

## COMMISSIONS AND PUBLIC COMMENTS:

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### Issue description

Stakeholder input is pivotal to the work of the Mental Health Services Oversight and Accountability Commission (MHSOAC). This paper compared responses from various commissions regarding the structure and management of Public Comment to ensure that stakeholders can voice their concerns.

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### Who Contributed to the Analysis?

- State Council on Developmental Disabilities
  - California Coastal Commission
  - California State Teachers' Retirement System (CALSTRS)
  - Seismic Safety Commission
  - The First 5 California Children and Families Commission
  - Little Hoover Commission
  - California Postsecondary Education Commission
  - California Commission on the Status of Women
  - California Transportation Commission
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### Analysis of Responses

- **Modes of Public Comment:** - via mail, - via email, -in person
    - (a) **Procedure for in person Public Comment:**
      - Individuals can comment on agenda and non-agenda items
      - Individuals who wish to speak complete a speaker's slip and hand it either to the Chair or an assistant to the Chair
      - Time limits range from 2-5 minutes per person and apply to both agenda and non- agenda items
    - **Effectiveness:**
      - In terms of effectiveness, the commissions contacted were fairly vague; most mentioned that it works for them
    - (b) **Procedure for email and mail comments:**
      - A staff person most familiar with the topic responds to questions/comments in a timely fashion.
  - Some commissions post their Public Comment Protocol on the agenda
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## Conclusions/

## Recommendations

- MHSOAC Public Comments Procedure is fairly similar to that of the other Commissions that contributed to this paper.
- **Recommendation:** Public Comment Protocol may be placed on the MHSOAC Agenda so that stakeholders can become familiar with the Public Comment Protocol prior to the Commission meetings. Approximate time limits should be indicated on the Agenda including a statement that it is subject to change.
- Public Comment Protocol may be posted on MHSOAC website and posted at Commission Meeting location to avoid confusion on how and when to address the Commission.
- For individuals who wish to send comments via email, Chair of Commission or MHSOAC staff should announce email contact address. Not all stakeholders are familiar with the MHSOAC website.

## Individual Responses

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### State Council on Developmental Disabilities

The Council meets on two days and the public can comment on any topic on the agenda and/or present information to the Council on matters not on the agenda on both days right after introductions are made. Each member of the public will be afforded up to three minutes to speak. Written requests, if any, will be considered first. Additionally, the Council will provide a public comment period not to exceed seven minutes total for all public comments prior to Council action on each item.

The information below is placed on the agenda for Commission Meetings:

*[This section is for members of the public only; and is to provide the public an opportunity to comment and/or present information to the Commission on any matter that is not on the agenda. Each public member will be afforded up to three minutes to speak. Written requests, if any, will be considered first under this section. Additionally, the Commission will provide a public comment period not to exceed 5 minutes total for all public comments prior to Commission action on each Agenda item.]*

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### California Coastal Commission

Public comments are taken up at a regularly scheduled calendar commission meeting- a Commission meeting is held once a month. Commission meetings are scheduled every month up and down the coastal zone; Commission meetings can be scheduled any where between 2 to 5 days - depending upon projects pending before the Commission on a particular month and location.

There are 2 types of public comments: (1) public comments on a specific project that is on the agenda, and (2) open public comment not related to a commission agenda item.

(1) Persons wishing to speak on a particular item on the agenda must fill out a speaker's slip; the Chair will call their name to speak; the speaker will testify that they are in favor or object to the project; after all public testimony has been taken, the Commission will close the hearing and vote on the matter. The District Director will announce these public comment rules each day in the morning after the roll call has been taken.

(2) Persons wishing to give public comment during the 'Public Comment Period' must fill out a speaker's slip; speaker slips are then handed to the Chair who will then call each speaker to speak about coastal related issues in their community; speakers are given about 3 minutes to speak. This portion of the hearing is taken either before lunch break and/or at the end of the day. This is done at each day of the hearing. In both cases, the speaker slips become part of the Commission's record and their names are listed in the minutes.

When the speakers are focused, 3 minutes can be sufficient to communicate a particular point. Otherwise, speakers might arrange to have others in attendance note on their speaker slips that they cede their time to a group leader who then speaks on the group's behalf for a period of time longer than 3 minutes.

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### **California State Teachers' Retirement System (CALSTRS)**

CALSTRS approaches Public Comment in a few different ways.

(1) The last item of each meeting is dedicated to "Opportunities for Statements from the Public".

(2) They provide a sign-up sheet at the back of the meeting room for those who wish to speak to the Board/Committee. These requests are given to the chair who calls the individual at the appropriate time. This is encouraged when they know that there will be large group of individuals who wish to make statements.

(3) The chair often acknowledges individuals who stand near the public microphones to speak during the meeting to comment on a specific item.

Comments are limited to a maximum of 5 minutes.

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### **Seismic Safety Commission**

Public can comment to the Seismic Safety Commission in two ways:

1. Address the commission during the “public comment” item on the agenda. This usually takes place near the end of the Commission meeting.
2. Send a written (letter) or email request. Question is reviewed by commission staff and forwarded to the appropriate expert on the staff or the commission. This individual is tasked with responding to the questioner.

Public Comment during the meetings is limited to 5 minutes.

In terms of effectiveness the contact person stated that the procedure seems to work. Time limits more often than not are exceeded but not much.

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### **The First 5 California Children and Families Commission**

The California First 5 Commission conducts its meetings in compliance with the Bagley-Keene Open Meeting Act (Government Code sections 11120-11132). Accordingly, First 5 California provides an opportunity for members of the public to address the commission on each agenda item during the Commission’s discussion or consideration of each item.

Further, as part of their posted agenda members of the public may address the commission. They are asked to place their name and affiliation on a sign-up sheet if they are going to speak, but they are not required to do so to provide public comment.

Finally, it is noted on their agenda that their Chairperson may impose reasonable time limits on each speaker, depending on the number of individuals wishing to address the commission on a particular agenda item or topic.

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### **Little Hoover Commission**

The Little Hoover Commission allows Public Comment at the end of witness testimony. They do not have a lot of agenda items but rather informational public hearings. They try to limit Public Comment to 5 minutes, but if they come across someone that is adding value to the topic that is under discussion, they give them more time. They always encourage the person to contact staff later to follow up, and they always invite them to submit written testimony or a letter to the commission if they wish. Their process is about ensuring that they have as much relevant information as possible before they develop recommendations, so they

err on the side of full inclusion.

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### **California Postsecondary Education Commission**

They post their Agenda sheet for their meetings online and list information on public comment with the agenda both online and where it is physically posted at meeting locations. Their Commission chair also announces at the beginning of the meeting, during his report, the email address which can be used to email questions or comments during the meeting for those who are listening to the meeting online where it is web-streamed. Questions submitted electronically may be addressed at the close of the discussion of each item. The public is generally welcome to comment on any of the agenda items, commonly at the end of the presentation and commission question/comments. Persons attending the meeting who wish to address the Commission on an Agenda item are instructed to complete and submit a request form to the Commission Secretary prior to discussion or action on that item.

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### **California Commission on the Status of Women**

During Public Hearings individuals who wish to speak are instructed to complete a speaker's slip. They are given 2-3 minutes for both agenda and non-agenda items. The public may also send comments via email and a staff person familiar with the topic will respond in a timely manner.

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### **California Transportation Commission**

The Commission allows public comment after each item on the agenda is presented by Commission staff and any discussion by Commissioners. If someone wants to make a comment on a specific agenda item, they fill out a Speaker Request Card for that item and the Chair calls them up to make their comment following the staff presentation of the item and Commissioner discussion. For agenda items that the Commission is required to take an action on, the Chair calls up the individual who submitted a speaker card, receives their comments, Commissioners can ask the speaker questions, and then the Commission takes a vote on the item if the item requires a vote.

The Commission also affords the public to make comment at the end of each meeting. Time is allotted on the agenda for public comment on any topic relative to Commission business that does not appear as an agenda item.

The Commission includes the following statement on each meeting agenda to

ensure that the public is aware of how they can address the Commission:

*"Persons attending the meeting who wish to address the California Transportation Commission on a subject to be considered at this meeting are asked to complete a Speaker Request Card and give it to the Executive Assistant prior to the discussion of the item. If you would like to present handouts/written material to the California Transportation Commission at the meeting, please provide a minimum of 25 copies."*

Usually speakers are given three minutes to make their comments, however, if the Chair so desires he/she may afford speakers additional time. Comments received are recorded in the official meeting minutes. Commissioners can ask questions during the public comment period. This process of receiving public comment has worked well for the Commission.