



October 10, 2023

Re: Item 7A. Discussion on the Lottery-Selected Panel Process for the Airport

Mayor Davis and Esteemed Council Members -

As you know, in 2014 Santa Monica voters overwhelmingly approved Measure LC which allows "the development of parks, public open spaces, and public recreational facilities" on the airport land, and prohibits new development without voter approval. The Executive Board of NOMA therefore urges Council to proceed cautiously with any process that could circumvent the expressed will of voters. Friends of Sunset Park has enumerated many potential problems with the proposed plan for a lottery-selected panel (LSP) coordinated by Healthy Democracy. We support their concerns and have the following additional thoughts.

While an LSP is appealing in that it encourages participation by a wide cross-section of randomly selected residents, the proposal in the Staff Report falls short of that ideal. If Council insists on this process, we recommend the following changes:

1)REVISE THE FRAMING QUESTION - the framing question for the panel to consider must be neutral. Currently, the suggested question in the Staff Report suggests the panel must find a "balance of land-uses and development," (p10) which pre-supposes the inclusion of development at the airport, in direct contradiction to Measure LC. We recommend striking that clause so the question remains neutral and open-ended, such as, "How should the diverse needs of our community inform the future of the Airport land in a way that will most effectively contribute to Santa Monica's long-term vitality?"

2)VET THE PANELISTS - the Staff Report describes the LSP function as, "analogous to a jury trial" (p9) where impartial jurors are presented evidence and reach a conclusion. This is not an accurate comparison: after random selection, jury members go through *voir dire* which removes people with vested interests in a particular outcome, or other relevant experiences or biases that would predispose them to certain conclusions. A process must be added so that potential panel members who have a conflict of interest or any potential financial gain from a certain outcome in the airport plan are disqualified.

2)MAKE THE SCHEDULE WORK FOR MORE PEOPLE - In order for the LSP to be broadly representative of Santa Monica residents, it needs to be structured so the maximum number of people will agree to enter the lottery. The proposed schedule of full-day meetings, over three day weekends, for six weekends, eliminates anyone who works regular hours, anyone who has children that need care on weekends, anyone who has a job that includes weekends, etc. It leaves a narrow, unrepresentative pool of

potential applicants. This could be mitigated by making the meetings once a week, only in the evening or on weekends, only a few hours at a time, holding them on Zoom... anything to make the meetings as easy as possible for a broader group of people to say "Yes" to entering the lottery.

3)HOLD SEATS FOR FOSP- The Staff Report mentions potentially holding two seats for residents of West LA as they are likely to be impacted by airport changes. But Sunset Park residents will be far and away the most impacted. A purely random lottery might result in a panel with no residents from Sunset Park, leaving the fate of their neighborhood in the hands of non-residents. It is essential that some percentage of seats be reserved for Sunset Park residents to ensure they have a voice at the table.

4)DEFINE "DIVERSITY" - The report states that Healthy Democracy will take the respondents who enter the lottery and create a panel that "reflects the diversity of Santa Monica." (p7) But it doesn't define what the criteria are for diversity: is it racial, economic, geographic, age, gender, renter/homeowner/business owner...? Council should require a specific definition of "diversity" in this context so that the most relevant criteria are being considered in forming a representative panel.

5)VET THE GATEKEEPERS - The panel will only be as unbiased in its assessment of the airport land options as the people they hear from and the information they are given. Therefore, it is crucial that whoever administers the panel be impartial. Friends of Sunset Park raises concerns about Healthy Democracy's neutrality that should be carefully investigated. Further, the Staff Report mentions an Information Committee (IC, p10) which will control what is presented to the panel, ostensibly to ensure unbiased information flow. But it does not define who is on the IC and how they are chosen. This needs to be defined before going to contract.

6)MAXIMIZE TRANSPARENCY - as with any City Commission that functions in an advisory capacity to City Council, all meetings of the LSP should be open to the public via teleconference and recorded for the public's benefit. This will allow public scrutiny of the information presented to the panel and help ensure its accuracy.

7)QUESTION THE COST - nearly \$3 million for this process seems egregious, particularly compared to other city projects run by Healthy Democracy. The cost needs to be justified, and if possible, the process opened to other potential bidders. Given the fact that residents have already explicitly indicated their desire for a park at the airport through Measure LC, one has to wonder whether this entire process, and the expense of running it, makes any sense at all.

Thank you for your time and consideration.

Bruce Leddy
Chair, NOMA