



Board Report

File #: 2023-0081, **File Type:** Agreement

Agenda Number: 3.

**MEASURE M INDEPENDENT TAXPAYER
OVERSIGHT COMMITTEE
MARCH 1, 2023**

SUBJECT: MEASURE M INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE BYLAWS

**ACTION: APPROVE BYLAWS FOR MEASURE M INDEPENDENT TAXPAYER OVERSIGHT
COMMITTEE**

RECOMMENDATION

APPROVE the proposed Measure M Independent Taxpayer Oversight Committee Bylaws (Attachment A).

ISSUE

The Measure M Ordinance established an Independent Oversight Committee (MMITOC) to monitor and review Metro's compliance with the terms of the Ordinance. Subsequently, Selection Panel Guidelines were developed to establish MMITOC procedures related to member assignments, such as selection, compensation, resignation. Those guidelines also state that the MMITOC may adopt bylaws that establish rules for rotation of MMITOC Officers. During its initial meeting in March of 2018, the MMITOC verbally agreed on a process and schedule for rotation of Officers. This action seeks to formalize the agreements and clarify certain MMITOC procedures that are stated generally in the Ordinance.

DISCUSSION

During the June 2022 meeting, the Chair recommended that the MMITOC formalize rules for the establishment of officers and their rotation. Staff took the action to develop bylaws in response to this recommendation. Subsequently, staff drafted the bylaws and sought feedback from the MMITOC.

During the December 2022 meeting, staff presented the bylaws to the MMITOC. At that time, the MMITOC requested staff add language to clarify the reporting relationship of the MMITOC. Additional comments from the MMITOC members were also received following the December Board meeting to clarify the reporting to the Board and public. Staff has updated the proposed bylaws to incorporate comments received by the MMITOC within the attached proposed bylaws.

NEXT STEPS

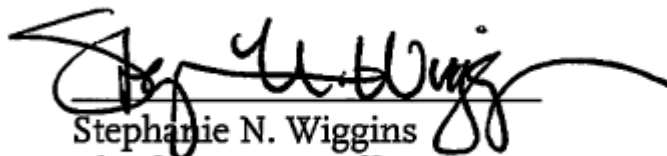
Once approved, staff will ensure that the Bylaws are available on the MMITOC webpage on Metro.net.

ATTACHMENT(S)

A. Proposed Measure M Independent Taxpayer Oversight Committee Bylaws

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**MEASURE M INDEPENDENT
TAXPAYER OVERSIGHT COMMITTEE
BYLAWS**

SECTION 1: PURPOSE

On November 8, 2016, Los Angeles County voters approved Measure M, which imposed a one-half of one percent (.5%) transactions and use tax to fund traffic improvements in the County. The rate of this tax shall increase to one percent (1.0%) on July 1, 2039, immediately upon the expiration of the .5% tax imposed by Ordinance No. 08-01 of the Los Angeles County Metropolitan Transportation Authority (Measure R). Measure M, also known as the Los Angeles County Traffic Improvement Plan (“Ordinance”) establishes an Independent Taxpayer Oversight Committee (“Committee”) and an oversight process to ensure that the Los Angeles County Metropolitan Transportation Authority (Metro) complies with the terms of the Ordinance.

The purpose of these bylaws is to clarify certain Committee procedures that are stated generally in the Ordinance, specifically: how the Committee Selection Panel handles vacancies due to term limits, resignations and the removal of Committee members; who specifically on Metro’s staff the Committee reports to; how Committee officers are selected; how additional Committee meetings are set; and the timeliness of Committee minutes.

SECTION 2: MEMBERSHIP

2.1 MEMBERS. The Committee shall consist of seven (7) members who have met the requirements stipulated in the Ordinance. A Selection Panel, consisting of Metro’s Board Chair, Vice Chair, and second Vice Chair or designees, shall recommend potential candidates for the Independent Taxpayer Oversight Committee membership to the Metro Board for approval.

2.2 TERM. Each member of the Independent Taxpayer Oversight Committee shall serve for a term of five (5) years, and until a successor is appointed, except that initial appointments may be staggered with terms of three (3) years. A Committee member may be removed at any time by the appointing authority. Term limits for Committee members will be staggered to prevent significant turnover at any one time. There is no

limit as to the number of terms that a Committee member may serve.

2.3 RESIGNATION. Any member may, at any time, resign from the Committee upon written notice delivered to the Chairperson and the Board Clerk, and through them to the Selection Panel (Metro Board). Automatic resignation is required upon a Member's accepting or filing for public office or by entering into a conflict of interest, both as defined further in the Ordinance. Changing of residence to outside the County shall constitute a Member's automatic resignation.

2.4 REPORTING STRUCTURE. The Committee reports directly to the Metro Board and the public. The Committee shall be supported administratively by Management Audit Services, which reports to the Deputy Chief Executive Officer.

2.5 REPORTING TO THE BOARD AND PUBLIC. The Committee shall fulfill its responsibilities as prescribed in Section 8.h. of the Ordinance, shall make required findings via resolution, which will be included in subsequent reporting to the Metro Board of Directors. Resolutions and corresponding reports will be made available to the public on the Committee's dedicated website.

2.6 MEETINGS. The Committee shall, at a minimum, meet on a quarterly basis to carry out its responsibilities. Meetings other than the quarterly meetings can be set by either Metro staff or majority vote of the Committee. Reasons for the additional meetings shall be for purposes of furthering Committee responsibilities as outlined in the Ordinance and shall be explained in the meeting minutes.

2.7 MINUTES. Draft minutes of every Committee meeting shall be made available to the Committee within two weeks of the meeting. Any suggested changes shall be made by Committee members within a week of receiving the draft minutes. The draft minutes will be presented for approval at the next Committee meeting.

2.8 ATTENDANCE. Committee members are expected to attend all meetings. Failure to attend three consecutive meetings without explanation acceptable to the Committee Chairperson constitutes grounds for removal. Removal itself will be recommended by the Chairperson and Metro's Management Audit Services, to the Selection Panel. The Selection Panel will rule by the next quarterly meeting, and if necessary initiate a search for a replacement Committee member.

2.9 OFFICERS. The officers of the Committee shall consist of the Chairperson and Vice-Chairperson.

A. Duties of the Chairperson: The Chairperson shall preside at all meetings of the Committee and shall exercise and perform such other powers and duties as may be assigned by the Committee so long as these conform with the general responsibilities stated in the Ordinance.

B. Duties of the Vice-Chairperson: The Vice-Chairperson shall perform the duties of the Chairperson in his or her absence, and when so acting shall have all the powers of and be subject to all restrictions of the Chairperson.

2.10 OFFICER SELECTION AND ROTATION. Committee officers shall rotate based on seniority and then alphabetically by last name. The Committee, annually, or at its June meeting shall confirm its officers. Should there be a vacancy of the Chairperson or Vice-Chairperson, the Committee shall confirm the new officer at its next meeting. The term of office shall be one year.