOMA Meeting  
December 5, 2019  
Montana Ave. Library  
7:00 – 8:45**

Attendance: 27

Board Present: Nancy Coleman Evelyn Lauchenauer, Jeff Gordon, Jeff Brecht, Ann Greenspan, Jim Williams and Victor Fresco

Board Absent: Danilo Bach, Derek Devermont, Phillis Dudick, Todd James, Steve Lissik and Sonya Sultan

Call to Order

Victor Fresco moves, Evelyn Lauchenauer seconds, unanimous approval  
Acceptance of Minutes of November 7, 2019

Treasurer's Report  
\$9,900 in the account. No outstanding liabilities.

Announcements  
Montana Walk this Saturday afternoon. The Holiday Walk.

The annual NOMA celebration will be either on the 22nd or 29th of February. The topic is likely to be The Plaza at Santa Monica. The venue is likely to be The Aero Theatre.

The January members' meeting is likely to be held on the 9th and not the 2nd. We are hopeful to have a discussion on the Miramar development.

Providence St. John's is another large development. It is projected to be expanded by two blocks.

Downtown Santa Monica plans now lack parking. With Lincoln development, this could be problematic.

NOMA Nominations Committee Report for the 2020 Board  
Evelyn Lauchenauer is on the nominating group that is looking for new NOMA board members.

A members meeting/annual meeting will be held in January which will involve voting on new board members. The nominees will be posted on NOMA's website beforehand to allow for voting. This meeting will also inquire about future topics of interest.

## Jim Williams - City Manager Budget Cuts

The City Manager states that the City is projected to have negative budget within two years. A citizens' committee has been formed to advise him about potential cuts and processes. This year, the goal is to cut \$1.5M out of the budget. This is a relatively small amount compared to the total budget of \$712M. Cuts are projected to be larger in future years.

Higher taxes could potentially be voted on. The City is at the maximum sales tax allowed in California. There would have to be some sort of property tax which would require a 2/3 majority vote. All residents would vote.

Member Question: What is the current state of the pension issue?

Jim Answer: Required employee contributions have increased and pension benefits have decreased. The current unfunded pension liability is approximately \$468M.

Member Question: Who is on the budget oversight committee?

Jim Answer: Judy Abdo, Lawrence Eubanks, Dominic Gomez, and Jeanine Bush and several other public members. There are also 8 city employees representing their departments. (The list of all members and the dates when they are meeting is listed within the City of Santa Monica's website within the City Manager's site.

Lane Dilg, Santa Monica City Attorney

Nancy Question: Is it okay if your presentation is recorded?

Lane answered: Yes.

Ms. Dilg will provide a general introduction and overview of the CAO's work. She will talk with NOMA about the structure of the office and the work of each division. These will include:

- Municipal (CVRA, drafting and defending ordinances, etc.);
- Criminal (prosecuting misdemeanors, recidivism prevention efforts);
- Civil Liability (defending City in lawsuits), Consumer Protection (tenant harassment and other affirmative work, including enforcement work like scooters).

Thanks to Nancy who is one of our most engaged and active citizens. City government is better for this type of engagement.

Lane Dilg's Background: Yale law school. Clerked for a federal judge. Private law practice in plaintiff & defense. ACLU. Worked with Senator Diane Feinstein on the Senate Judiciary Committee. Moved to Santa Monica in 2011. Worked as a federal prosecutor involving violent and organized crime. Now the city attorney for Santa Monica.

My focus is on good governance and thriving democracy. I do will not push personally held policy beliefs.

The city attorney's office has 27 attorneys. Why so many? Not including Lane or her chief of staff, 8 of them advise the City government (e.g. Landmarks Commission, Planning Commission). Six work for the City liability division fighting lawsuits against the City. Some cities contract out for this type of work; Santa Monica believes that their in-house model is appropriate given the City's circumstances. Five lawyers work in the affirmative litigation division. They decide on what cases to bring to court on behalf of the city (environmental protection, consumer protection). Proceeds of these cases go in part to paying for the division itself. Six attorneys work in the criminal division. They prosecute approximately 6,000 cases per year with a conviction rate over 90%.

**Criminal Justice:** The police chief has been very effective in driving down violent and serious crime. Major reform has been made via the voters which has caused minor level offenses to result in less jail time. We are currently reviewing alternative approaches to these minor level offenders (e.g. social services, rehabilitation).

**CVRA:** This litigation was filed in 2016. It alleged that the City's at-large voting system violated the California Voting Rights Act, which is state law. A frequent question that I receive is "why would the city fight this litigation?" The litigation challenges a voting system that was initially chosen by the voters of this City. Also, the facts brought fourth in the litigation are inadequate to show that the CVRA has been violated. The initial trial ruled for the plaintiff. The City continues to contend that the CVRA has not been violated. The court of appeals has agreed to render a decision by July 2020. Even if a CVRA violation is found, the people of Santa Monica should be included in the process to redraw the district maps.

**Nancy Statement:** It is imperative that a redistricting process exclusively involve the residents of Santa Monica. It should not include City Council or the city manager.  
**Lane Answer:** If the City wants to move to districts, then it can be put to a vote by the residents. I agree that we should look for as much public comment as possible.

**Member Statement:** We need a better way to represent the will of the people in Santa Monica. District voting accomplishes this.

**Member Statement:** Someone has to be held accountable for the new modes of transportation in our city (e.g. Bird).

**Lane Response:** The City is moving to the second stage of the mobility program. They are aware there is a need for more control on mobility companies and their riders.

**Nancy Statement:** There is a problem in that it is incumbent on the residents of Santa Monica to report issues with mobility devices. The only current method of reporting issues is through the app of each company. I believe that this should be handled by the city manager.

**Member Question:** How do we enforce problems like Bird and leaf blowers?

**Lane Answer:** The City has a tremendous number of priorities. It is something that we are dedicated to. It is a question of how we best deploy resources to be effective.

Member Question: Why were the charges against Bird dropped?

Lane Answer: The goals of enforcement measures vary. In some cases, the goal is to achieve compliance. This was the case with Bird.

Member Question: If you lose the appeal on CVRA, will you appeal to the Supreme Court?

Lane Answer: It is difficult to say at this stage in the process.

Jeff B Question: What is your view on the current state of police accountability. How is your office involved?

Lane Answer: Most essentially, we have to hire the best and set a culture. We see civil rights cases filed against the city. We engage with the PD on those issues. Media and public engagement are key to police accountability. I have great faith in our police department to hold themselves to account. State laws opening up police records are new and important mechanisms.

Public Comment

Member Statement: How does Santa Monica plan to roll out 9,000 new housing units in the next decade?

Member Question: Could you tell us more about how the city is run by a manager instead of a council?

Nancy Answer: When a council runs a city, they are working for their cities full time. They employ a paid staff. By contrast, our city council is paid a minimal amount. Our elected city council hires the city manager, the City Attorney, and the Clerk.

Member Question: How does a city of our size with 27 lawyers compare to other cities?

Adjournment

Next Meeting January 9<sup>th</sup>. Topic: The Miramar future development