



**June 28, 2021**

**To:** Members of the Board of Directors  
**From:** Darrell E. Johnson, Chief Executive Officer  
**Subject:** Taxpayer Oversight Committee New Member Recruitment and Lottery

### **Overview**

The Measure M2 Ordinance No. 3 requires the establishment of a committee to oversee implementation of the prescribed Measure M2 program of transportation improvements. This committee is known as the Taxpayer Oversight Committee, and each year, new committee members are recruited and selected to fill vacancies created by expired terms. The recruitment process for the Taxpayer Oversight Committee has been completed for 2021, and a lottery must take place in public session to fill vacancies in the First, Second, Fourth, and Fifth Supervisorial Districts.

### **Recommendation**

Pursuant to Measure M2 Ordinance No. 3, conduct the lottery for final selection of new Measure M2 Taxpayer Oversight Committee members by drawing one name representing each of the First, Second, Fourth, and Fifth Supervisorial Districts, from the list of recommended finalists from the Grand Jurors Association of Orange County.

### **Background**

The Measure M2 (M2) Ordinance No. 3 (M2 Ordinance) requires the establishment of an independent Taxpayer Oversight Committee (TOC) to ensure the transportation projects in the M2 Transportation Investment Plan (Plan) are implemented as approved by the voters. The 11-member committee has balanced representation from all five supervisorial districts, with ten private citizens plus the Orange County Auditor-Controller. The TOC meets bimonthly to review progress on the implementation of the Plan.

Each year, as terms of appointed TOC members come to an end, a recruitment process is conducted to fill vacancies. As outlined in the M2 Ordinance, the

recruitment process is conducted by the Grand Jurors Association of Orange County (GJAOC). The GJAOC acts as an independent body serving in the interest of Orange County citizens. In its role, the GJAOC appoints a five-member Selection Panel (Panel) to conduct the recruitment process.

The Panel has conducted the application/recruitment program since the beginning of Measure M in 1990. The first lottery took place on November 15, 1990, and the individuals chosen began meeting in January 1991, serving staggered one-year, two-year, or three-year terms. Following the same recruitment process, new members serving three-year terms have joined the committee each year, replacing outgoing members whose terms have expired.

### ***Discussion***

On June 30, 2021, the terms of four TOC members will expire. The current membership roster is attached (Attachment A). The schedule for the recruitment process for this year began in late January 2021 to fill vacancies in the First, Second, Fourth, and Fifth Supervisorial District seats (Attachment B).

The Panel concluded the recruitment process to fill the four vacant positions in early May (Attachment C). A fact sheet/application form was used for recruitment purposes (Attachment D). Announcements were distributed to more than 8,700 persons by sending an announcement to the Orange County Transportation Authority (OCTA) database. Advertisements were also placed in the Los Angeles Times and the Orange County Register, and digital banners were placed on their websites. In addition, postings were made on OCTA's social media pages as well as on construction project pages located within the recruitment area. Additionally, targeted Facebook and mobile application advertisements were used to notify residents in the First, Second, Fourth, and Fifth Supervisorial Districts. Announcements were sent to the media, cities, and elected offices and information was sent to local civic organizations and professional associations (Orange County Business Council, OC Taxpayers Association, Chambers of Commerce, etc.) to include in their newsletters and social media accounts. Also, information was sent to three Orange County universities (University of California, Irvine, Chapman University, and California State University, Fullerton) to share with graduate students studying fields related to business or political science.

The members of the Panel screened 29 applications from interested citizens, looking closely at each applicant's community service record, as well as experience with community and transportation issues. The Panel considered each individual's ability to assess and analyze facts, desire to make the TOC a priority, their involvement in community organizations, any special skills or

experience relating to transportation, and their degree of knowledge of government. In addition, M2 prohibits elected or appointed officials from serving on the TOC. Based on a previous amendment to the M2 Ordinance, the Panel also included more specific questions on the application regarding conflicts of interest. Any appointed and elected officials were required to fill out an intent to resign form.

Following the initial screening process, 27 virtual interviews were conducted by the Panel in an effort to gain as much insight as possible about the most qualified candidates.

The Panel is recommending 15 candidates for possible membership on the committee: two from the First Supervisorial District, five from the Second Supervisorial District, three from the Fourth Supervisorial District, and five from the Fifth Supervisorial District (Attachment E). While an extensive outreach campaign took place for recruitment across all Supervisorial Districts, application numbers fluctuated between districts resulting in variance in the number of finalists.

At the June 28, 2021, OCTA Board of Directors meeting, the Chairman will select four persons by lottery to fill the vacant positions. The four new members will begin serving their terms in July 2021. Each representative will serve a three-year term.

During the lottery process, the first name drawn from each supervisorial district will be the selected committee member. The remaining names will be drawn from each supervisorial district to establish a contingency list. Should a vacancy occur, finalists would be called upon to serve on the committee in the order in which the names were drawn.

#### **Resolutions for Outgoing Members**

Participation on the TOC requires dedication, time, and commitment. The volunteers who serve on the TOC provide expertise and insight, resulting in thoughtful discussions regarding the implementation and oversight of M2. In recognition of this contribution to the citizens of Orange County, Resolutions of Appreciation will be given to the following TOC members who have completed their terms:

- Dr. Pauline Merry – First Supervisorial District
- Mark Kizzar – Second Supervisorial District
- Larry Lang – Fourth Supervisorial District

- Jeffrey Kaplan – Fifth Supervisorial District

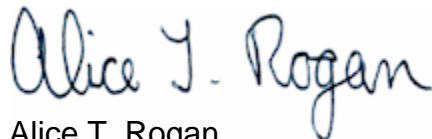
***Summary***

The Panel has completed its recruitment for four open positions on the TOC for the First, Second, Fourth, and Fifth Supervisorial Districts and submitted the names of eligible candidates for the 2021 lottery to fill the four positions. Outgoing members will receive Resolutions of Appreciation.

***Attachments***

- A. Measure M2 Taxpayer Oversight Committee Members Fiscal Year 2020-21
- B. Measure M2 Taxpayer Oversight Committee, 2021 Recruitment Schedule, Supervisorial Districts One, Two, Four, and Five
- C. 2021 Grand Jurors Association of Orange County, Oversight Committee Selection Panel
- D. Taxpayer Oversight Committee, 2021 Membership Application
- E. Measure M2 Taxpayer Oversight Committee, 2021 Finalists

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