

LSU/VA Hospital Proposal: Too Big to Fail?

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On Feb. 23, the [New Orleans City Planning Commission voted 5-1](#) to approve street closures within the footprint (South Rocheblave Street, Canal Street, South Galvez Street and Tulane Avenue) of the proposed Veterans Administration hospital, despite lingering and legitimate concerns regarding design, location, financing, due process and fair compensation for residents and businesses displaced by the project.

The LSU/VA project has been mired in controversy since its inception in November 2007, when Mayor C. Ray Nagin signed a deal with the Veterans Administration to provide land currently occupied by homes and businesses “construction ready.” Now, over two years later, these proceedings on street closures mark the first public hearing and formal action by any municipal body on the proposed hospital complex. Opponents brought two years’ worth of anxiety and frustration with them to the hearing on February 23.

Ironically, the City Planning Commission erred on the side of generosity when applying the rules governing public meetings as dictated by the [Commission’s Administrative Rules, Policies and Procedures](#). It gave adjacent property owners 25 days notice of the meeting date rather than the 10 required. It advertised in The Times-Picayune starting on Feb. 12, exceeding the 3 day requirement. It extended the speaking time limit for those opposed and in favor from the required 25 minutes to 1 hour and 15 minutes.

And yet, for several procedural reasons, the hearing left the public feeling shut out and demanding redress:

- The period to submit written comments was first advertised to the public the Friday before Mardi Gras (Feb. 12), and Ash Wednesday (Feb. 17) was the deadline to submit written comments. The only day City Hall was accessible to the public was Feb. 17.
- The staff report was technically available Thursday, Feb. 18, but since the staff reports are not available online and City Hall is closed on Fridays, it was difficult to access before Monday, Feb. 22- 5 days *after* the close of the comment period and one day before the hearing.
- With a limit of 2 minutes per speaker, and with the period to submit written responses closed, the staff report was shielded from any meaningful scrutiny or comment regarding inaccurate, incomplete or otherwise misleading details, yet was the document that the members of the City Planning Commission relied on to make their decision.
- According to the hearing minutes, of the 35 people who signed up to speak in opposition to the closures, 20 were able to speak within the allotted 40 minute time frame (limited to 2 minutes each) and 15 people were denied the right to speak, despite the hearing’s advertisement which stated that “All interested parties will be given the opportunity to be heard in reference to this request.”
- A staff member gave a verbal accounting of the report **after** the public comment was concluded, so that anyone who might have questions to raise after hearing that summary was precluded from commenting. According to Yolanda Rodriguez, Executive Director of the City Planning Commission, “It is not customary for the public to comment on the staff’s verbal presentation to the Commission.”

Certainly, the City Planning Commission should have had a greater role in this project from its inception; now it is feeling pressure to expedite the process. In comments directed to its members on the 23rd, Mary Howell, a lawyer whose office is a block outside the VA footprint, said, "Fairness has not been part of this process. Somehow, y'all got left out. You have been a bystander to this, and that's something that has harmed us from the beginning. You have an important role to play. Please don't abdicate it."

Abdicate they have, in a move with all the hallmarks of a municipal government facing the prospect of a project deemed "too big to fail." Commissioner Joe Williams stated, "I for one can say I'm not happy about involving the Planning Commission so late in the process," he said. "But we sit here almost five years after the storm. ... At some point, we have to say it's time to move on."

No one wants to appear to be an obstructionist when a proposal promises great economic and social benefit for the city. But evading public input does nothing to quell concerns. Simple changes in the timing of notice publication, instructing attendees on the protocol for public input, and honoring the procedures as advertised would make civic participation more likely and more productive. For any process to work, all parties must act in good faith.

The bank and automotive bailouts a year ago taught us that process matters. If the existing process is short-circuiting public input, the process needs retooling. Moving forward on projects promising public benefit before legitimate questions from the public are answered won't make a flawed project better, and won't make the questions go away.