

March 25, 2004

TO: Members of the MAG Enhancement Funds Working Group

FROM: Dawn M. Coomer, Multi-Modal Program Manager

SUBJECT: CHANGES IN THE MAG PUBLIC COMMENT PROCESS FOR COMMITTEES

The Maricopa Association of Governments (MAG) has an adopted process for accepting public comment at MAG meetings. In the past, these rules have been applied primarily to Regional Council and Management Committee meetings. In order to eliminate confusion among citizens as to how they can provide effective input at the committee level, the Chair of the Regional Council has requested that all MAG committees have a standardized policy for public comment.

The MAG Enhancement Funds Working Group (EFWG) adopted a process for the review and ranking of transportation enhancement applications from the MAG region in March, 2002. MAG staff is recommending changes to this process to ensure consistency with the adopted MAG public comment process for committees as provided below. Changes to the process are indicated in ~~strikeout~~ and **bolded** text on the attached pages.

BACKGROUND

The Regional Council Chair has requested that the Chairs of all MAG committees implement the adopted MAG public comment process to all for input at every level of the process. A description of the adopted MAG public comment process follows.

Under the adopted process, there are three opportunities for citizens to provide input:

- Call to the Audience
- Consent Agenda (cumulatively)
- Action Items (individually)

During the Call to the Audience, citizens have three minutes to provide comment on any **nonagenda** item that is within the jurisdiction of the public body, as well as any **nonaction** agenda item. This encompasses a very broad range of topics and issues. This opportunity is generally held at the beginning of the meeting prior to any other actions. Please note that this wording represents a change that is more inclusive than our former process. In the past, citizens could speak only on **nonagenda** items, meaning they could not discuss items that were on the agenda for discussion or information. Under the enhanced policy, we will now allow citizens to provide comment on items that are on the agenda for discussion but not action. This enhancement

is being recommended following our meeting with citizens.

For those committees with a consent agenda, speakers have a total of three minutes to speak on any or all consent agenda items (cumulatively). Citizens should be able to determine whether an item is a consent item by looking on the meeting agenda. Consent items should be marked by an asterisk (*). This comment period should take place prior to approval of the consent agenda by the committee.

Citizens are given three minutes to speak on any action item (three minutes per item). Citizens should be able to determine whether an item is an action item by the agenda item description. Action items will begin with "action" words such as "Approve," "Accept," "Adopt," "Recommend," etc.

If a citizen does not believe he/she can adequately cover their concerns in the three-minute time frame, written comments are always accepted. Under the MAG comment process, the Chair has the discretion to extend or limit citizen comment periods. For example, the Chair may always choose to allow additional time or provide for audience participation and discussion. However, the discretion to limit public comment should be exercised cautiously and implemented only in cases in which the work of the body would be jeopardized by allowing citizen comment (i.e., if the committee is in imminent danger of losing a quorum).

The Chair has the power to enforce the speaking rules, as outlined on the MAG comment cards, and to revoke speaking rights if any violation of the speaking rules occurs. The Chair may revoke an individual's rights to speak if the individual twice refuses to be silent after being directed to do so. (If an individual loses the right to speak, he/she may still present written comments.)

**MAG Enhancement Funds Working Group
Revised Process for Review and Ranking of Applications**

- I. Each enhancement fund cycle, three meetings of the EFWG are scheduled to review and rank applications. The first meeting focuses on reviewing applications. Applicants may be asked questions about their application and may be asked to make changes to their application based on the expertise of the EFWG. The second meeting provides for additional review of applications (if needed), discussion of issues or questions raised regarding applications at the first meeting, and ranking of applications. A third meeting is scheduled, if necessary, to allow additional opportunity for application ranking.
- II. A list showing the order applications will be reviewed at the EFWG meetings will now be provided on the EFWG agenda. Providing the list allows applicants to make the best use of their time in attending EFWG meetings. The applications will be reviewed in the order received by MAG staff.
- III. The review of applications occurs as follows:
 - A. Brief introduction by MAG staff explaining how the application fits into the federal legislation.
 - B. Five minute presentation provided by the applicant.
 - C. Maximum public comment period of five minutes for each application, following the presentation provided by the applicant.
 - D. 10 minute question-and-answer period led by EFWG co-chairs.
 - E. Applicants are required to submit a written response to comments raised by EFWG members prior to the next meeting. The written response should be directed to MAG staff.
- IV. **Meetings of the Enhancement Funds Working Group provide two opportunities for public comment: during the “call to the audience” and on each action item. During the Call to the Audience, speakers have three minutes to provide comment on any nonagenda item that is within the jurisdiction of MAG, as well as any nonaction agenda item. This opportunity is generally held at the beginning of the meeting prior to any other actions.**

In addition, speakers are given three minutes to speak on any action item (three minutes per item). If a speaker does not believe he/she can adequately cover their concerns in the three-minute time frame, written comments are always accepted. The Chair has the discretion to extend or limit citizen comment periods. However, the discretion to limit public comment should be exercised cautiously and implemented only in cases in which the work of the body would be jeopardized by allowing citizen comment (i.e., if the committee is in imminent danger of losing a quorum).

The Chair has the power to enforce the speaking rules, as outlined on the MAG comment cards, and to revoke speaking rights if any violation of the speaking rules occurs. The Chair may revoke an individual's rights to speak if the individual twice refuses to be silent after being directed to do so. (If an individual loses the right to speak, he/she may still present written comments.)

- V. ~~Public comment at the ranking meeting(s) is limited to a general public comment period at the beginning of the meeting. This general comment period is limited to 10 minutes.~~
- VI. To rank applications:
- A. Committee members anonymously complete ballots provided by MAG staff.
 - B. MAG staff compiles and calculates initial rankings. A brief break in the meeting is typically called to allow time for the calculations.
 - C. EFWG discusses initial ranking with no additional opportunity for public input.
- VII. To address the issue of multiple applications submitted by one member agency, each member agency submitting more than one application is requested to submit a letter to MAG staff indicating the priority ranking of the projects submitted. This information is *not required*.