



June 28, 2021

To: Members of the Board of Directors

From: Darrell E. Johnson, Chief Executive Officer 

Subject: Taxpayer Oversight Committee Measure M2 Annual Public Hearing Results and Compliance Finding

Overview

Measure M, Orange County's one-half cent sales tax for transportation, was passed by voters in 1990 and renewed in 2006. The Measure M2 Ordinance No. 3 requires an independent committee to oversee compliance and to determine whether the Orange County Transportation Authority is proceeding in accordance with Ordinance No. 3. On June 8, 2021, that independent committee, established as the Taxpayer Oversight Committee, conducted the 30th Measure M Annual Public Hearing. The Taxpayer Oversight Committee found the Orange County Local Transportation Authority has proceeded in accordance with Measure M2 Ordinance No. 3 during 2020.

Recommendation

Receive and file as an information item.

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 in 2006. The 11-member committee has balanced representation of 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 M2.

Annually, the TOC is required to hold a public hearing to receive comments from the public regarding M2 as part of its oversight effort to determine whether the Orange County Transportation Authority (OCTA), acting as the Orange County Local Transportation Authority (OCLTA), is proceeding in accordance with M2.

The results of the hearing and the finding of the TOC are transmitted to the OCTA Board of Directors annually. The TOC has consistently found OCTA in compliance for the past 29 years.

Discussion

On June 8, 2021, the 30th Measure M Annual Public Hearing took place virtually via Zoom. The hearing was publicized through news releases, public notices, and posted on OCTA's social media sites and *On the Move* blog. In accordance with Executive Order N-29-20, in order to ensure the safety of the TOC members and staff, and due to the coronavirus pandemic, public comments were to be submitted remotely by 6:00 p.m. on Friday, June 4, 2021. There were no public comments received by the deadline.

Following the public hearing and review of the annual financial audit of OCLTA and all other information the committee members have been provided to date, the TOC made the determination at its June 8, 2021 meeting that during 2020, OCTA has proceeded in accordance with the M2 Ordinance. Frank Davies, Chair of the TOC, has submitted an official letter stating their findings (Attachment A).

Additionally, in accordance with M2 Ordinance, Section 10, Paragraph 3, Chair Davies certified that the revenues through fiscal year ending June 30, 2020, have been spent in compliance with the M2 Ordinance.

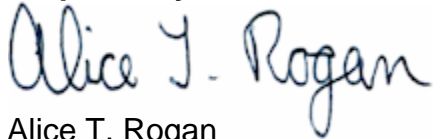
Summary

Subsequent to bimonthly meetings and the Measure M Annual Public Hearing on June 8, 2021, the TOC has determined that OCTA is proceeding in accordance with the M2 Ordinance and Plan.

Attachment

- A. Memo to Andrew Do, Chairman, Orange County Transportation Authority, from Frank Davies, Chair, Measure M Taxpayer Oversight Committee, dated June 9, 2021, Subject – 30th Measure M Annual Public Hearing

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