



Board Report

File #: 2023-0635, **File Type:** Ordinance / Administrative Code

Agenda Number: 2.

**MEASURE M INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE
OCTOBER 5, 2023**

SUBJECT: FINDINGS AND/OR RECOMMENDATIONS TO IMPROVE THE MEASURE M PROGRAM

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

APPROVE the findings and/or recommendations to improve the Measure M program made by the Measure M Independent Taxpayer Oversight Committee (Attachment A).

ISSUE

Measure M, also known as the Los Angeles County Traffic Improvement Plan Ordinance, establishes an Independent Taxpayer Oversight Committee and an oversight process to ensure that the Los Angeles County Metropolitan Transportation Authority (LACMTA) complies with the terms of the Ordinance. The Measure M Independent Taxpayer Oversight Committee (MMITOC) provides an enhanced level of accountability for expenditures of sales tax revenues made under the Expenditure Plan and plays a valuable and constructive role in the ongoing improvement and enhancement of project delivery contemplated under the Measure M Ordinance.

The MMITOC provides quarterly review of Measure M implementation, including revenue generation and expenditures across subfunds and investment categories. In addition, a critical oversight role for the MMITOC is within the Measure M Five Year Comprehensive Program Assessment process, as directed by the Measure M Ordinance and Guidelines. This role includes review of the Five Year Comprehensive Program Assessment and to make findings and/or provide recommendations for improving the overall Measure M program. Per the Ordinance and Guidelines, results of the Committee’s review shall be presented to the Metro Board of Directors as part of Board adoption of the Comprehensive Program Assessment. The Five-Year Assessment presents an interim look at Measure M’s progress and an opportunity to continue successful strategies and identify efforts that may need new direction.

BACKGROUND

In late 2022, the MMITOC worked with Metro staff to develop proposed objectives and criteria for the

Five-Year Assessment, per the Measure M Ordinance and Guidelines. The Assessment is organized by the five objectives approved by the Metro Board in February 2023:

- Assess the performance on the efficiency, effectiveness, and economy in the delivery of Measure M projects and programs
- Identify and evaluate any potential barriers in delivery of the Expenditure Plan
- Identify and evaluate opportunities for process improvements
- Identify and evaluate best practices
- Identify and evaluate any organizational changes needed to improve coordination

In compliance with Measure M Ordinance and Guidelines, staff and the project consultant team presented a summary of assessments and recommendations from the Five-Year Assessment at the September 2023 quarterly MMITOC meeting. During the subsequent committee discussion MMITOC members opted to delay making findings and/or recommendations to improve the overall Measure M program, by no less than 30 days, to have additional time to review the Five-Year Assessment and provide feedback. At that meeting MMITOC delayed making findings and/or recommendations for improving the Measure M Program to a Special Meeting scheduled for October 5, 2023.

Over the five-year period, the MMITOC has been presented with numerous staff presentations on quarterly basis, providing information covering the use of Measure M funds on local return, Transit and Highway Capital projects, the Active Transportation Program, State of Good Repair efforts, transit operating and maintenance, as well as Metro budget priorities.

DISCUSSION

The MMITOC plays a significant role in Measure M implementation, representing taxpayers and overseeing the responsible stewardship of Measure M taxpayer revenue dollars. and the importance of the feedback they provide. While these efforts primarily occur during quarterly meetings, responding to staff updates and presentation, the Five-Year Assessment presents a unique opportunity for the MMITOC to: a) review an interim assessment and subsequent recommendations to advance successful implementation of Measure M, and b) provide independent findings and/or recommendations from the committee to improve the Measure M program.

Staff accommodated the MMITOC decision to utilize additional time to review the Five-Year Assessment and solicited feedback from MMITOC members to provide findings and/or recommendations to improve the Measure M program ahead of the October 5 Special Meeting. Individual MMITOC member findings and recommendations were then compiled and are included within Attachment A for discussion and consideration by the MMITOC. These findings and recommendations serve as foundation for final committee findings and/or recommendations to improve the overall Measure M program.

Final MMITOC findings and/or recommendations will be presented to the Metro Board as part of the adoption of the Five-Year Assessment.

NEXT STEPS

MMITOC findings and/or recommendations to improve the Measure M Program will be included when the Assessment is presented to the Metro Board in accordance with the Measure M Ordinance and Guidelines.

ATTACHMENTS

Attachment A - MMITOC Individual Member Findings and Recommendations

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Measure M Independent Taxpayer Oversight Committee Individual Member
Findings and/or Recommendations for Improvement of the Measure M Program

No.	Program Area	Background/Finding	MMITOC Member Recommendation	Staff Recommended Action
1.	Operations and Maintenance	<p>The MTA is excellent at disbursing Operations and Maintenance (O&M) funds to the County’s municipal transit operators. However, it does not provide metrics that municipal operators are to meet, nor should it. However, neither does it track those resulting efficiency and effectiveness measures from those services. Nor does it track how MTA operations are performing relative to its peers in other US cities.</p> <p>The data on efficiency and effectiveness is required to be reported annually by each operating agency to the Federal Transit Administration and is accessed through the National Transit Database. Therefore, this recommendation can be accomplished at no additional cost. However, it is not easy for an individual taxpayer to extract this information.</p>	<p>Recommends that the MTA establish as part of the MTA’s objective to foster accountability and transparency a readily accessed and sustained “dashboard” showing the National Transit Database efficiency and effectiveness indicators for each transit operator that receives MTA O&M funds.</p>	<p>Continue to work with MMITOC to identify feasible and transparent reporting of operations and maintenance funds for Measure M subrecipients / municipal transit providers.</p>

No.	Program Area	Background/Finding	MMITOC Member Recommendation	Staff Recommended Action
2.	Operations and Maintenance	Estimates of the projected O&M costs of proposed Measure M funded rail projects are done as part of the environmental clearance process but are then never updated until close to project opening. This may not give the MTA enough lead time to understand the impact of a new rail operation on its future budgets.	Recommends that yearly realistic and updated estimates of O&M expenditures be provided to its budgeting department for any Measure M funded rail line expected to open within five years.	Addressed in Five-Year Assessment Recommendation: “Track sufficiency of Measure M operating and maintenance (O&M) set-aside investments to serve newly built capital assets and projects, including forecasted O&M budgets for various project types (e.g. rail, bus, stations) that incorporate known customer experience needs (e.g. safety, cleanliness, wayfinding, technology, language translation).” [p. 114]

No.	Program Area	Background/Finding	MMITOC Member Recommendation	Staff Recommended Action
3.	Operations and Maintenance	<p>There are four locations on the Metro rail network where two lines merge: Wilshire and Vermont Avenues (Red and Purple Lines), 2nd Street and Alameda Avenue (Gold and Blue Lines), Aviation and Imperial Avenues (Green and Crenshaw Lines), and Washington and Flower Avenue (Blue and Gold Lines). The first junction is ideal, a grade-separated flying junction as it should be. The next two junctions are grade-separated from street traffic, but trains cross over each other's tracks. This is an acceptable compromise between cost and operational efficiency; no improvements are needed.</p> <p>The junction at Washington and Flower Avenues, however, definitely needs to be improved. Here the Gold (Expo) Line merges with the Blue Line at-grade at the same level as street traffic. Soon the gold line will have to increase its capacity to serve transferring Crenshaw Line (and Airport-related) riders and in the future the Blue Line may have to increase capacity to handle traffic from the Santa Ana Corridor Rail Line. The Washington and Flower improvements can be inexpensive and helpful, for example eliminating vehicular left turns across rail tracks and other, more controversial traffic engineering improvements. (At this critical juncture, all rail movements should already have absolute priority, but do not.) It may require limited grade-separation of a rail track or traffic movement. Improvements probably precludes the full grade-separation of the junction given the (now) high cost of full grade-separation at this location.</p> <p>The Measure M Expenditure Plan has no line item for any improvements at this location. Proposition A or C or Measure R funds could also be used to fund these improvements, so this may not be solely a Measure M issue. But it should be incorporated in one of the four expenditure plans or shared by all four. The issue is this.</p>	<p>Recommends that the MTA: a) undertake a serious analysis of the full range improvement options at the southern junction of the Gold and Blue Lines at Washington and Flower Avenues, and b) program the expenditures necessary to implement the selected improvements using either Measure M funds or other appropriate MTA sales tax funds.</p>	<p>Conduct analysis to determine feasible improvements at noted locations, eligible to be funded by Measure M funds without duplicating regional schedule investment efforts.</p>

No.	Program Area	Background/Finding	MMITOC Member Recommendation	Staff Recommended Action
4.	Operations and Maintenance	[N/A]	[Five-Year Assessment] Figures 3.1, 3.2, 3.3, 3.7, 3.8, 3.12 and 3.13 should show HRT [heavy rail transit] separated out from LRT [light rail transit] statistics.	Disaggregate heavy rail lines from light rail lines in Operations analysis and reporting as indicated in item 1 above.
5.	Highway, Active Transportation, Complete Streets (Capital)	Complete Streets is a concept that is contained in the Ordinance, yet there is no measurement of how Metro is doing in terms of meeting the requirements to expend funds in compliance with this concept. The 5-Year Assessment does not provide any guide along these lines and should.	[N/A]	Addressed in Five-Year Assessment Recommendation: “Implement a new quality of life scorecard that tracks pass-through funding to local jurisdictions and how that funding is invested in locally-controlled infrastructure and programs, such as street safety, bus shelters and heat resilience strategies.” [p. 116]
6.	Active Transportation	At present, Active Transportation Funds can only be used for capital improvements, i.e., new construction. This means that nothing can be done to improve any existing bikeways, some of which are heavily used. The word “bikeway” means a biking facility that is not part of a street used by vehicles. The repaving of an existing street can use Measure M funds, but repaving of an existing bikeway cannot. Safety improvements to an existing street can use Measure M funds, but safety improvements to an existing bikeway cannot. An existing street or freeway can be widened with Measure M funds, but widening of an existing bikeway cannot.	Recommends that the MTA allow Active Transportation funds to be used for repaving, safety enhancements, and widening of an existing bikeway. A potential project must still go through the same MTA approval process used for bikeway capital improvement projects.	Identify limitations to Measure M Active Transportation funds and determine eligible investment expenditures for existing bikeway maintenance and safety improvement.