



SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
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Los Angeles, CA 90017
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www.scag.ca.gov

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Clint Lorimore, Eastvale

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**Jan C. Harnik, Riverside County
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Human Development
Jorge Marquez, Covina

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David Pollock, Moorpark

Transportation
Art Brown, Buena Park

MEETING NO. 642

HYBRID (IN-PERSON & REMOTE PARTICIPATION) *

REGIONAL COUNCIL

In-Person & Remote Participation*

Thursday, April 7, 2022

12:30 p.m. – 2:00 p.m.

****Public Participation: The SCAG offices are currently closed to members of the public. Please see next page for detailed instructions on how to participate in the meeting.***

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Call-in Number: 1-669-900-6833

Meeting ID: 249 187 052

PUBLIC ADVISORY

Given the declared state of emergency (pursuant to State of Emergency Proclamation dated March 4, 2020) and local public health directives imposing and recommending social distancing measures due to the threat of COVID-19, and pursuant to Government Code Section 54953(e)(1)(A), the meeting will be held telephonically and electronically.

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Maggie Aguilar at (213) 630-1420 or via email at aguilarm@scag.ca.gov. Agendas & Minutes are also available at: www.scag.ca.gov/committees.

SCAG, in accordance with the Americans with Disabilities Act (ADA), will accommodate persons who require a modification of accommodation in order to participate in this meeting. SCAG is also committed to helping people with limited proficiency in the English language access the agency's essential public information and services. You can request such assistance by calling (213) 630-1420. We request at least 72 hours (three days) notice to provide reasonable accommodations and will make every effort to arrange for assistance as soon as possible.



Instructions for Public Comments

You may submit public comments in two (2) ways:

1. **In Writing:** Submit written comments via email to: ePublicComment@scag.ca.gov by **5pm on Wednesday, April 6, 2022**. You are **not** required to submit public comments in writing or in advance of the meeting; this option is offered as a convenience should you desire not to provide comments in real time as described below.

All written comments received after 5pm on Wednesday, April 6, 2022 will be announced and included as part of the official record of the meeting.

2. **In Real Time:** If participating in real time via Zoom or phone, during the Public Comment Period (Matters Not on the Agenda) or at the time the item on the agenda for which you wish to speak is called, use the “raise hand” function on your computer or *9 by phone and wait for SCAG staff to announce your name/phone number. SCAG staff will unmute your line when it is your turn to speak. Limit oral comments to 3 minutes, or as otherwise directed by the presiding officer. For purpose of providing public comment for items listed on the Consent Calendar, please indicate that you wish to speak when the Consent Calendar is called; items listed on the Consent Calendar will be acted on with one motion and there will be no separate discussion of these items unless a member of the legislative body so requests, in which event, the item will be considered separately.

If unable to connect by Zoom or phone and you wish to make a comment, you may submit written comments via email to: ePublicComment@scag.ca.gov.

In accordance with SCAG’s Regional Council Policy, Article VI, Section H and California Government Code Section 54957.9, if a SCAG meeting is “willfully interrupted” and the “orderly conduct of the meeting” becomes unfeasible, the presiding officer or the Chair of the legislative body may order the removal of the individuals who are disrupting the meeting.

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Instructions for Participating in the Meeting

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To Watch a “View-Only” Live Stream (for those who do not desire to offer public comments): Click the following link: <http://scag.ca.gov/RCLiveStream>

To Participate and Provide Verbal Comments on Your Computer

1. Click the following link: <https://scag.zoom.us/j/249187052>
2. If Zoom is not already installed on your computer, click “Download & Run Zoom” on the launch page and press “Run” when prompted by your browser. If Zoom has previously been installed on your computer, please allow a few moments for the application to launch automatically.
3. Select “Join Audio via Computer.”
4. The virtual conference room will open. If you receive a message reading, “Please wait for the host to start this meeting,” simply remain in the room until the meeting begins.
5. During the Public Comment Period, use the “raise hand” function located in the participants’ window and wait for SCAG staff to announce your name. SCAG staff will unmute your line when it is your turn to speak. Limit oral comments to 3 minutes, or as otherwise directed by the presiding officer.

To Listen and Provide Verbal Comments by Phone

1. Call **(669) 900-6833** to access the conference room. Given high call volumes recently experienced by Zoom, please continue dialing until you connect successfully.
2. Enter the **Meeting ID: 249 187 052**, followed by #.
3. Indicate that you are a participant by pressing # to continue.
4. You will hear audio of the meeting in progress. Remain on the line if the meeting has not yet started.
5. During the Public Comment Period, press *9 to add yourself to the queue and wait for SCAG staff to announce your name/phone number. SCAG staff will unmute your line when it is your turn to speak. Limit oral comments to 3 minutes, or as otherwise directed by the presiding officer.

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RC - Regional Council Members – April 2022

- 1. Hon. Clint Lorimore**
President, Eastvale, RC District 4
- 2. Hon. Jan C. Harnik**
1st Vice President, RCTC Representative
- 3. Sup. Carmen Ramirez**
2nd Vice President, Ventura County
- 4. Hon. Rex Richardson**
Imm. Past President, Long Beach, RC District 29
- 5. Hon. Cindy Allen**
Long Beach, RC District 30
- 6. Hon. Adele Andrade-Stadler**
Alhambra, RC District 34
- 7. Hon. Phil Bacerra**
Santa Ana, RC District 16
- 8. Hon. Kathryn Barger**
Los Angeles County
- 9. Hon. Megan Beaman-Jacinto**
Coachella, RC District 66
- 10. Hon. Ben Benoit**
Air District Representative
- 11. Hon. Elizabeth Becerra**
Victorville, RC District 65
- 12. Hon. Bob Blumenfield**
Los Angeles, RC District 50
- 13. Hon. Mike Bonin**
Los Angeles, RC District 58
- 14. Hon. Drew Boyles**
El Segundo, RC District 40
- 15. Hon. Art Brown**
Buena Park, RC District 21

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- 16. Hon. Lorrie Brown**
City of Ventura, RC District 47
- 17. Hon. Wendy Bucknum**
Mission Viejo, RC District 13
- 18. Hon. Joe Buscaino**
Los Angeles, RC District 62
- 19. Hon. Juan Carrillo**
Palmdale, RC District 43
- 20. Hon. Gilbert Cedillo**
Los Angeles, RC District 48
- 21. Hon. Letitia Clark**
Tustin, RC District 17
- 22. Hon. Jonathan Curtis**
La Canada Flintridge, RC District 36
- 23. Hon. Kevin de León**
Los Angeles, District 61
- 24. Hon. Steve DeRuse**
La Mirada, RC District 31
- 25. Hon. Paula Devine**
Glendale, RC District 42
- 26. Hon. Diane Dixon**
Newport Beach, RC District 15
- 27. Ms. Lucy Dunn**
Business Representative, Non-Voting Member
- 28. Hon. Margaret Finlay**
Duarte, RC District 35
- 29. Hon. Alex Fisch**
Culver City, RC District 41
- 30. Hon. Eric Garcetti**
Member-at-Large
- 31. Hon. James Gazeley**
Lomita, RC District 39

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- 32. Hon. Brian Goodell**
OCTA Representative
- 33. Sup. Curt Hagman**
San Bernardino County
- 34. Hon. Ray Hamada**
Bellflower, RC District 24
- 35. Hon. Marqueece Harris-Dawson**
Los Angeles, RC District 55
- 36. Hon. Mark Henderson**
Gardena, RC District 28
- 37. Hon. Laura Hernandez**
Port Hueneme, RC District 45
- 38. Hon. Peggy Huang**
TCA Representative
- 39. Hon. Mike Judge**
VCTC Representative
- 40. Hon. Joe Kalmick**
Seal Beach, RC District 20
- 41. Hon. Kathleen Kelly**
Palm Desert, RC District 2
- 42. Hon. Tammy Kim**
Irvine, RC District 14
- 43. Hon. Paul Koretz**
Los Angeles, RC District 52
- 44. Hon. Paul Krekorian**
Los Angeles, RC District 49
- 45. Hon. John Lee**
Los Angeles, RC District 59
- 46. Hon. Patricia Lock Dawson**
Riverside, RC District 68
- 47. Hon. Steven Ly**
Rosemead, RC District 32

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- 48. Hon. Steve Manos**
Lake Elsinore, RC District 63
- 49. Hon. Jorge Marquez**
Covina, RC District 33
- 50. Hon. Ray Marquez**
Chino Hills, RC District 10
- 51. Hon. Nury Martinez**
Los Angeles, RC District 53
- 52. Hon. Andrew Masiel**
Tribal Govt Regl Planning Board Representative
- 53. Hon. Larry McCallon**
Highland, RC District 7
- 54. Hon. Marsha McLean**
Santa Clarita, RC District 67
- 55. Hon. L.Dennis Michael**
Rancho Cucamonga, RC District 9
- 56. Hon. Fred Minagar**
Laguna Niguel, RC District 12
- 57. Hon. Marisela Nava**
Perris, RC District 69
- 58. Hon. Maria Nava-Froelich**
ICTC Representative
- 59. Hon. Frank Navarro**
Colton, RC District 6
- 60. Hon. Kim Nguyen**
Garden Grove, RC District 18
- 61. Hon. Mitch OFarrell**
Los Angeles, RC District 60
- 62. Hon. Trevor O'Neil**
Anaheim, RC District 19
- 63. Sup. Luis Plancarte**
Imperial County

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- 64. Hon. David Pollock**
Moorpark, RC District 46
- 65. Hon. Michael Posey**
Huntington Beach, RC District 64
- 66. Hon. Curren Price**
Los Angeles, RC District 56
- 67. Hon. Randall Putz**
Big Bear Lake, RC District 11
- 68. Hon. Nithya Raman**
Los Angeles, RC District 51
- 69. Hon. Deborah Robertson**
Rialto, RC District 8
- 70. Hon. Monica Rodriguez**
Los Angeles, RC District 54
- 71. Hon. Ali Saleh**
Bell, RC District 27
- 72. Hon. Tim Sandoval**
Pomona, RC District 38
- 73. Hon. Rey Santos**
Beaumont, RC District 3
- 74. Hon. Zak Schwank**
Temecula, RC District 5
- 75. Hon. David J. Shapiro**
Calabasas, RC District 44
- 76. Hon. Marty Simonoff**
Brea, RC District 22
- 77. Hon. Jose Luis Solache**
Lynwood, RC District 26
- 78. Sup. Hilda Solis**
Los Angeles County
- 79. Sup. Karen Spiegel**
Riverside County

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- 80. Hon. Steve Tye**
Diamond Bar, RC District 37

- 81. Hon. Cheryl Viegas-Walker**
El Centro, RC District 1

- 82. Sup. Donald Wagner**
Orange County

- 83. Hon. Alan Wapner**
SBCTA Representative

- 84. Hon. Frank A. Yokoyama**
Cerritos, RC District 23

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REGIONAL COUNCIL AGENDA

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022
12:30 PM

The Regional Council may consider and act upon any of the items on the agenda regardless of whether they are listed as Information or Action items.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE *(The Honorable Clint Lorimore, President)*

PUBLIC COMMENT PERIOD (Matters Not on the Agenda)

This is the time for persons to comment on any matter pertinent to SCAG's jurisdiction that is *not* listed on the agenda. Although the committee may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon at this time. Public comment for items listed on the agenda will be taken separately as further described below.

General information for all public comments: Members of the public are encouraged, but not required, to submit written comments by sending an email to: ePublicComment@scag.ca.gov by 5pm on Wednesday, April 6, 2022. Such comments will be transmitted to members of the legislative body and posted on SCAG's website prior to the meeting. Any writings or documents provided to a majority of the Regional Council regarding any item on this agenda (other than writings legally exempt from public disclosure) are available at the Office of the Clerk, located at 900 Wilshire Blvd., Suite 1700, Los Angeles, CA 90017 during normal business hours and/or by contacting the office by phone, (213) 630-1420, or email to aguilarm@scag.ca.gov. Written comments received after 5pm on Wednesday, April 6, 2022, will be announced and included as part of the official record of the meeting. Members of the public wishing to verbally address the Regional Council in real time during the meeting will be allowed up to a total of 3 minutes to speak on items on the agenda, with the presiding officer retaining discretion to adjust time limits as necessary to ensure efficient and orderly conduct of the meeting. The presiding officer has the discretion to equally reduce the time limit of all speakers based upon the number of comments received. If you desire to speak on an item listed on the agenda, please wait for the chair to call the item and then indicate your interest in offering public comment by either using the "raise hand" function on your computer or pressing *9 on your telephone. For purpose of providing public comment for items listed on the Consent Calendar (if there is a Consent Calendar), please indicate that you wish to speak when the Consent Calendar is called; items listed on the Consent Calendar will be acted upon with one motion and there will be no separate discussion of these items unless a member of the legislative body so requests, in which event, the item will be considered separately.

REVIEW AND PRIORITIZE AGENDA ITEMS

ACTION ITEM

1. Findings to Continue Holding Virtual Regional Council and Committee Meetings Under AB 361
(Ruben, Duran, BB&K Board Counsel)

RECOMMENDED ACTION:

That the Regional Council (RC): (1) ratify the prior actions of the Executive/Administration Committee taken at its March 2, 2022 meeting relating to findings made pursuant to Government Code Section 54953(e)(3); (2) make the following findings required by Government Code Section 54953(e)(3) on the basis of the staff report, which is incorporated by this reference, that (i) a proclaimed state of emergency remains active in connection with the COVID-19 public health crisis, (ii) the RC has reconsidered the circumstances of the state of emergency and (iii) state and local officials continue to impose or recommend measures to promote social distancing in relation to the COVID-19 public health crisis and, further, (3) authorize all legislative bodies of the Southern California Association of Government (SCAG), including the RC, EAC and all committees and task forces established by the RC or SCAG's Bylaws, to utilize remote teleconference meetings pursuant to and in compliance with Brown Act provisions contained in Government Code Section 54953(e).

2. Nominations and Election of 2022-23 SCAG Officers
(Hon. Rex Richardson, Chair, Nominating Committee)

RECOMMENDED ACTION:

Elect the nominees recommended by the Nominating Committee as SCAG's 2022-23 officers, subject to ratification by the General Assembly.

3. Consideration of Proposed Amendments to the SCAG Bylaws
(Michael R.W. Houston, Chief Counsel/Director Legal Services)

RECOMMENDED ACTION:

That the Regional Council review and act on the proposed Bylaws amendments as recommended by the Bylaws and Resolutions Committee, and forward the proposed amendments to the General Assembly for action.

CONSENT CALENDAR

Approval Items

4. Minutes of the Meeting – March 3, 2022



5. Approval for Additional Stipend Payment
6. Resolution No. 22-642-1 Approving Amendment 3 to the FY 2021-22 Overall Work Program Budget
7. Contract Amendment Greater Than 30% of the Contract's Original Value: Contract No. 20-002-C01 Amendment No. 3, General Counsel Services
8. Contract Amendment Greater Than 30% of the Contract's Original Value: Contract No. 21-054-C01 Amendment No. 2, Amazon Web Services (AWS) Infrastructure for the Regional Data Platform
9. Contracts \$200,000 or Greater: Contract No. 21-047-C01 MRFP 14, Regional Resilience Framework
10. Contracts \$200,000 or Greater: Contract No. 21-048-C01 MRFP 03, Sustainable Communities Program Parking Bundle
11. Contracts \$200,000 or Greater: Contract No. 22-025-C01, Truck Route Study
12. 2023 Active Transportation Program Regional Guidelines
13. AB 1944 (Lee and C. Garcia) and AB 2449 (Rubio) - Brown Act Reform
14. S 3649 (Padilla) - Transportation Equity Act
15. SB 942 (Newman) - LCTOP Reform: Free or Reduced Fare Transit Program
16. Proposed Final Public Participation Plan

Receive and File

17. REAP 2 Program Development Framework and Process
18. Executive/Administration Committee Strategic Work Plan Progress Report Quarter Ending March 31, 2022
19. April 2022 State and Federal Legislative Update
20. Review of Proposed Regulatory Changes to California Debt Limit Allocation Committee (CDLAC) Tax Exempt Bond Allocation Criteria



21. Equity Analysis Approach (formerly Environmental Justice Analysis)
22. Draft 2022 South Coast Air Quality Management Plan (AQMP)
23. Racial Equity Early Action Plan – FY22 Progress Report
24. Purchase Orders \$5,000 - \$199,999; Contracts \$25,000 - \$199,999 and Amendments \$5,000 - \$74,999
25. CFO Monthly Report

BUSINESS REPORT

(Lucy Dunn, Ex-Officio Member; Business Representative)

PRESIDENT'S REPORT

(The Honorable Clint Lorimore, President)

EXECUTIVE DIRECTOR'S REPORT

(Kome Ajise, Executive Director)

FUTURE AGENDA ITEMS

ANNOUNCEMENTS

ADJOURNMENT



**AGENDA ITEM 1
REPORT**

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Michael Houston, Director of Legal Services/Chief Counsel
(213) 630-1467, houston@scag.ca.gov

Subject: Findings to Continue Holding Virtual Regional Council and Committee Meetings Under AB 361

RECOMMENDED ACTION FOR EAC:

That the Executive/Administration Committee (EAC): (1) make the following findings required by Government Code Section 54953(e)(3) on the basis of the staff report, which is incorporated by this reference, that (i) a proclaimed state of emergency remains active in connection with the COVID-19 public health crisis, (ii) the EAC has reconsidered the circumstances of the state of emergency and (iii) state and local officials continue to impose or recommend measures to promote social distancing in relation to the COVID-19 public health crisis and, further, (2) authorize all legislative bodies of the Southern California Association of Government (SCAG), including the EAC, RC and all committees and task forces established by the RC or SCAG’s Bylaws, to utilize remote teleconference meetings pursuant to and in compliance with Brown Act provisions contained in Government Code Section 54953(e).

RECOMMENDED ACTION FOR RC:

That the Regional Council (RC): (1) ratify the prior actions of the Executive/Administration Committee taken at its March 2, 2022 meeting relating to findings made pursuant to Government Code Section 54953(e)(3); (2) make the following findings required by Government Code Section 54953(e)(3) on the basis of the staff report, which is incorporated by this reference, that (i) a proclaimed state of emergency remains active in connection with the COVID-19 public health crisis, (ii) the RC has reconsidered the circumstances of the state of emergency and (iii) state and local officials continue to impose or recommend measures to promote social distancing in relation to the COVID-19 public health crisis and, further, (3) authorize all legislative bodies of the Southern California Association of Government (SCAG), including the RC, EAC and all committees and task forces established by the RC or SCAG’s Bylaws, to utilize remote teleconference meetings pursuant to and in compliance with Brown Act provisions contained in Government Code Section 54953(e).

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

EXECUTIVE SUMMARY:

On March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency pursuant to Government Code Section 8625 in relation to the COVID-19 public health crisis. Notwithstanding the decline in COVID-19-related cases and hospitalizations and the general relaxing of COVID-19-related mandates, this State of Emergency is still in force. Social distancing measures are also still being recommended, as further discussed below. Amendments to the Brown Act in Government Code section 54953(e) (hereafter, "Section 54953(e)") allow legislative bodies to conduct remote/teleconferenced meetings without posting the location of teleconferenced meeting sites or making such sites available to the public (as is required by Section 54953(b)(3)), provided that certain conditions facilitating "real time" public participation and other requirements are satisfied. SCAG's Regional Council Policy Manual permits the holding of remote and teleconferenced meetings in the manner permitted by Section 54953(e). Teleconference meetings include meetings that are held in a "hybrid" manner (that is, with both remote and "in-person" participation, and where the public is not permitted to attend in-person).

Since the enactment of Section 54953(e), the EAC, SCAG's Policy Committees, its other committees and the RC have been meeting pursuant to Section 54953(e), subdivision (1)(A). SCAG's legislative bodies may continue meeting pursuant to Section 54953(e) provided that certain findings are made to continue doing so. Further, to continue meeting in such manner, the meetings must be held pursuant to the requirements of subdivision (e) of Section 54953.

This staff report includes findings that the EAC and RC can make to continue meeting remotely. Action by the EAC and RC will facilitate and authorize all of SCAG's legislative bodies (the RC, EAC, Policy Committees, other committees and task forces) to continue utilizing teleconference/videoconference meetings for a thirty-day period. Further continuation of this practice would require the EAC and/or RC to reconsider the then-current circumstances and make findings accordingly.

BACKGROUND:

The United States Secretary of Health and Human Services declared a public health emergency based on the threat cause by COVID-19 on January 31, 2020. The President of the United States issued a Proclamation Declaring a National State of Emergency Concerning COVID-19 beginning March 1, 2020. Thereafter, the Governor of California issued a Proclamation of State of Emergency pursuant to Government Code Section 8625 in relation to the COVID-19 public health crisis on March 4, 2020. This proclamation has not yet been repealed or rescinded and is currently in force, notwithstanding declines in in COVID-19-related cases and hospitalizations and the general relaxing of COVID-19-related mandates. As a result, a state of emergency continues to be declared in California with respect to COVID-19.

Pursuant to Assembly Bill (AB) 361, which amended the Brown Act's teleconferencing provisions, Section 54953(e) allows legislative bodies to meet virtually without posting the remote meeting locations and without providing public access at such locations (as is generally required by section 54953(b)(3)), provided there is a state of emergency, and either (1) state or local officials have imposed or recommended measures to promote social distancing or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees. Additionally, Section 54953(e) imposes transparency requirements to the management of remote and teleconference public meetings held under this section. Specifically, Section 54953(e) imposes two requirements for remote public meetings:

1. Public agencies hosting teleconference meetings pursuant to Section 54953(e) in lieu of traditional in-person or teleconferenced meetings must permit direct "real time" public comment during the teleconference and must leave open the opportunity for public comment until the comment period is closed during the ordinary course of the meeting. The opportunity to make public comment must be of a sufficient duration to allow actual public participation.
2. Any action by the governing body during a public teleconference meeting held under Section 54953(e) must occur while the agency is actively and successfully broadcasting to members of the public through a call-in option or an internet-based service option. If a technical disruption within the agency's control prevents members of the public from either viewing the meeting of the public agency or prevents members of the public from offering public comment, the agency must cease all action on the meeting agenda until the disruption ends and the broadcast is restored.

SCAG has implemented the requirements for conducting public meetings in compliance with the prior executive orders and Section 54953(e). Teleconference accessibility via call-in option or an internet-based service option (via the Zoom Webinars platform) is listed on the published agenda for each meeting of SCAG legislative bodies, and on SCAG's website. Further, SCAG provides access for public comment opportunities in real time at the time noted on the agenda. The holding of remote meetings in compliance with Section 54953(e) promotes the public interests of facilitating robust public participation on a remote platform and, further, protecting the public, SCAG's members and its employees during the winter season when congregation indoors and newly identified variants (including Omnicron) pose health risk.

Since the enactment of Section 54953(e), the EAC, SCAG's Policy Committees, its other committees and the RC have been meeting pursuant to provisions in Government Code section 54953(e)(1)(A) because a declared state of emergency exists and County of Los Angeles Public Health Department and the City of Los Angeles currently recommends a variety of social distancing measures (including recommended masking, recommending avoidance of crowded indoor spaces and to maintain six feet of social distancing, especially in cases where, as is the case here, the vaccination status of

persons outside your household is unknown).¹ The continued importance of social distancing measures is exemplified by recent local health order recommendations to continue adhering to public health measures and recognition that local agencies and businesses may desire to adhere to more stringent health protocols than formally mandated.²

SCAG's legislative bodies may continue meeting pursuant to Section 54953(e) if certain findings are periodically made and provided, further, that such meetings continue to be held pursuant to the requirements of subdivision (e) of Section 54953. The required findings include: (1) the legislative body has reconsidered the circumstances of the state of emergency and (2) that either (i) state or local officials continue to recommend measures to promote social distancing or (ii) an in-person meeting would constitute an imminent risk to the safety of attendees.

SCAG's Regional Policy Manual permits holding teleconference/videoconference meetings and permits the President to waive certain requirements in the Policy Manual where state law permits such waiver. Likewise, SCAG's Bylaws authorize the EAC to make decisions and take actions binding on SCAG if such decisions or actions are necessary prior to the next regular meeting of the Regional Council. (Art. V.C(3)(a).) Given the Regional Council's regular meeting on March 3rd will occur following the meetings of the Policy meetings held earlier that day, SCAG's Bylaws authorize the EAC to make the findings contained in this staff report.

If the findings below are made by the EAC, all SCAG legislative bodies (i.e., the RC, EAC, Policy Committees and other SCAG committees and task forces) are authorized to meet pursuant to Section 54953(e) for thirty days. Further continuation beyond this period would require the EAC and/or RC to reconsider the then-current circumstances.

FINDINGS:

The recommendations in this staff report are based on the following facts and findings, made pursuant to Government Code Section 54953(e)(3), which are incorporated into the recommended action taken by the EAC and RC, as noted above:

¹ See <https://coronavirus.lacity.org/> (visited March 9, 2022) Los Angeles County Public Health Department notation that social distancing is still a recommended practice.

² See <https://www.lamayor.org/sites/g/files/wph1781/files/page/file/20220304%20SAFER%20LA%20ORDER%202020.03.19%20%28REV%202022.03.04%29.pdf> (City of Los Angeles Mayoral Order), noting "All persons living and working within the City of Los Angeles should continue to always practice required and recommended COVID-19 infection control measures at all times and when among other persons when in community, work, social, or school settings, especially when multiple unvaccinated persons from different households may be present and in close contact with each other, especially when in indoor or crowded outdoor settings." Also, noting "Consistent and correct mask use (covering nose and mouth) is especially important indoors when in close contact with others (less than six feet from) who are not fully vaccinated against COVID-19 or whose vaccination status is unknown."

1. The EAC and RC have reconsidered the circumstances of the state of emergency initially declared by the Governor on March 4, 2020, pursuant to section 8625 of the California Emergency Services Act, relating to the COVID-19 public health crisis and find that the declaration remains in effect. The continuation of virtual meetings will allow for full participation by members of the public, consistent with continued social distancing recommendations, and will facilitate the purposes of such social distancing recommendations by preventing large crowds from congregating at in indoor facilities for extended periods of time. Given that the vaccination status of meeting participants (including members of the public) is not known, it is prudent to use caution in protecting the health of the public, SCAG's employees and its membership where, as here, adequate virtual means exist to permit the meeting to occur by teleconference/videoconference with the public being afforded the ability to comment in real time.³
2. The EAC and RC find that state and local officials continue to recommend measures to promote social distancing as exemplified by the discussion and footnoted provisions above. Further the Los Angeles County Department of Public Health and City of Los Angeles continue to recommend measures to promote social distancing, including recommendations to avoid crowded indoor spaces and to maintain six feet of social distancing, especially in cases where the vaccination status of persons outside a person's household is unknown. The continued importance of social distancing measures is exemplified by recent health order recommending the need to continued adherence to public health measures and recognition that local agencies and businesses may desire to adhere to more stringent health protocols than formally mandated. Finally, SCAG's primary offices and its regional offices remain closed to the public in relation to the COVID-19 emergency declaration.

CONCLUSION:

Staff recommends the actions described above be taken based on the findings contained in this staff report. Should further remote meetings pursuant to Section 54953(e) be warranted, the EAC and/or RC are required to reconsider the circumstances and make findings to continue holding meetings in this manner.

³ See

<https://www.lamayor.org/sites/g/files/wph1781/files/page/file/20220304%20SAFER%20LA%20ORDER%202020.03.19%20%28REV%202022.03.04%29.pdf>, noting "People at risk for severe illness or death from COVID-19—such as unvaccinated older adults and unvaccinated individuals with underlying medical conditions associated with higher risk for severe COVID-19—and members of their household, should defer participating in activities with other people outside their household where taking protective measures, including wearing face masks and social distancing, may not occur or will be difficult, especially indoors or in crowded spaces. For those who are not yet fully vaccinated, staying home or choosing outdoor activities as much as possible with physical distancing from other households whose vaccination status is unknown is the best way to prevent the risk of COVID-19 transmission."



FISCAL IMPACT:

None.



AGENDA ITEM 2
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Michael Houston, Director of Legal Services/Chief Counsel
(213) 630-1467, houston@scag.ca.gov

Subject: Nominations and Election of 2022-23 SCAG Officers

RECOMMENDED ACTION:

Elect the nominees recommended by the Nominating Committee as SCAG’s 2022-23 officers, subject to ratification by the General Assembly.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

EXECUTIVE SUMMARY:

On March 17, 2022, the Nominating Committee met to review applications for the 2022-23 Board officer positions for President, First Vice President and Second Vice President. There was one (1) applicant for the position of President, one (1) applicant for the position of First Vice President and two (2) applicants for the position of Second Vice President.

The Nominating Committee unanimously nominated the Honorable Jan Harnik for the position of President, the Honorable Carmen Ramirez for the position of First Vice President and the Honorable Art Brown for the position of Second Vice President.

All nominated candidates meet the eligibility requirements and are presented to the Regional Council for election. The elected slate of officers will thereafter be presented to the General Assembly as part of its Annual Meeting for ratification.

BACKGROUND:

On March 17, 2022, the Nominating Committee met to review the applications for the 2022-23 Board officer positions for President, First Vice President and Second Vice President.

Four (4) members of the Regional Council timely submitted applications for the three (3) SCAG officer positions by the deadline of February 18, 2022 as follows: the Honorable Jan Harnik submitted an application for President; the Honorable Carmen Ramirez submitted an application for



First Vice President; the Honorable Curt Hagman submitted an application for Second Vice President; and the Honorable Art Brown submitted an application for Second Vice President.

After providing opportunity for all applicants in attendance to address the committee, and after discussing the respective qualifications of the two candidates for the position of Second Vice President, the Nominating Committee unanimously nominated the following slate of candidates for the positions as listed below:

For the Position of President:	The Honorable Jan Harnik, Palm Desert
For the Position of First Vice President:	The Honorable Carmen Ramirez, Ventura County
For the Position of Second Vice President:	The Honorable Art Brown, Buena Park

Attached to this report are the applications of the nominated candidates. Based upon the review of the Nominating Committee and confirmation by staff, all nominated candidates listed above satisfy and meet the minimum eligibility requirements set forth under Article VI, Section C of SCAG's Bylaws. Therefore, the Nominating Committee recommends that the Regional Council elect the slate of officers listed above, subject to ratification by the General Assembly. If ratified by the General Assembly, the new officers will commence their one (1) year term of office upon the adjournment of the General Assembly on May 6, 2022.

FISCAL IMPACT:

Work related to the process is covered by SCAG's Indirect Cost Budget, including WBS No. 810.SCG0120.09.

ATTACHMENT(S):

1. The Honorable Jan Harnik - Application for 2022-2023 SCAG Officer Position
2. The Honorable Carmen Ramirez - Application for 2022-2023 SCAG Officer Position
3. The Honorable Art Brown - Application for 2022-2023 SCAG Officer Position

From: SCAG <no-reply@wufoo.com>
Sent: Saturday, February 5, 2022 10:25 AM
To: Maggie Aguilar
Subject: Application for 2022-2023 SCAG Officer Position [#3]

I acknowledge that *

- I have read the SCAG Bylaws, Article VI, Section C, subsection 1-5 as described above; and meet the minimum eligibility requirements.

Name * Jan Harnik

Name of your SCAG Member County, City or County Transportation Commission * Riverside County Transportation Committee, Palm Desert

Phone Number (760) 346-0611

Email * jharnik@ciityofpalmdesert.org

Application for Officer Position *

- President

Number of months served continuously on the SCAG Regional Council and/or Policy Committee(s). 4 terms
(Note: The Bylaws require, among other requirements,

at least 24
continuous
months
service on the
Regional
Council
and/or a
Policy
Committee,
with at least
12 months of
the service as
a Regional
Council
member.) *

Total length of 8 yers
SCAG service
(indicate
number of
years of
service) *

When does the December 2022
term of your
local elected
position
expire? *

Would term No
limits prevent
you from
maintaining
your local
elected
position? *

Positions held at SCAG * Regional Council, Transportation Committee, General Assembly Host Committee, EAC, LCMC, Emerging Technologies Committee, 1st Vice President, Scholarship Committee

1. Why do you wish to serve as a SCAG Officer? *

During my years of service on Southern California Association of Governments it is abundantly clear that, while the communities throughout our region are incredibly diverse in many ways, the relationship between them is symbiotic, and that has been emphasized in the recent clarity that COVID has provided. To truly develop a strong, equitable, healthy and robust region we must work together and view our differences as strengths and focus on our similarities which enable discussion and common perspectives.

COVID has magnified and accelerated many issues that exist. Our weakness in connectivity, both wired and wireless, is an ideal illustration. It is our opportunity to rebuild in a way that we all benefit.

Our willingness to have sometimes uncomfortable discussions with respect and honesty, produces growth and solutions. We have done a lot of work to that end, and we must continue. I am up for the task.

2. As an Officer, what would you contribute to SCAG? *

It has been, I'll say, an interesting year as 1st Vice President, and we have learned. With the Connect SoCal process, Greenprint, RHNA repercussions, on-going CEQA issues, housing needs and housing obstacles, etc., we have exposed weaknesses and developed solutions. The approach in developing the upcoming RTP is a great example. Another example are the numerous Zooms we have hosted with our representatives in D.C. and Sacramento creating an excellent opportunity to communicate, problem solve, and relationship build. We have many voices at SCAG and must continue to elevate them and express clearly our region's needs, the barriers created in bureaucracy and the flawed thinking of "one size fits all".

The creative and nimble approaches of the last year are a strength of the SCAG staff and membership and something we will build on.

I am a Southern California native – from Pacoima to Palm Desert, with many stops along the way. I appreciate our region and bring the perspective of my years here and my experience here. The impact of changes in technology, population growth, diverse thinking, etc. are important to note and I have the perspective of my years observing and the perspective my children share with me.

(A) In addition Yes
to attending
regular and
special
meetings of
SCAG's

Regional Council, will you be able to attend other meetings and functions of SCAG, if requested? *

(B) What professional or personal constraints on your time or service that you anticipate? *

I am a member of the Palm Desert City Council and occasionally there will be scheduling conflicts.

4. What are your values and skills that you could bring to SCAG as an Officer? *

Raising five children in our region has offered many life lessons and experiences. Watching as they navigate today, which not that long ago I viewed as the future, provides understanding of just how agile and open I/we/SCAG must be in planning – and how closely we must listen. These are skills I possess and continue work on.
I am passionate about the needs of our region, e.g., relevant and accessible education, broadband, effective land planning, transportation, housing, and work to assist in effectuating the best results while understanding these are on-going issues.

5. What is your vision for the future of SCAG and what do you believe needs to be done to accomplish this vision? *

SCAG must strengthen its voice in Sacramento and Washington D.C., significant progress has been made and we must continue in the effort. Whether we visit by Zoom or in person, our open and honest communication is crucial. Working as a region and with the vision that when we win, no one has to lose, we can achieve our goals.

One of the issues that has been magnified these last two years, is our weakness in connectivity/broadband. When we examine the critical role it plays in everything SCAG does, we know the importance. Our region's success, the quality of living of every person and what occurs in the future, weighs upon our success in implementing an absolutely all-inclusive and state of the art broadband plan – while understanding that it will continue to grow in need and technological innovation – and we must continue with it.

The Emerging Technology Committee is a great foundation as are the SoCal Transformation committee and bi-weekly meetings of which 2nd Vice President Ramirez and I have been a part.

6. What would you consider the strengths of SCAG? * The strength of SCAG is, at times, also its weakness – great diversity! The diverse opinions and experiences have the capacity to find great answers. Also, the staff's and membership's willingness to examine processes to improve and enhance participation and results. The SCAG staff with whom I have worked closely are resilient and open to finding solutions to issues – COVID has shown that clearly.

7. What could SCAG improve on? * We must continue our work on "the squeaky wheel" in Sacramento and D.C. We have made considerable strides and must continue. We have done a great job building understanding and relationships between our membership. We must do even more with that considerable task to truly be our best.

Print Your Name Jan C. Harnik

Date Saturday, February 5, 2022

I acknowledge that * by checking this box, my printed name above is my signature for submitting this application.

From: SCAG <no-reply@wufoo.com>
Sent: Monday, February 7, 2022 1:02 PM
To: Maggie Aguilar
Subject: Application for 2022-2023 SCAG Officer Position [#4]

I acknowledge that *

- I have read the SCAG Bylaws, Article VI, Section C, subsection 1-5 as described above; and meet the minimum eligibility requirements.

Name * Carmen Ramirez

Name of your SCAG Member County, City or County Ventura County
Transportation Commission *

Phone Number [REDACTED]

Email * carmen.ramirez@ventura.org

Application for Officer Position *

- 1st Vice President

Number of months served continuously on the SCAG Regional Council and/or Policy Committee(s). approximately 100 months
(Note: The Bylaws require, among other requirements,

at least 24
continuous
months
service on the
Regional
Council
and/or a
Policy
Committee,
with at least
12 months of
the service as
a Regional
Council
member.) *

Total length of 9 years
SCAG service
(indicate
number of
years of
service) *

When does the December 2024
term of your
local elected
position
expire? *

Would term No
limits prevent
you from
maintaining
your local
elected
position? *

Positions held at SCAG * Member of Energy and Environment Committee since beginning of service, including two years as Chair and vice chair respectively
Past member of nominating committee
Current Chair of Audit Committee and Committee member in past recent times
Member Legislative and Membership committee
Current 2nd Vice President
Continuous member of Regional Council for 9 years, during status as Oxnard City Council representing District 45 for 8 years.
Current Regional Council Member and now as Ventura County Supervisor

1. Why do you wish to serve as a SCAG Officer? *

I have been a representative to SCAG regional council for the past 9 years. I know that SCAG, a planning organization of 191 cities and six counties has an unlimited potential to do good for the people and businesses of the region. Good and fair process and planning can make life better for those of us lucky enough to be living here.

I feel fortunate to have grown up in the San Gabriel Valley. I received a great education in public and private schools and universities in Southern California.

I am grateful for the opportunities that I have had to serve the community in my public service as a legal aid attorney for more than two decades and as a member of the Superior Court of Ventura’s Self Help programs for unrepresented residents.

My experience led me to run for public office, so that I could offer my services to the city to help make the decisions to improve Oxnard. I volunteered for every committee that impacted my city, whether County, regional or local, wanting my city and my constituents to have a strong voice at every level. Decades as an attorney and civically engaged resident, later as an elected Council member for the City of Oxnard and now as a second year County Supervisor for Ventura County, have given me experience that can help me be a good leader for SCAG.

I want to do what I can and make the decisions that will support the kind of opportunities for a quality of life that I have had. As an organization of elected officials, we have to strive for better solutions, for collaboration, but always move our regions and our respective communities forward. I want to be part of that.

2. As an Officer, what would you contribute to SCAG? *

I have a long history of respectful communication, diligence (I have never missed a council meeting in 10 years) and building relationships with other elected officials, business entities, community groups and individual members of the community. I respect other peoples’ opinions, even if different from mine and I know that I don’t have all the answers. I believe that mutual respect, as we further collegiality and civic discourse, is a key to progress. It requires us to listen to

other opinions and to find common ground. Many challenges of the future are not really surprises. To be good leaders, we have to face those challenges today and not put off the work for another day. As a council person for ten years in the City of Oxnard, I and my colleagues had to make very difficult decisions. I worked to achieve consensus with my fellow councilmembers in order to take bold steps to modernize our city as well as to protect public safety and health. These are experiences that I bring to SCAG. While attending to current and emergency needs, like the pandemic and the consequent economic crisis, I try to keep my eye on the next crisis, whether a natural disaster, the health crisis the pandemic has created or the slow-moving train wreck of the housing crisis made worse by the pandemic. We can all learn from the experience of other jurisdictions in order to do better, I look for those lessons.

(A) In addition YES!

to attending regular and special meetings of SCAG's Regional Council, will you be able to attend other meetings and functions of SCAG, if requested? *

(B) What professional or personal constraints on your time or service that you anticipate? * As a county supervisor and as other elected officials must, I must attend the Supervisors' meetings and regional county committees that I belong to. This has not been a problem for me in the past and not anticipated to be a problem in the future. I have a record of perfect attendance as a city council member for ten years and have rarely missed any SCAG meeting for the regional council or committee assignments. I have no personal constraints on my time.

4. What are your values and skills that you could bring to SCAG as an Officer? *

I believe in achieving consensus through respectful dialogue, while the majority controls and the minority viewpoint is respected in every decision. I have been a lawyer for decades, representing individuals with difficult problems. Not every

problem can be resolved in the courtroom and working together we can find solutions where there are more winners than losers. I know that not everything important is done easily or quickly. I have been a board member of many non-profits, several of which have gone through tough times, I have never abandoned ship but but stayed to see the organization through the crisis. I have been collegial in any organization that I have been a part of either as a member, employee, leader or colleague. I value evidence, and process and the democratic majority and the rule of law. I know that there are in most cases at least two sides to every issue, and it is essential to listen and learn.

During my eight electoral campaigns in the past 12 years, I honored my pledge to wage a “clean” campaign, based on my record and resume, and the facts rather than any personal attacks on my opponents. While others did not, I am proud that I was able to do that and still win six times, including my last campaign for County Supervisor.

Additionally, I respect and enjoy the history of the counties and cities of the SCAG region, their unique cultures and historical features which make for a richer community. I don’t believe in a zero-sum game but if other cities thrive in their unique ways, that is best for all of us. And, I wouldn’t live anywhere else.

5. What is your vision for the future of SCAG and what do you believe needs to be done to accomplish this vision? *

The task ahead for SCAG is to continue the hard work of improving the quality of life in our region. This means getting traffic moving, getting the air cleaner, lessening commute times from home to jobs and back again, encouraging more home building in the right place and the right price(s). We have to be responsible leaders for the current and future health and welfare of the people of our region. Collaboration and cooperation and understanding between the representatives of different jurisdictions, agencies, business and non-profits and communities of interests is critical to moving forward with making our region as modern as possible and not leaving any sectors behind.

6. What would you consider the strengths of SCAG? *

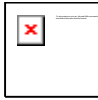
SCAG's greatest strength is the possibility of speaking with a strong voice to influence positive efforts at every level of government. Just as in the past few years, many of us traveled together to Sacramento to seek fairer funding for Southern California's needs, we should continue to make our voice stronger. A great part of our strength is the diversity of our membership, with large and smaller cities, rural and urban, understanding the diverse needs and that one size does not fit all. I also am very aware that the electeds who make up our regional council are essentially volunteers who work tirelessly for the betterment of their communities.

7. What could SCAG improve on? *

Communication is always something that can be improved. Among our membership, some are relatively new and need the back story to help make informed decisions. Communication with the public at large about what we are trying to do at SCAG could help us make better decisions. Staff is doing an excellent job in this regard but it is a big task. For example, I am very pleased about the

Housing Leadership Academy to help emerging leaders and others better understand the complexity of the housing issues we face. More of this should be encouraged.

Attach a File



[bio_for_scag_2nd_vp_final_for_2022.docx](#) 16.71 KB · DOCX

Print Your
Name

Carmen Ramirez

Date

Monday, February 7, 2022

I acknowledge
that *

- by checking this box, my printed name above is my signature for submitting this application.

CARMEN RAMIREZ, VENTURA COUNTY SUPERVISOR DISTRICT 5

Ventura County Supervisor Carmen Ramírez is dedicated to improving Oxnard, and Ventura County and the Southern California region now and for the benefit of future generations. She has worked in Oxnard since 1978 and has been an Oxnard homeowner since 1992. In November 2020, she was elected to serve a four-year term as Ventura County Supervisor for District 5, which includes greater Oxnard, including much of the city, and unincorporated areas of the coast, including Hollywood Beach, Silver Strand well as Naval Base Ventura County, California State University Channel Islands, Oxnard Airport, Channel Islands Harbor and Ormond Beach Wetlands and much more.

Previously, she was elected to the Oxnard City Council in 2010 and was elected for three terms. Ms. Ramírez was named Mayor Pro Tem December 2012. During the ten years of her service, she never missed a council meeting.

Graduating from Loyola School of Law in Los Angeles in 1974, she was admitted to the California State Bar that same year and has maintained her license through the present time. For 16 years she was the Executive Director of Channel Counties Legal Services Association, which served the legal needs of low-income families in Ventura and Santa Barbara County. For 9 years thereafter, she was the coordinator of the Ventura Superior Court's Self Help Legal Center in the Colonia neighborhood of Oxnard, serving the Spanish Speaking community. From 2009 she maintained a private legal practice focusing Social Security Disability and consumer law matters, as well as Pro Bono assistance.

She serves on numerous committees, including the Ventura County Air Pollution Control District, Ventura County Animal Services Commission, Ventura County's Local Agency Formation Commission, Beach Erosion and Nourishment Commission (BEACON), Ventura County Transportation Commission, the Gold Coast Health Plan (Ventura County's Managed Health Care program), Fox Canyon Ground Water Management Agency and the Camarillo and Oxnard Airport. She is the county's representative to Southern California Association of Governments.

In 1998, she was president of the Ventura County Bar Association and remains active in bar activities. From 2005 to 2008, she was an elected member of the State Bar Board of Governors, overseeing the practice of the legal profession in California.

Additionally, she has been a board member on many community organizations in Ventura County, including Ventura County Community Foundation, El Concilio Del Condado de Ventura, Teatro de Las Americas and is long standing Board Member for the Center for Civic Education, a national non-profit organization promoting the study of the constitutional history of the United States and practice of Democracy in the United States and throughout the world.

She was raised in the San Gabriel Valley of LA County, one of seven siblings. She is married, with two stepsons and is a fluent Spanish-speaker. Because of its opportunities and challenges, she believes that Ventura County is a great place to live, and she is working to making it a better place for future generations to thrive.

From: SCAG <no-reply@wufoo.com>
Sent: Thursday, January 27, 2022 1:23 PM
To: Maggie Aguilar
Subject: Application for 2022-2023 SCAG Officer Position [#2]

I acknowledge that *

- I have read the SCAG Bylaws, Article VI, Section C, subsection 1-5 as described above; and meet the minimum eligibility requirements.

Name * Arthur Brown

Name of your SCAG Member County, City or County Transportation Commission * Buena Park

Phone Number [REDACTED]

Email * abrown@buenapark.com

Application for Officer Position *

- 2nd Vice President

Number of months served continuously on the SCAG Regional Council and/or Policy Committee(s). (Note: The Bylaws require, among other requirements, at least 24 continuous months service on the Regional Council and/or a Policy Committee, with at least 12 months of the service as a Regional Council member.) * 84

Total length of SCAG service (indicate number of years of service) * 25

When does the term of your local elected position expire? * 2024

Would term limits prevent you from maintaining your local elected position? * No

Positions held at SCAG *	EEC Member and Chair, T/C Vice Chair and Member. Chair of several transportation sub-committees and the NAFTA Committee.
1. Why do you wish to serve as a SCAG Officer? *	I have served as a RC member for 25 years and believe that SCAG is the regional voice of Southern California for planning. I have served as Chair and board member of OCTA, LOSSAN, AND Metrolink. I understand the needs of cities and counties but we need SCAG for Regional Planning to make the region a place for good housing, transportation and quality of life by looking at the region as a whole. I feel with my experience I can help with this process.
2. As an Officer, what would you contribute to SCAG? *	My experience of 34 years as an elected School Board Member, City Council Member. I have also worked in Sacramento as an Advocate for a public safety Association for 4 years and have written legislation that is now state law. I have attended the SCAG visits to Washington DC and also with OCTA.
(A) In addition to attending regular and special meetings of SCAG's Regional Council, will you be able to attend other meetings and functions of SCAG, if requested? *	yES
(B) What professional or personal constraints on your time or service that you anticipate? *	No personal constraints. Only professional items would be city council meetings.
4. What are your values and skills that you could bring to SCAG as an Officer? *	See number 2
5. What is your vision for the future of SCAG and what do you believe needs to be done to accomplish this vision? *	I would like to bring the membership back together instead of the constant bickering about what sub region is not getting their voice heard and to work together for the good of the region.
6. What would you consider the strengths of SCAG? *	Regional planning and the ability to bring explain to the member ship how their actions will benefit the region as a whole and to pass the state and federal mandated programs.
7. What could SCAG improve on? *	To bring the membership back to the way it was when I first joined SCAG. and defuse the tension between the voice of Los Angeles and the rest of the region.

Print Your Name

Arthur Brown

Date

Wednesday, January 27, 2021

I acknowledge that *

- by checking this box, my printed name above is my signature for submitting this application.
-



AGENDA ITEM 3
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Michael Houston, Director of Legal Services/Chief Counsel
(213) 630-1467, houston@scag.ca.gov

Subject: Consideration of Proposed Amendments to the SCAG Bylaws

RECOMMENDED ACTION:

That the Regional Council review and act on the proposed Bylaws amendments as recommended by the Bylaws and Resolutions Committee, and forward the proposed amendments to the General Assembly for action.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

EXECUTIVE SUMMARY:

Each year, in preparation for the annual General Assembly meeting, proposed resolutions and proposed amendments to the SCAG Bylaws offered by Official Representatives are considered by both the Bylaws and Resolutions Committee and the Regional Council, prior to submission to the General Assembly. Staff, acting on behalf of the Executive Director, may also offer proposed amendments to the SCAG Bylaws, which must also be considered by the Bylaws and Resolutions Committee and the Regional Council and, if recommended, are then submitted to the General Assembly for further review and consideration.

This year there were no proposed resolutions offered for consideration by the General Assembly. No staff-initiated proposed amendments are being submitted this year. Six (6) separate proposed amendments to the SCAG Bylaws by an Official Representative have been received as follows:

The first proposed amendment from Regional Council member Trevor O’Neil would amend the Bylaws to require “substantive SCAG programs or policy initiatives” (as described below) go through the Policy Committee process prior to presentment to the Regional Council, with consultation by and input from the Technical Working Group (TWG).

The second proposed amendment from Regional Council member Trevor O'Neil would amend the Bylaws to require a 2/3 vote of the Regional Council to change or amend any Policy Committee recommendations.

The third proposed amendment from Regional Council member Trevor O'Neil would amend the Bylaws to require suggestions or direction on substantive SCAG policy initiatives or programs that vary from those analyzed by the Policy Committees to be (1) referred back to the Policy Committee(s) prior to Regional Council action and (2) thoroughly reviewed and considered by the Policy Committee(s).

The fourth proposed amendment from Regional Council member Trevor O'Neil would recognize the TWG as a formal SCAG body by including it within the Bylaws. This proposal (1) delineates membership in the TWG, (2) requires monthly meetings between the TWG and SCAG and (3) requires the TWG to consider substantive SCAG policy initiatives and programs "prior to the substantive SCAG policy initiatives and programs being brought before a SCAG Policy Committee."

The fifth proposed amendment from Regional Council member O'Neil would amend SCAG officer eligibility requirements by permitting a combined period of 12 months service on either the Regional Council and/or Policy Committees, compared to the current 24 months of service that is required (of which 12 months must be service on the Regional Council).

The sixth proposed amendment from Regional Council member Trevor O'Neil would amend the Bylaws to allow the Transportation Corridor Agencies (TCA) representative to be eligible to serve as a SCAG officer.

The Bylaws and Resolutions Committee reviewed the six (6) proposals summarized above on March 15, 2022. The Bylaws and Resolutions Committee does not recommend the approval of the first five proposed amendments. With respect to Regional Council member O'Neil's sixth proposals (to allow the TCA representative to be eligible to serve as a SCAG officer), the Bylaws and Resolutions Committee's recommended the proposal with changes as described below. The recommended changes to this proposal are incorporated in the attached proposed Bylaws amendments.

Pending review by the Regional Council, the proposed amendments will be forwarded to the General Assembly for consideration and action as part of its annual meeting to be held on May 6, 2022.

BACKGROUND:

Every year, proposed amendments to the SCAG Bylaws may be proposed by the Official Representatives to SCAG's General Assembly, by the Regional Council and by staff acting on behalf

of the Executive Director. This year, there were six proposals made by an Official Representative as further described below.

1. Proposal by Hon. Trevor O’Neil – Substantive SCAG programs or policy initiatives must go through Policy Committee process, with consultation and input by the TWG.

The Honorable Trevor O’Neil from the City of Anaheim, representing Regional Council District 19, offered a Bylaw amendment that would require “substantive SCAG policy initiatives and programs”¹ to go through the Policy Committee process and require “consultation by and input from” the TWG and subregional directors, prior to being heard and acted on by the Regional Council. Regional Council member O’Neil has indicated that the intent of the proposed amendment is to ensure that the process of seeking Policy Committee input is adhered to and, further, that the TWG is consulted by SCAG prior to policy developments being presented to the Policy Committees and Regional Council. During the Bylaws and Resolutions Committee meeting, Regional Council member O’Neil addressed the committee and noted that with respect to this and the other proposed amendments, the intention was to provide greater input by under-represented areas of the SCAG region, allowing for a balance of voices.

The Bylaws and Resolutions Committee reviewed and extensively discussed this proposal on March 15, 2022. A motion to recommend approval of this proposal failed by a vote of 2 Ayes – 7 Nays. Thus, the Bylaws and Resolutions Committee does not recommend approval of this proposed amendment.

With respect to the Bylaws and Resolutions Committee’s recommendation, committee members indicated that they understood the importance of fostering regional collaboration. The committee’s members further acknowledged the importance of receiving input and recommendations from the Policy Committees because the committees’ membership includes those with expertise in the policy areas covered by the respective committees. The value and importance of the TWG to developing core SCAG policies was also acknowledged. However, committee members expressed strong concerns that the proposed Bylaws amendment would fundamentally change SCAG’s decision-making process by limiting the authority of the Regional Council, which is SCAG’s authoritative decision-making body. It was noted by committee members that SCAG already has a structured decision-making process that includes both the Regional

¹ As defined in the proposed Bylaws amendment, “substantive SCAG policy initiatives or programs” are defined as “those matters pertaining to state and federally-mandated planning documents produced by SCAG, including but not limited to, the RTP/SCS, aka Connect SoCal (including mitigation measures), and RHNA.” Some members of the Bylaws and Resolutions Committee expressed the view that this definition would lead to disputes of what was meant to be included, further hampering the Regional Council’s ability to make decisions.

Council's consideration of Policy Committee recommendations and seeking input from the TWG prior to the Regional Council taking action.²

In further discussing this proposal (as well as the other proposals offered by Regional Council member O'Neil), the Bylaws and Resolutions Committee members reflected that SCAG's Bylaws establish the Regional Council as the ultimate governing board of SCAG. Comparatively, the Policy Committees are established as advisory/recommending bodies to the Regional Council. Further, it was noted that the Regional Council is representative of the region's entire membership (and population) because members to the Regional Council are elected/appointed by the association's membership, with districts being subject to periodic adjustment through redistricting. Comparatively, Policy Committees membership is appointed by the President and committee makeup is not required to be as regionally distributed/diverse as the RC membership.³

Some Bylaws and Resolutions Committee members expressed concern that this proposal and the other proposals would actually make decision making by SCAG's governing board more cumbersome, time consuming and would interject additional layers of "bureaucracy" into decision making. With respect to the input of the TWG, the committee members noted the important work performed by TWG, but reflected that this task force should not be formalized or embedded in the Bylaws. In that regard, the committee's staff report indicates that the TWG is one of a number of existing working group and were created to provide input and technical assistance to SCAG in development of policies. The stated purpose of the TWG is to "enhance the quality, data integrity, and transparency of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) by providing a venue for SCAG staff to discuss and receive feedback on growth related technical approaches, data collection, and technical tools associated with the development, implementation, and monitoring of the RTP/SCS with local and regional planning partners, regulatory and coordinating agencies, and technical experts."⁴ Additionally, the TWG is a part of SCAG's statutorily required Public Participation Plan (which is a component of the RTP/SCS).⁵

Finally, in response to committee member observations, staff reported their view that (1) the Bylaws current provisions relating to Policy Committees already provides for policy matters to be vetted by committees prior to Regional Council action and (2) with respect to the proposal formalizing the TWG's role in the Bylaws, this matter may be more properly addressed outside of the Bylaws. For example, the Regional Council could discuss and provide policy direction to staff

² As reflected in the Bylaws and Resolutions Committee staff report, the Bylaws currently provide that the role of each Policy Committee is to "study and provide policy recommendations to the Regional Council."

³ The Bylaws indicate the President should be mindful of regional distribution in appointing committee members, but this is not an absolute requirement or directive. See Art. V.E(2)(a).

⁴ https://scag.ca.gov/sites/main/files/file-attachments/twg_charter_072621.pdf?1627933053 (SCAG Technical Working Group charter).

⁵ The current draft Public Participation Plan can be found at this link: https://scag.ca.gov/sites/main/files/file-attachments/scag_draft2022ppp.pdf?1637187202.

(through either board resolution or minute action) on the TWG's role outside of the Bylaws process, as part of its normal agenda meetings if so desired.

This proposed amendment to the Bylaws, is illustrated in light blue highlighting in the marked-up version of the Bylaws included as Attachment 1 to this report. See Article V.A(4)(f) and (g) at pages 11 and 13.

2. Proposal by Hon. Trevor O'Neil – SCAG Policy Committee recommendations can only be changed/amended with a 2/3 vote of the Regional Council.

Regional Council member O'Neil submitted a proposed Bylaw amendment that would require a 2/3 vote of the Regional Council to change or amend any Policy Committee recommendation. As explained to staff in conversations relating to this proposal, the intent of this amendment is to require that changes from Policy Committee recommendations be vetted following Policy Committee recommendation and not made on a "last minute" basis.

The Bylaws and Resolutions Committee reviewed and extensively discussed this proposal on March 15, 2022. A committee member noted that, similar to the first proposal, Regional Council members already consider Policy Committee recommendations and noted that the Regional Council has a wider awareness of the region as a whole. It was noted that even a minor deviation from a Policy Committee recommendation would trigger a supermajority vote, thus "handcuffing" the Regional Council.

Staff notes that if a 2/3 vote is required for the Regional Council to change Policy Committee recommendations, then the Regional Council may also desire to discuss: (a) whether broader regional distribution on committees should be required and (b) whether quorum requirements (presently 1/3 of a committee) should be adjusted to ensure more regional participation and consensus on recommendations made by committees.

Following discussion, the Bylaws and Resolutions Committee voted 9-0 to not recommend approval of this Bylaws amendment.

This proposed amendment to the Bylaws is illustrated in light green highlighting in the marked-up version of the Bylaws included as Attachment 1 to this report. See Article V.A(4)(f), (5)(c) and C(4) at pages 11, 12 and 14.

3. Proposal by Hon. Trevor O'Neil – Before final adoption, changes from Policy Committee recommendations on substantive SCAG policy initiatives or programs must return to the Policy Committee(s) and be thoroughly considered by the Policy Committee.

Regional Council member O’Neil submitted a proposed Bylaw amendment that would require suggestions or direction on substantive SCAG policy initiatives or programs that vary from those analyzed by the Policy Committees to be (1) referred back to the Policy Committee(s) prior to action by the Regional Council and (2) thoroughly reviewed and considered by the Policy Committee(s). As explained to staff in conversations relating to this proposal, the intent of the proposed amendment is to require that changes from Policy Committee recommendations be vetted by the Policy Committee(s) and not made on a “last minute” basis. The proposal is partly meant to ensure that staff suggestions or proposals receive Policy Committee review prior to presentation to the Regional Council.

The Bylaws and Resolutions Committee reviewed and discussed this proposal on March 15, 2022. A committee member noted that many Regional Council members serve on Policy Committees and are subject matter experts, bringing this expertise to the Regional Council. A committee member expressed concern that the term “substantive SCAG policy initiatives or programs” was not clear and would lead to confusion on what was required to comply with this proposed amendment. The staff report for the committee noted that returning to Policy Committees with deviations from Policy Committee recommendations is operationally cumbersome. Equally cumbersome is the requirement that substantive SCAG policy initiatives or programs be put to the Policy Committees one month in advance of Regional Council decision. In this regard, it bears noted that general practice is for matters to go to a Policy Committee a month (or more) in advance; however, imposing a mandatory directive in the Bylaws could disrupt efficient agency action and impinge on Regional Council flexibility to address matters that may change between the time a Policy Committee makes a recommendation and the time the Regional Council hears the matter. Many of SCAG’s obligations, including adoption of the RTP/SCS and allocation of RHNA numbers, operate on statutory timeframes that could be complicated by the requirements in this proposal.

Following discussion, the Bylaws and Resolutions Committee voted 7-2 to not recommend approval of this Bylaws amendment.

This proposed amendment to the Bylaws is illustrated in **yellow highlighting** in the marked-up version of the Bylaws included as Attachment 1 to this report. See Article V.A(4)(f) at page 11.

4. Proposal by Hon. Trevor O’Neil – Recognize the TWG as a formal SCAG body with opportunity to provide input on the development of SCAG policy initiatives.

Regional Council member O’Neil submitted a proposed Bylaw amendment that would recognize the TWG as a formal SCAG body by including it into the Bylaw. As drafted, Regional Council member O’Neil’s proposal would (1) delineate membership in the TWG as being comprised of planning or technical staff of SCAG member jurisdictions and regional COGs, (2) require monthly meetings between the TWG and SCAG and (3) require the TWG and subregional COG staff to consider

substantive SCAG policy initiatives and programs prior to these matters being brought before a SCAG Policy Committee. Regional Council member O’Neil spoke to this resolution at the committee meeting, reflecting on the importance of the TWG in SCAG’s decision-making process.

This proposal was discussed extensively as part of the Bylaws and Resolutions Committee discussion of the first proposed amendment.

Following discussion, the Bylaws and Resolutions Committee voted 8-1 to not recommend approval of this Bylaws amendment.

This proposed amendment to the Bylaws is illustrated in light gray highlighting in the marked-up version of the Bylaws included as Attachment 1 to this report. See Article V.I at page 20.

5. Proposal by Hon. Trevor O’Neil – Service on a Policy Committee and/or on the Regional Council for at least 12 continuous months of service qualifies candidate to serve as an officer.

Regional Council member O’Neil submitted a proposed Bylaw amendment to allow a candidate to be eligible for a SCAG officer position if the candidate has served at least 12 months as a member of the Policy Committee and/or the Regional Council. Presently, the Bylaws require that a candidate serve at least 24 months on either the Policy Committee and/or Regional Council, of which at least 12 months of service must be as a member of the Regional Council. Both the existing Bylaws provision and the proposed amendment require this service to be continuous. Regional Council member O’Neil noted at the committee meeting that for jurisdictions with term limits, the SCAG officer process makes it impractical for active Regional Council members to be elected as an officer.

The Bylaws and Resolutions Committee extensively discussed and considered this proposal. Several committee members noted that this eligibility provision was amended last year to (i) allow Policy Committee service to count as part of the 24-month tenure requirement and (ii) require at least 12 months service on the Regional Council. Staff notes that the later provision (at least 12 months of Regional Council service) was not part of last year’s initial Bylaws proposal, but was added as a recommendation from last year’s the Bylaws and Resolutions Committee.

As proposed, this amendment would remove prior Regional Council service as a requirement. As a result, officer eligibility could be achieved exclusively by 12 months of Policy Committee service. It bears noting that a candidate would still have to be a Regional Council member at the time of application based on other eligibility provisions in Article VI.C(1).

During the March 15, 2022 committee discussion, several committee members expressed that 24 months Regional Council service was important for an organization as complex as SCAG. One

committee member expressed concern that it was not prudent to permit only 12 months of Policy Committee service for officer eligibility.

Following discussion, the Bylaws and Resolutions Committee voted 7-2 to not recommend approval of this Bylaws amendment.

This proposed amendment to the Bylaws is illustrated in **yellow highlighting** in the marked-up version of the Bylaws included as Attachment 1 to this report. See Article VI.C(1) at page 21.

6. Proposal by Hon. Trevor O’Neil – Officer Eligibility of the TCA representative.

Regional Council member O’Neil submitted a proposed Bylaw amendment that would allow the TCA representative to serve as an officer. Presently, the TCA representative is not entitled to serve as an officer, even if other eligibility criteria are met.

The Bylaws and Resolutions Committee extensively discussed this proposal. Members of the committee expressed support for the concept of encouraging Regional Council members, whose service demonstrated commitment to and knowledge of SCAG’s broad regional and programs, to serve as an officer. It was also noted that the Nominating Committee, along with other eligibility requirements in the Bylaws, provide an ability to ensure that candidates possess the skills needed to serve in SCAG leadership.

It was further noted that other Regional Council members such as the Public Transportation Representative, the representative from the Tribal Government Regional Planning Board and the Air District representative were also expressly prohibited from serving as a SCAG officer. The committee discussed reconsidering these members ability to serve as a SCAG officer in light of the fact that the Nominating Committee would review qualifications of candidates, who would also still have to satisfy the other eligibility requirements to hold the position of SCAG officer. Following this discussion at the March 15, 2022 Bylaws and Resolutions Committee meeting, staff was directed to prepare amendments to the Bylaws, for further committee review and discussion, that expand the eligibility for SCAG officer to these representatives, in addition to the TCA representative.

Staff presented the requested amendments at a special meeting of the Bylaws and Resolutions Committee on March 25, 2022 and the committee further discussed this proposal.

Following discussion the Bylaws and Resolutions Committee voted 9-0 to recommend approval of this proposed Bylaws amendment, as altered by the Bylaws and Resolutions Committee.



Proposed Bylaws amendment, as further amended by the Bylaws and Resolutions Committee, is illustrated in teal highlighting in the marked-up version of the Bylaws excerpted as Attachment 1 to this report. See Article VI at pages 21, 22 and 23.

CONCLUSION:

Pending review by the Regional Council, the proposed amendments will thereafter be forwarded to the General Assembly for consideration as part of its annual meeting to be held on May 6, 2022.

FISCAL IMPACT:

None.

ATTACHMENT(S):

1. SCAG Bylaws (v.050621 for 2022 RC) v.3

BYLAWS

THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

Preamble

The Southern California Association of Governments (hereinafter referred to as either the “Association” or “SCAG”) is an agency voluntarily established by its Members pursuant to the Joint Exercise of Powers Act for the purpose of providing a forum for discussion, study and development of recommendations on regional challenges and opportunities of mutual interest and concern regarding the orderly physical development of the Southern California Region among units of local government.

ARTICLE I - FUNCTIONS

The functions of the Association are:

- A. Exchange of objective planning information. Making available to Members plans and planning studies, completed or proposed by local governments, Tribal Governments, or those of State or Federal agencies, which would affect local governments.
- B. Identification and study of challenges and opportunities requiring objective planning by jurisdictions in more than one (1) county in the Southern California area and the making of appropriate policy or action recommendations.
- C. Review and/or develop governmental proposals. Review and/or develop proposals creating agencies of regional scope, and the making of appropriate policy or action recommendations concerning the need for such units or agencies.
- D. Consider questions of common interest and concern to Members of the Association in the region and develop policy and action recommendations of an advisory nature only.
- E. Act upon any matter to the extent and in the manner required, permitted or authorized by any joint powers agreements, State or Federal law, or the regulations adopted pursuant to any such law.
- F. Assist local Association Members in the acquisition of real and personal property convenient or necessary for the operation of Members by entering into such financing agreements as are necessary to accomplish the pooling and common marketing of such agreements or certificates of participation in order to reduce the cost to Members of the acquisition of such real or personal property.
- G. Undertake transportation planning programs and activities in accordance with the Association’s responsibilities as a metropolitan planning organization as outlined in 23 U.S.C.A. § 134 et seq., and as may be amended from time to time.

ARTICLE II – DEFINITIONS

- A. **Advisory Member** or **Advisory Member of the Association**, as used in these Bylaws, means a federally recognized Indian Nation within the SCAG Region, as defined below, that is significantly involved in regional problems or whose boundaries include territory in more than one county and that has paid its annual dues assessment.
- B. **Alternate**, as used in these Bylaws, means either the mayor or a member of the legislative body of a member city, or the chair of the Board of Supervisors or a member of the legislative body of a member county who has been appointed by a Member of the Association to serve in an official capacity for all matters at a meeting of the General Assembly but only in the absence of the Official Representative of the member city or county. An Advisory Member of the Association may also appoint an Alternate to serve in the absence of the Official Representative of the Advisory Member.
- C. **Association**, as used in these Bylaws, means the Southern California Association of Governments as established by that certain Southern California Association of Governments Agreement filed with the California Secretary of State on April 20, 1973, (said Agreement is hereinafter referred to as “Joint Powers Agreement”).
- D. **Association budget** or **annual budget** or **budget**, as used in these Bylaws, shall mean the summation and presentation of all general fund revenues obtained by the Association from dues from Members, Advisory Members, and Regional Council members, and other sources of revenue and a summation and presentation of the costs, expenditures, savings and reserve accounts utilizing such revenue but specifically excluding all funds and expenditures associated with specific federal or state funding programs such as the Association’s annual Overall Work Program.
- E. **Days** or **days**, as used in these Bylaws, means calendar days.
- F. **General Assembly**, as used in these Bylaws, means a meeting of the Official Representatives of the Members and the Advisory Members of the Association.
- G. **Member, member** or **Member of the Association**, as used in these Bylaws, means a city, county or County Transportation Commission within the SCAG Region, as defined below, that has satisfied the conditions of membership in Article III below.
- H. **Official Representative**, as used in these Bylaws, means (1) the mayor or a member of the legislative body of a member city, or (2) the chair of the Board of Supervisors or a member of the Board of Supervisors of a member county, or (3) the chair or a member of the governing board of a member County Transportation Commission (CTC) within the SCAG Region who has been appointed by a Member of the Association to serve in an official capacity at a meeting of the General Assembly. Official Representatives may also be referred to as “Delegates” of the Association. An Advisory Member of the Association may also appoint an Official Representative to serve in an official capacity at a meeting of the General Assembly.

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- I. **Regional Council Policy Manual**, as used in these Bylaws, means that Policy Manual first adopted by the Regional Council on July 12, 2007, and all subsequent amendments and updates approved by the Regional Council. In the event of a conflict between any part of the Regional council Policy Manual and any part of these Bylaws, these Bylaws shall prevail.
- J. **Regional Council member**, as used in these Bylaws, means a Member of the Association or an Advisory Member of the Association or another entity specified in these as used in these Bylaws, means a Member of the Association or an Advisory Member of the Association or another entity specified in these Bylaws which is able to appoint a voting representative to serve on the Regional Council or whose city council members may participate in the selection of a District representative to serve on the Regional Council,
- K. **SCAG Region**, as used in these Bylaws, means the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura.
- L. **Voting-Eligible** or **voting-eligible**, as used in these Bylaws, describes those Members of the Association, Advisory Members of the Association and Regional Council members who retain all voting rights and who have not had their voting rights suspended as described in Article VIII, Paragraph C.

ARTICLE III – ASSOCIATION MEMBERSHIP AND REPRESENTATION
FOR THE GENERAL ASSEMBLY

A. Membership

- (1) All cities and all counties within the area of the SCAG Region are eligible for membership in the Association. In addition, each CTC from the SCAG Region is also eligible for membership in the Association.
- (2) Each member county and each member city shall have one (1) Official Representative and one (1) Alternate in the General Assembly, except that the City of Los Angeles, if and while it is a member city, shall have three (3) Official Representatives and three (3) Alternates. Each member CTC shall have one (1) Official Representative in the General Assembly.
- (3) Membership in the Association shall be contingent upon the execution of the Joint Powers Agreement and the payment by each member county, member city, or member CTC of each annual dues assessment.
- (4) Any federally recognized Indian Nation within the SCAG Region which is significantly involved in regional problems or the boundaries of which include territory in more than one (1) county, shall be eligible for an Advisory Membership in the Association. In addition to selecting Official Representatives and Alternates for the General Assembly, such Advisory Members may collectively select a single representative from the Tribal

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Government Regional Planning Board, who shall be a locally elected Tribal Council member from a federally recognized Indian Nation and who shall serve on the Regional Council and may fully participate in the work of committees of the Association contingent upon the payment of the annual dues assessment.

B. Representation in the General Assembly

- (1) Only the Official Representative present or the Alternate present in the absence of the Official Representative shall represent a Member of the Association or an Advisory Member of the Association in the General Assembly; provided, however, that a member of the Board of Supervisors of a member county may participate in the discussions of the General Assembly.
- (2) Except as described herein, the Official Representative in the General Assembly of each member city of the Association, member-county of the Association and member CTC of the Association shall be its respective Regional Council representative. Further, and except as described herein, the Official Representative in the General Assembly of an Advisory Member of the Association shall be its respective representative to the Regional Council.
- (3) In the event that a member city of the Association does not have one of its city council members as its respective Regional Council representative, or if a member city does not wish to have its Regional Council representative be its Official Representative or Alternate, the member city may appoint as its Official Representative or Alternate a member of its city council who is not a Regional Council representative; provided that if and while the City of Los Angeles is a member city, the mayor of the City of Los Angeles shall be one of its Official Representatives. Further, in the event that an Advisory Member of the Association does not have one of its Tribal Council members as its representative to the Regional Council or if the Advisory Member does not wish to have its representative to the Regional Council be its Official Representative or Alternate, the Advisory Member may appoint a locally elected Tribal Council member as its Official Representative or Alternate.
- (4) In the event that a member county of the Association does not wish to have its respective Regional Council representative be its Official Representative or Alternate, the member county may appoint as its Official Representative or Alternate a member of the Board of Supervisors who is not a Regional Council representative.
- (5) In the event that a member CTC of the Association does not wish to have its respective Regional Council representative be its Official Representative, the member CTC may appoint as its Official Representative a member of the CTC Governing Board who is not a Regional Council representative.
- (6) Names of all Official Representatives and Alternates shall be communicated in writing to the Association by the appointing city, county, CTC, or Tribal Council at least thirty (30)

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days before the annual meeting of the General Assembly. However, the SCAG President or the SCAG Executive Director may waive this deadline, upon the request of an appointing city, county, CTC or Tribal Council, as long as the name or names are communicated in writing to the Association before the opening of the General Assembly.

- (7) An Official Representative or Alternate shall serve until a successor is appointed, except if an Official Representative or Alternate ceases to be a member of the appointing legislative body or Tribal Council or cannot serve as an Official Representative or Alternate because of a federal or state statute or regulation or resigns as an Official Representative or Alternate, then the position shall be vacant until a successor is appointed.
- (8) All Official Representatives and Alternates shall file Statement of Economic Interest forms and comply with all SCAG policies regarding conflict-of-interest, harassment and discrimination.

ARTICLE IV – GENERAL ASSEMBLY

A. Powers and Functions

Subject to Article I, the powers of the General Assembly, shall include the following.

- (1) The General Assembly shall determine all policy matters for the Association, approve they Bylaws and ratify the election of Officers.
- (2) Any Official Representative (or Alternate acting in the absence of the respective Official Representative) may, at any regular meeting of the General Assembly, propose a subject(s) for study by the Association provided that the Official Representative (but not the Alternate) has notified the President of the proposal forty-five (45) days in advance of any regular meeting of the General Assembly. The General Assembly may determine whether a study will be made of the subject(s) proposed, or may refer such subject(s) to the Regional Council.
- (3) Any Official Representative (or Alternate acting in the absence of the respective Official Representative) may, at any regular meeting of the General Assembly, request a review by the General Assembly of any action of the Regional Council which has been taken between meetings of the General Assembly provided that the Official Representative (but not the Alternate) has notified the President of the review request forty-five (45) days in advance of any regular meeting of the General Assembly
- (4) The General Assembly shall review the proposed Association budget and annual dues assessment schedule and shall adopt an annual Association budget and an annual dues assessment schedule.
- (5) Any Official Representative (but not an Alternate) who desires to propose any policy

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matter for action by the General Assembly shall submit the matter to the Association in the form of a proposed resolution by a deadline established by the Association, that is subject to waiver by the SCAG President or Executive Director but which in all cases must be at least forty-five (45) days prior to any regular meeting of the General Assembly. The Bylaws and Resolutions Committee, whose membership and responsibilities are described in Article XI of these Bylaws, shall consider each such proposed resolution, and shall submit its recommendation to the Regional Council. A copy of each such proposed resolution whose approval is recommended by the Regional Council shall be included in the agenda materials for the regular meeting of the General Assembly.

B. Meetings

- (1) A regular meeting of the General Assembly shall be held once a year. Special meetings of the General Assembly may be called by the Regional Council upon the request of the President and with the affirmative votes of a majority of the representatives of voting-eligible Regional Council members who are present and voting at a meeting of the Regional Council with a quorum in attendance. Ten (10) days' written notice of a special meeting shall be given to the Official Representatives and Alternates of each Member and Advisory Member of the Association. An agenda specifying the subject of the special meeting shall accompany the notice.
- (2) The time, date and location for meetings of the General Assembly shall be determined by the Regional Council.
- (3) Notice of the regular meeting of the General Assembly shall be given to the Official Representatives and Alternates of each Member and Advisory Member of the Association at least twenty-one (21) days prior to each regular meeting. An agenda for the regular meeting shall accompany the notice. Notice of any changes to the agenda shall be given at least ten (10) days prior to the regular meeting.
- (4) The General Assembly may adopt rules for its own procedures but any such rules so adopted must be consistent with these Bylaws.

C. Voting

- (1) A quorum of the General Assembly shall consist of one-third of the number of Official Representative positions for voting-eligible Members of the Association or Advisory Members of the Association. Unfilled Official Representative positions from Voting-eligible Members and Advisory Members of the Association will be counted in the determination of a quorum for the General Assembly.
- (2) Each Official Representative of a voting-eligible Member or Advisory Member of the Association shall have one (1) vote. In the absence of the Official Representative, the Alternate shall be entitled to vote. Unless otherwise identified in these Bylaws, an affirmative vote of a majority of the Official Representatives or Alternates of the voting-

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eligible Members and Advisory Members of the Association present at the General Assembly and voting with a quorum in attendance shall be necessary for the approval or adoption of any matter presented for action to the General Assembly.

- (3) Voting may be by voice, displaying voting cards, roll call vote or through the use of an electronic voting system. A roll call vote shall be conducted upon the demand of five (5) Official Representatives or their Alternates present, or at the discretion of the presiding officer.

ARTICLE V – REGIONAL COUNCIL

A. **Regional Council Organization:** There shall be a Regional Council of the Association which shall be organized as set forth below and which shall be responsible for such functions as are hereinafter set forth:

- (1) **Membership:** The membership of the Regional Council shall be comprised of: one (1) representative from each member county Board of Supervisors, except for the County of Los Angeles which shall have two (2) representatives; one (1) representative from the Tribal Government Regional Planning Board, who shall be a locally elected Tribal Council member from a federally recognized Indian Nation within the SCAG Region; one (1) representative from each District (as defined below); the Mayor of the City of Los Angeles serving as an at-large representative for the City; one (1) city council member or member of a county Board of Supervisors, from the governing boards of each of the six (6) CTCs; one (1) local government elected representative from one of the five (5) Air Districts within the SCAG Region to represent all five (5) of the Air Districts; one (1) local government elected representative from the Transportation Corridor Agencies (TCA); one (1) local government elected representative serving as the Public Transportation Representative to represent the transit interests of all of the operators in the SCAG region; and a representative from the private sector appointed by the President to serve on both the Regional Council and the Executive/Administration Committee and who would serve on the Regional Council in an ex-officio, non-voting capacity.

(a) **Districts:** For purposes of representation on the Regional Council, Districts shall be organized and defined as follows:

- (1) A District shall be established by the Regional Council and generally shall be comprised of a group of cities that have a geographic community of interest and have approximately equal population. In some cases involving cities with large populations, a District will include only one city. A District may be comprised of cities within different counties, but Districts established within a subregion under Article V A (1)(a)(5) of these Bylaws shall include only cities within the boundary of such subregion. Procedures for District representative elections and appointments shall be set forth under the Regional Council Policy Manual.

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- (2) In every calendar year ending in 3 or 8, the Regional Council shall review, and, if it deems necessary, modify or establish District boundaries based upon city population data as most recently available from the State Department of Finance.
- (3) Notwithstanding any other provisions of these Bylaws, in the event that District boundaries are changed as a result of a Regional Council review, then any impacted District shall have the option to retain its current District representative until the completion of the District representative's term or until a special election is held, no later than two (2) months after final action by the Regional Council, to elect a District representative who shall serve for a term established by the Regional Council. Such special elections shall be held in accordance with the District representative election procedures described in the Regional Council Policy Manual.
- (4) If a new city within the SCAG Region is incorporated after Districts have been established or reviewed, the newly incorporated city shall be assigned by the Regional Council, in consultation with any applicable subregional organization, to a District with other cities with which it has contiguous borders until such time as District boundaries are again reviewed by the Regional Council.
- (5) In any area where a subregional organization has either (1) been formally established under a joint powers agreement pursuant to California Government Code Sections 6500 et. seq. to serve as the subregional planning agency for the general purpose local governments and is not a single-purpose joint powers authority or a special district entity, or (2) been recognized by action of the Regional Council; and is organized for general planning purposes such as for the purpose of conducting studies and projects designed to improve and coordinate the common governmental responsibilities and services on an area-wide and regional basis, exploring areas of intergovernmental cooperation and coordination of governmental programs and providing recommendations and solutions to problems of common and general concern, such subregional organization shall make recommendations to establish a District (or Districts) within the boundaries of such subregional area. For purposes of establishing Districts, the subregional organization shall use the description of a District as set forth in Article V A,(1)(a)(1) of these Bylaws. The subregional organization shall have authority to make recommendations to the Regional Council to establish or modify Districts in every year ending in 3 or 8 and shall use city populations as most recently determined by the State Department of Finance.

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(6) The Regional Council shall establish no more than seventy (70) Districts.

(b) Regional Council Representation

(1) Every member city of the Association shall have at least one District representative.

(2) CTC, TCA and the Tribal Government Regional Planning Board representatives to the Regional Council shall be appointed by their respective governing boards, and the appointments shall be formally communicated in writing to the Association. The Air District representative shall be determined by the five (5) Air Districts within the SCAG Region, with such determination formally communicated in writing to the Association.

(3) The position of the Public Transportation Representative will rotate among the six CTCs in the SCAG Region, and each CTC in turn will make a two-year appointment subject to the President's official appointment. The Chief Executive Officers of the CTCs may develop additional procedures for the selection process. A representative from the Los Angeles County Metropolitan Transportation Authority shall serve as the initial Public Transportation Representative on the Regional Council.

(2) Terms of Office:

(a) Membership on the Regional Council by District representatives shall be for two (2) years except for those District representatives elected through special elections or appointments as described below and in Article V A. above. Terms of District representatives shall commence on the adjournment of the annual meeting of the General Assembly and expire at the conclusion of the second regular meeting of the General Assembly occurring after their terms commence. If a District representative resigns from his or her position as the District representative or officially ceases to be a locally elected official, his or her District representative position shall be declared vacant by the President on the effective date of the resignation or the end of the elected official's locally elected position. Moreover, the President shall immediately declare vacant the position of a District representative if required by federal or state statutes or regulations, or in response to a no confidence vote by a District undertaken in accordance with the Regional Council Policy Manual or because of a failure to follow the election or appointment policies contained in the Regional Council Policy Manual. A no confidence vote shall only be undertaken in response to a resolution passed by all cities in the District that are voting eligible Members of the Association. All such vacancies shall be filled through special elections or new appointments as set forth in the Regional Council Policy Manual. In the case of District representatives elected pursuant to special elections or newly

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appointed to fill vacancies, the term shall be for such time as will fill out the remainder of the vacated term.

- (b) The terms of District representatives who represent even-numbered Districts shall be two (2) years and shall expire in even-numbered years. Terms of District representatives who represent odd-numbered Districts shall be two (2) years and shall expire in odd-numbered years.
 - (c) Representatives to the Regional Council from the counties that are Members of the Association and from the CTCs, the Tribal Government Regional Planning Board, Air Districts, TCA, and the Public Transportation Representative shall have two (2) year terms, commencing on the date of appointment by the organizations they each represent and expiring two (2) years thereafter. If a representative described in this Article V A. (2)(c) ceases to be a locally elected official, or if so required by federal or state statutes or regulations, or if his or her appointment is rescinded by the appointing legislative body, his or her position on the Regional Council shall immediately be declared vacant by the President. Such a vacancy on the Regional Council shall be filled by action of the respective county, CTC, the Tribal Government Regional Planning Board, TCA, the five Air Districts in the SCAG Region in the case of the Air District representative, and the CTCs in the SCAG Region with respect to the Public Transportation Representative.
- (3) **Meetings:** Unless the Regional Council decides otherwise, it shall generally meet at least once a month. The date, time and location of the Regional Council meetings shall be recommended by the Executive Director and ratified by the Regional Council. Meetings shall be held upon the call of the President or upon the call of a majority of the members of the Regional Council. The Regional Council may adopt any other meeting procedures as part of the Regional Council Policy Manual.
- (4) **Duties**
- (a) Subject to the policy established by the General Assembly, the Regional Council shall conduct the affairs of the Association, approve the Overall Work Plan (OWP) Budget required by state and federal agencies and any other similar budgets required by funding agencies, and approve the Regional Council Policy Manual and any amendments thereto. The Executive Director or his designee shall have the authority to make administrative modifications to the Regional Council Policy Manual to reflect past Regional Council actions without the Regional Council's approval of a formal amendment to the Regional Council Policy Manual.
 - (b) The Regional Council shall review and may amend the proposed annual budget as prepared by the Executive Director. The proposed budget and the assessment schedule, as approved by Regional Council, shall be submitted to the members of the General Assembly at least thirty (30) days before the annual meeting. After the adoption of the annual budget assessment schedule by the General Assembly,

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the Regional Council shall control all Association expenditures in accordance with such budget.

- (1) The Regional Council shall have the power to transfer funds within the total budget amount in order to meet unanticipated needs or changed situations. Such action shall be reported to the General Assembly at its next regular meeting.
 - (2) At each annual meeting of the General Assembly, the Regional Council shall report on all budget and financial transactions since the previous annual meeting.
- (c) The Regional Council shall submit a report of its activities at each regular meeting of the General Assembly.
- (d) The Regional Council shall have the authority to appoint, ratify the annual Work Plan of, approve the Employment Agreement of (including all compensation and benefits) and remove an Executive Director of the Association, and shall also have the authority to fix the salary classification levels for employees of the Association.
- (e) The Regional Council shall have the power to establish committees or subcommittees to study specific problems, programs, and other matters which the Regional Council or General Assembly have approved for study. The SCAG President shall appoint all members and all chairs of committees and subcommittees that are established to study such specific problems or programs. At the discretion of the SCAG President, the chair of a Policy Committee may appoint the membership and chair of a subcommittee of said Policy Committee.
- (f) Substantive SCAG policy initiatives or programs must go through the Regional Council's Policy Committee process, with consultation by and input from the Technical Work Group and Subregional Directors Group. Recommendations from committees for policy decisions shall be made to the Regional Council. The Regional Council shall have the authority to act upon policy recommendations including policy recommendations from the committees, or it may submit such recommendations, together with its comments, to the General Assembly for action. Policy Committee recommendations can only be changed/amended prior to adoption, following a two-thirds vote of the Regional Council. Suggestions or direction on substantive SCAG policy initiatives or programs that vary from options analyzed by Policy Committees cannot be acted upon without reference back to the Policy Committee(s) and full disclosure on an agenda to the Regional Council. Before final adoption, any substantive SCAG policy initiatives or programs shall be considered and discussed in the appropriate Policy Committee(s) at least 1 month prior to adoption by the Regional Council. The reference to "substantive SCAG policy initiatives or programs" in this paragraph shall include those matters pertaining to state and federally-mandated planning documents produced by SCAG, including but not limited to,

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the RTP/SCS, aka Connect SoCal (including mitigation measures), and RHNA.

- (g) The Regional Council shall be responsible for carrying out policy decisions made by the General Assembly.
 - (h) Representatives of Regional Council members serving on the Regional Council may make informational inquiries of the Executive Director or Association executive staff consistent with the official Association duties of such representatives; however, such representatives shall refrain from any actions or contacts within the Association that would interfere with the powers and duties of the Executive Director.
 - (i) All representatives of Regional Council members serving on the Regional Council shall file Statement of Economic Interest forms and comply with the all SCAG policies regarding conflict-of-interest, harassment, discrimination and other matters as described in the Regional Council Policy Manual.
- (5) **Voting:** In the Regional Council voting shall be conducted in the following manner:
- (a) Only representatives of the voting-eligible Regional Council members shall have the right to vote at meetings of the Regional Council. Proxy votes are not allowed and representatives must be present at a Regional Council meeting in order to cast a vote.
 - (b) One-third (1/3) of the total number of representative positions from voting- eligible Regional Council members shall constitute a quorum of the Regional Council. The unfilled representative positions of voting-eligible Regional Council members shall be counted in the determination of a quorum.
 - (c) Unless these Bylaws provide that a supermajority or other vote percentage is required, The the affirmative votes of a majority of the representatives of voting-eligible Regional Council members voting with a quorum in attendance are required for action by the Regional Council, except as set forth in subsection (d) below.
 - (d) In order to appoint or remove the Executive Director, the affirmative vote of not less than a majority of the total number of representative positions, including unfilled representative positions, of the voting-eligible Regional Council members is required.
 - (e) Each representative from a CTC, the Tribal Government Regional Planning Board, the Air Districts and TCA as well as the Public Transportation Representative shall have the right to vote in the same manner as other representatives of voting-eligible Members of the Association serving on the Regional Council.
 - (f) Representatives of voting-eligible Regional Council members serving on the Regional Council are free to abstain from voting on any issue before the Regional

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Council. Any abstention does not count as a vote in favor or against a motion.

- (g) Due to the inability of all Regional Council members to review main motions other than those presented as a “recommended action” in a meeting’s agenda material prior to a Regional Council meeting, the President shall not proceed with a vote on a main motion that differs from the “recommended action” in a meeting’s agenda material until the Clerk or counsel has re-stated such a motion and an opportunity has been provided to all Regional Council members to permit them to deliberate and debate such a motion, provided that if the main motion has not been thoroughly reviewed and considered by a Policy Committee, the requirements of Article V.A(4)(f) above shall apply.
- (6) **Expenses:** Representatives of Regional Council members who serve on the Regional Council shall serve with compensation and shall be reimbursed for the actual necessary expenses incurred by them in the performance of their duties for the Association, to the extent that such compensation and reimbursement are not otherwise provided to them by another public agency, a Tribal Government or the Tribal Government Regional Planning Board. The Regional Council shall determine the amount of such compensation and set forth other procedures for expenses in the Regional Council Policy Manual.
- B. **Permanent Committees:** For the purpose of developing policy recommendations to the Regional Council, the Regional Council shall establish as permanent committees the “Executive/Administration Committee,” the “Legislative/Communications and Membership Committee” and the three (3) policy committees known as the “Transportation Committee,” the “Energy and Environment Committee,” and the “Community, Economic and Human Development Committee” (the latter three committees collectively referred to herein as the “Policy Committees”). In addition, the “Emerging Technologies Committee” is established by the Regional Council to research and identify new and emerging technologies that may play a role in transportation planning.
- C. **Executive/Administration Committee**
- (1) **Membership:** The membership of the Executive/Administration Committee (EAC) shall include the President, First Vice- President, Second Vice-President and Immediate Past-President and the President shall serve as the Chair. The EAC shall also include the respective Chairs and Vice Chairs of the Legislative/Communications and Membership Committee and the three (3) Policy Committees, the representative from the Tribal Government Regional Planning Board serving on the Regional Council, and an additional four (4) representatives of Regional Council members who are appointed by the President. In making the appointments, the President shall ensure that the six (6) counties within the SCAG Region have representatives on the EAC. In addition, the representative from the private sector appointed by the President to serve on the Regional Council in an ex-officio, non-voting capacity shall also serve on the EAC in an ex-officio, non-voting capacity. Appointments by the President to a position on the EAC shall be for approximate one (1) year terms, and such appointments shall expire upon the adjournment of the next regular meeting of the General Assembly.

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- (2) **Meetings:** The EAC shall generally meet at least once a month and in accordance with the Regional Council Policy Manual, except that the EAC may decide not to meet upon the call of the EAC chair after consultation with the Executive Director or his designee.
- (3) **Duties:**
- (a) Subject to any limitations that may be established by the General Assembly and/or the Regional Council, the EAC is authorized to make decisions and take actions that are binding upon the Association if the President or the Executive Director determine that such decisions or actions are necessary prior to the next regular meeting of the Regional Council.
 - (b) Subject to the policies of the Regional Council, the EAC shall be responsible for:
(1) developing policy recommendations to the Regional Council on administration, human resources, budgets, finance, operations, communications, or any other matter specifically referred by the Regional Council; and (2) negotiating and approving an Annual Work Plan with the Executive Director, which shall be subject to ratification by the Regional Council. The Executive Director's Annual Work Plan shall be effective the first day of July of the calendar year. The EAC shall be responsible for performing the annual evaluation of the Executive Director's performance and for making recommendations to the Regional Council regarding the Employment Agreement of the Executive Director. The EAC shall complete its annual evaluation of the Executive Director's performance no later than the regularly scheduled June meeting of the Regional Council.
 - (c) The powers and duties of the EAC shall include such other duties as the Regional Council may delegate.
- (4) **Voting:** A quorum shall be one-third (1/3) of the representatives of the voting-eligible Regional Council members who are appointed and serving on the EAC. There shall be no proxy votes and representatives must be present to vote. **Unless these Bylaws provide that a supermajority or other percentage vote is required, the the** affirmative vote of the majority of the representatives of the voting-eligible Regional Council members who are appointed and serving on the EAC and voting with a quorum in attendance is required for an action by the EAC except that an affirmative vote of a majority of all of the representatives of the voting-eligible Regional Council members serving on the EAC when the EAC acting on behalf of the Regional Council is required to make decisions or take actions that are binding upon the Association with regard to the annual budget; the hiring, removal, compensation and benefits of the Executive Director; and the salary classification levels for employees of the Association.

D. **Legislative/Communications and Membership Committee**

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- (1) **Membership:** Representatives of voting-eligible Regional Council members serving on the Regional Council may serve on the Legislative/Communications and Membership Committee (LCMC). Appointments to the LCMC shall be made by the President for approximate one (1) year terms that expire at the adjournment of the next regular meeting of the General Assembly. The President shall appoint the chair and vice chair of the LCMC. All representatives appointed to the LCMC by the President shall have full voting rights.
- (2) **Meetings:** The LCMC shall generally meet once a month and in accordance with the Regional Council Policy Manual, except that the LCMC may decide not to meet upon the call of the LCMC chair after consultation with the Executive Director or his designee.
- (3) **Duties:**
 - (a) The Legislative, Communications and Membership Committee shall be responsible for developing recommendations to the Regional Council regarding legislative and telecommunications matters; providing policy direction for the agency’s marketing communications strategy, outreach issues/materials and electronic communications systems; reviewing sponsorship opportunities whose cost will exceed \$5,000; and promoting agency membership.
 - (b) The duties of the LCMC shall include other such duties as the Regional Council may delegate.
- (4) **Quorum and Voting:** A quorum of the LCMC shall be one-third (1/3) of the representatives of voting-eligible Regional Council members serving on the LCMC. There shall be no proxy votes and representatives must be present to vote. The affirmative vote of a majority of the voting-eligible Regional Council members serving on the LCMC and voting with a quorum in attendance is required for an action by the LCMC.

E. Policy Committees

- (1) **Membership:**
 - (a) The Policy Committees may include as voting committee members the following: representatives of voting-eligible Regional Council members serving on the Regional Council; one (1) representative from the California Department of Transportation; local government elected representatives from each of the general purpose subregional organizations as established under Article V(A)(1)(a)(5) of these Bylaws; and one (1) representative who is a general purpose local elected official and duly appointed board member from an agency with which the Association has a statutory or Memorandum of Understanding relationship.
 - (b) The Policy Committees may include ex-officio (non-voting) committee members

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who shall be representatives from regional and subregional single purpose public agencies and other voting and ex-officio (non-voting) committee members as approved by the Regional Council.

- (c) Representatives of the CTCs, the Tribal Government Regional Planning Board, TCA and the Air Districts serving on the Regional Council as well as the Public Transportation Representative on the Regional Council may be appointed as voting committee members of one of the Policy Committees.
- (d) All committee members (voting and ex-officio) of SCAG’s Policy Committees shall be required to file Statement of Economic Interests forms and comply with all SCAG policies regarding conflict-of-interest, harassment, discrimination and other matters as described in the Regional Council Policy Manual.

(2) Appointments to Policy Committee:

- (a) The President shall appoint all interested and available representatives of voting-eligible Regional Council members who serve on the Regional Council to one (1) of the Policy Committees as voting committee members for approximate two (2) year terms that will expire at the adjournment of the second regular meeting of the General Assembly following the appointment. In making such appointments, the President shall, to the extent practicable, appoint an equal number of voting committee members to each Policy Committee taking into consideration regional representation, geographical balance, diversity of views and other factors deemed appropriate by the President.
- (b) The President may appoint to one (1) of the Policy Committees as voting committee members representatives of public agencies that have a statutory or Memorandum of Understanding relationship with SCAG. The representatives shall be appointed for approximate two (2) year terms that will expire at the adjournment of the second regular meeting of the General Assembly following each appointment. All such appointments will be in response to a written request from each of the governing boards of the agencies. Appointments shall be limited to one (1) representative from each public agency. In making such appointments, the President shall consider regional representation.
- (c) The President shall appoint ex-officio (non-voting) committee members to the Policy Committees representing the business sector, labor, higher education and community groups upon the recommendation of one of the respective Policy Committees and approval by the Regional Council. The term of each such ex-officio committee member shall expire at the adjournment of the next regular meeting of the General Assembly, however, each such ex-officio committee member may be re-appointed by a future SCAG President.

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- (d) The President may appoint to one (1) Policy Committee as a voting committee member one (1) elected representative from each of the subregional organizations described in Article V E.(1)(a) of these Bylaws. Each such appointment shall be for an approximate two (2) year term that shall expire at the adjournment of the second regular meeting of the General Assembly following the appointment.
- (e) The President may appoint to the Policy Committees as voting committee members additional local government elected representatives from each of the subregional organizations identified in Article V E.(1)(a) of these Bylaws that has at least four (4) Districts. One (1) additional local government elected representative for each District in excess of three (3) Districts may be appointed by the President. The governing boards of each of the subregional organizations shall nominate the additional representatives to be considered by the President for appointment. In making the appointments, the President shall consider, among other things, regional representation. Each such appointment shall be for an approximate two (2) year term that shall expire at the adjournment of the second regular meeting of the General Assembly following the appointment.
- (f) In addition to the appointment of the representative of the Tribal Government Regional Planning Board, the President may also appoint, with the consent of the Tribal Government Regional Planning Board, additional representatives to each Policy Committee such that the Tribal Government Regional Planning Board may have two (2) voting committee members on each Policy Committee. Such representative shall be locally elected Tribal Council members from the federally recognized Indian Nations within the SCAG Region. Each of these additional appointments shall be for approximate two (2) year terms that shall expire at the adjournment of the second regular meeting of the General Assembly following the appointments.
- (g) In order to facilitate participation by member cities of the Association, the President may make at-large appointments of local elected officials from cities that are not otherwise represented on a Policy Committee; provided, however, that the President shall only make such at-large appointments in response to written requests from such cities and may make no more than six at-large appointments for each Policy Committee. The term of an at-large representative on a Policy Committee shall be limited to the remainder of the term of the President except that the local elected official may continue to serve on the Policy Committee if its respective city council approve his or her re-appointment and the next SCAG President authorizes the re-appointment. Local elected officials serving in an at-large capacity on a Policy Committee shall be voting committee members.
- (h) To implement and advance the Association's commitment to justice, equity, diversity and inclusion, and to increase the representation of people of color and low-income communities in regional policy conversations, the seven (7)

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County representatives (i.e., Supervisors) to the Regional Council may each appoint one (1) local elected official, from a voting-eligible Member of the Association that has a Community of Concern (as defined below) located within the Member’s boundaries, to serve on a Policy Committee. A County representative to the Regional Council making such an appointment shall notify SCAG staff of the appointment in writing. Within ten (10) business days of a County representative’s notice making such an appointment, the President shall place the appointed local elected official on one of the Policy Committees. A local elected official appointed pursuant to this provision shall serve for a term of approximately two (2) years, commencing on the date the local elected official is placed on a Policy Committee by the President and expiring at the adjournment of the second regular meeting of the General Assembly following date the person is placed on the Policy Committee. Appointments to Policy Committees pursuant to this provision shall be limited to one (1) representative from each County except that Los Angeles County shall be permitted to have two representatives (one for each County representative to the Regional Council). As used in this Article V.E(2)(h), the term “Community of Concern” shall have the meaning given in SCAG’s most recently adopted Regional Transportation Plan/Sustainable Communities Strategy.

- (3) **Meetings**: The Policy Committees shall generally meet at least once a month and in accordance with the Regional Council Policy Manual, except that the Policy Committees may decide not to meet upon the call of the respective Policy Committee Chair after consultation with the Executive Director or his designee.
- (4) **Quorum and Voting**: A quorum of a Policy Committee shall be one-third of the voting committee members. There shall be no proxy votes and representatives must be present to vote. The affirmative vote of the majority of the voting committee members of a Policy Committee voting with a quorum in attendance is required for an action by a Policy Committee.
- (5) **Duties of the Transportation Committee (TC)**: The Transportation Committee shall study and provide policy recommendations to the Regional Council relative to challenges and opportunities, programs and other matters, which pertain to the regional issues of mobility and accessibility, including, but not limited to all modes of surface transportation, transportation system preservation and system management, regional aviation, regional goods movement, transportation finance as well as transportation control measures.
- (6) **Duties of the Energy and Environment Committee (EEC)**: The Energy and Environment Committee shall study and provide policy recommendations to the Regional Council relative to challenges and opportunities, programs and other matters, which pertain to the regional issues of energy and the environment. EEC shall also be responsible for reviewing and providing policy recommendations to the Regional Council on matters pertaining to environmental compliance.

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- (7) **Duties of the Community, Economic and Human Development Committee (CEHD):** The Community, Economic and Human Development Committee shall study and provide policy recommendations to the Regional Council relative to challenges and opportunities, programs and other matters which pertain to the regional issues of community, economic and human development, housing and growth. CEHD shall also receive information regarding projects, plans and programs of regional significance for determinations of consistency and conformity with applicable regional plans.
- F. **Joint Policy Committee Meetings:** The duties of the Policy Committees are specified in subsections (5), (6) and (7) above. To the extent that there are matters which are within the scope of review of more than one Policy Committee, the respective Policy Committees shall meet as a Joint Committee to consider the matters and provide unified policy recommendations to the Regional Council, if applicable. At the discretion of the President, the President or the chair of one of the Policy Committees shall preside over a Joint Policy Committee meeting. A quorum of a Joint Policy Committee meeting shall be one-third of the combined voting membership of the Policy Committees. There shall be no proxy votes and a voting member must be present to vote. The affirmative vote of a majority of the combined voting members of the Policy Committees voting with a quorum of the Joint Policy Committee in attendance is required for an action by the Joint Policy Committee.
- G. **Other Committees:** Except as may be limited or restricted elsewhere in these Bylaws, the President is authorized to appoint representatives of Regional Council members serving on the Regional Council to SCAG committees, ad hoc committees, subcommittees, or task forces to study specific problems, programs, or other matters which the Regional Council or General Assembly have approved for study and also to appoint new members or re-appoint prior members to any SCAG committee, ad hoc committee, subcommittee or task force. The President is also authorized to appoint representatives of Regional Council members serving on the Regional Council to governing boards of other agencies, districts, commissions, and authorities as representatives of the Association. If no such representatives are available for such appointment, the President may appoint an elected official not on the Regional Council to represent the Association. Elected officials appointed to represent the Association who are not then serving on the Regional Council shall serve as ex-officio representatives to the Regional Council without the right to vote. Terms of appointment of representatives serving on the Regional Council and other elected officials to governing boards of other agencies, districts, commissions, and authorities shall be consistent with the term of office of the appointing President.
- H. **Emerging Technologies Committee:** Serving as a permanent advisory committee to the Regional Council and the Policy Committees, the Emerging Technologies Committee (ETC) will research and identify new and emerging technologies that may play a role in all beneficial areas throughout the region, including transportation planning and improving the region's transportation system. Members serving on the Regional Council and Policy Committees may serve on the ETC. In addition, ex-officio, non-voting members to the ETC may be appointed by the President. Appointments to the ETC shall be made by the President for approximate one (1) year terms that expire at the adjournment of the next regular meeting of the General Assembly. The President shall appoint the chair and vice chair of the ETC. All representatives

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appointed to the ETC by the President shall have full voting rights.

- (1) **Meetings:** The ETC shall meet as frequently as needed upon the call of the ETC chair after consultation with the Executive Director or his designee.
- (2) **Quorum and Voting:** A quorum of the ETC shall be one-third (1/3) of the members serving on the ETC. There shall be no proxy votes and representatives must be present to vote. The affirmative vote of a majority of the voting-eligible members serving on the ETC and voting with a quorum in attendance is required for an action by the ETC.

I. **SCAG Technical Working Group:** In addition to Regional Council Policy Committees, the SCAG Technical Working Group, formally established for the purpose of conducting technical analysis of SCAG policies, is recognized by the Regional Council and afforded due consideration as follows:

- (1) Membership in the Technical Working Group shall be open to planning or other technical staff of Members of the Association and shall include at least one designated representative from each official SCAG subregion.
- (2) SCAG staff shall hold meetings no less than monthly with, and disclose the development of all substantive SCAG policy initiatives or programs to, the SCAG Technical Working Group to allow for full analysis and understanding of substantive policy initiatives or programs by the subregional agency technical staff. This requirement shall apply prior to the substantive SCAG policy initiatives or programs being brought before a SCAG Policy Committee.
- (3) The term “substantive SCAG policy initiatives or programs,” as referenced above in this subsection, shall include those matters pertaining to state and federally-mandated planning documents produced by SCAG, including but not limited to, the RTP/SCS, aka Connect SoCal (including mitigation measures), and RHNA.

ARTICLE VI – OFFICERS, DUTIES, ELECTIONS AND VACANCIES

- A. **Officer Positions:** Officers of the Association shall consist of a President, a First Vice- President, Second Vice-President, Immediate Past President and a Secretary-Treasurer. The Association’s President, First Vice-President, and Second Vice-President shall be elected annually by the Regional Council, prior to the annual regular meeting of the General Assembly, from among its membership as set forth below. The Executive Director of the Association shall serve as the Secretary-Treasurer of the Association, but shall have no vote in the Association.
- B. **Nominating Committee and Candidate Replacements:** Officers of the Association, except the Secretary-Treasurer, shall be elected from a recommended list of candidates, one for each office, which shall be prepared by a Nominating Committee and submitted to the Regional Council for review and action. The Nominating Committee shall be appointed by the President and shall be composed of seven (7) representatives of Regional Council members who collectively represent the six (6) counties within the SCAG Region, with at least one (1) member

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being a county representative. All individuals serving on the Nominating Committee shall be voting members. Individuals serving on the Nominating Committee shall serve from the date of their appointment until the adjournment of the next regular meeting of the General Assembly. The Immediate Past President shall serve as the chair of the Nominating Committee. The Nominating Committee shall consider only those candidates that meet the minimum eligibility requirements set forth below in Article VI C of these Bylaws and any other requirements that may be established by the Regional Council. A quorum of the Nominating Committee shall be a majority of its membership. Proxy voting is not allowed and members must be present to vote. The affirmative votes of a majority of those Nominating Committee members voting with a quorum in attendance shall be required for any action by the Nominating Committee.

In the event that prior to the annual meeting of the General Assembly, a candidate for President or First Vice-President who has been approved by the Nominating Committee or elected by the Regional Council but not yet ratified by the General Assembly no longer satisfies the minimum eligibility requirements of Article V C., the candidate for First Vice- President shall be deemed the candidate for President and the candidate for Second Vice- President shall be deemed the candidate for First Vice-President, provided that the applicable candidates are agreeable to the change.

In the event that prior to the annual General Assembly meeting, a candidate for Second Vice-President who has been approved by the Nominating Committee or elected by Regional Council, but not yet ratified by the General Assembly no longer satisfies the minimum eligibility requirements of Article V C. or if other candidate vacancies exist for any reason after the approval(s) by the Nominating Committee or the election(s) by the Regional Council, the Regional Council shall fill the vacant candidate position(s) with individual or individuals who meet the minimum eligibility requirements of Article V C. The Nominating Committee may also meet to review the list of candidates and make a recommendation to the Regional Council regarding the new candidate for Second Vice-President or for any other vacant candidate positions if there is sufficient time before the annual meeting of the General Assembly in which to schedule both a meeting of the Nominating Committee and the Regional Council.

C. **Minimum Eligibility Requirements:** The following minimum eligibility requirements must be met in order for an individual to be considered by the Nominating Committee as a candidate for an officer position in the Association.

- (1) At the time of the application, the potential candidate must be a Regional Council member who is a representative of a voting-eligible Member of the Association ~~the TCA representative, the Tribal Government Regional Planning Board representative, the Air District representative or the Public Transportation Representative~~ and who has served on a Policy Committee and/or the Regional Council (in any combination, except as provided in this subsection) for at least ~~24-12~~ continuous months from when first appointed to the Policy Committee and/or Regional Council or from when elected to serve on the Regional Council through a District election; ~~provided, however, that at least 12 months of the potential candidate's service must be as a Regional Council member.~~ A potential candidate's concurrent service as a member of both a Policy Committee and the Regional Council shall count only once towards satisfying the ~~24-12-~~

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month eligibility requirement.

- (2) The potential candidate must be actively involved with SCAG.
 - (3) The potential candidate must be a local elected official from a SCAG member county, city, TCA, Air District or CTC, the Public Transportation Representative, or a locally elected Tribal Council member from a federally recognized Indian Nation.
 - (4) Term limits will not prevent the potential candidate from serving a full term in the respective officer position.
 - (5) A completed nomination application must be submitted to the Association by the appropriate deadline by either the potential candidate or a colleague on the Regional Council.
- D. **Election by Regional Council and Ratification by General Assembly:** The names of the candidates for each officer position recommended by the Nominating Committee shall be submitted to the Regional Council for consideration and action at least one (1) month prior to the annual meeting of the General Assembly. The Nominating Committee shall recommend one candidate to the Regional Council for each officer position (except Secretary-Treasurer). If the Nominating Committee cannot agree on one candidate to recommend to the Regional Council for an officer position, all candidates for that officer position who satisfied the minimum eligibility requirements identified in Article V C. shall be presented to the Regional Council. The Regional Council may also consider and elect for any officer position individuals who are nominated directly at a Regional Council meeting as part of the election process. New Officers shall take office after the ratification of the General Assembly and upon the adjournment of the General Assembly meeting.
- E. **Officer Position Vacancies:** A vacancy shall immediately occur in the office of the President, First Vice- President, Second Vice-President or Immediate Past President upon the resignation or death of the person holding such office, or upon the person holding such office ceasing to be a local elected official or if required by federal or state statutes or regulations, or if the appointment as a representative of a Member of the Association, the TCA, the Air Districts, Tribal Government Regional Planning Board or as the Public Transportation Representative of the person holding the office is rescinded by the legislative body responsible for the appointment or in response to a no confidence vote by a District undertaken in accordance with the District Representative Election Procedures in the Regional Council Policy Manual. Such a no confidence vote shall only be undertaken in response to a resolution passed by all cities in the District that are voting eligible members of the Association. Upon the occurrence of a vacancy in the office of President, First Vice-President, or Second Vice- President, the vacancy shall be filled for the balance of an unexpired term in order of succession by elevating the next remaining Officer to such position, and the President may call for a Special Election to fill the unexpired term of the office of Second Vice-President. Such second Vice-President shall be selected from a list of candidates which shall be prepared by a Nominating Committee structured in accordance with the provisions of Article VI, Section B. In the event of such a Special Election the name of a nominee shall be submitted by the Nominating Committee to the Regional Council for action. If elected, the new Second Vice-President shall take

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office upon adjournment of that meeting of the Regional Council that included the Special Election. Upon the occurrence of a vacancy in the position of the Immediate Past President, the next most immediate and available Past President of SCAG still serving as representative to the Regional Council shall fill the position and serve for the balance of the unexpired term.

- F. **Representatives to Regional Council ~~not~~ Eligible for Officer Positions:** ~~Notwithstanding any provision in these Bylaws to the contrary, a representative to the Regional Council from the Tribal Government Regional Planning Board or from the Air Districts or from the TCA and the Public Transportation Representative shall not be eligible to be elected by the Regional Council as Officers of the Association.~~ All representatives to the Regional Council from Members of the Association including the CTCs and the representatives of the Tribal Government Regional Planning Board, TCA and the Air Districts serving on the Regional Council as well as the Public Transportation Representative are eligible to be elected by the Regional Council as Officers of the Association.
- G. **Presiding Officer:** The President of the Association shall be the presiding officer of the Regional Council and of the General Assembly. The First Vice-President shall act as the presiding officer in his/her absence. The Second Vice-President, followed by the Immediate Past President, shall act as the presiding officer in the absence of both of the above officers.
- H. **Duties of Secretary-Treasurer:** The Secretary-Treasurer shall maintain a record of all Association proceedings, maintain custody of all Association funds, and otherwise perform the usual duties of such office.

ARTICLE VII – EXECUTIVE DIRECTOR

The Executive Director shall be the chief administrative officer of the Association. The powers and duties of the Executive Director are as follows.

- A. **Affairs of the Association:** Subject to the authority of the General Assembly and the Regional Council, to administer the affairs of the Association including, but not limited to, oversight and approval of the Personnel Rules, Procurement Manual and Accounting Manual of the Association.
- B. **Employees:** Consistent with all applicable personnel policies, procedures and salary classifications, to appoint, direct, discipline, remove and set the compensation and benefits of all other employees of the Association.
- C. **Budget:** Annually to prepare and present a proposed Association budget and Overall Work Plan budget to the Regional Council and to control the approved budgets.
- D. **Secretary-Treasurer:** To serve as Secretary-Treasurer of the Association.
- E. **Meetings:** To attend the meetings of the General Assembly, the Regional Council and the EAC.
- F. **Other Duties:** To perform such other duties as the General Assembly or the Regional Council or

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the Regional Council Policy Manual may require.

- G. **Metropolitan Planning Organization:** To ensure compliance with the Association’s responsibilities as a metropolitan planning organization as outlined in 23 U.S.C.A. § 134 et seq., and as may be amended from time to time.

ARTICLE VIII - FINANCES

- A. **Fiscal Year:** The fiscal year of the Association shall commence on July 1.
- B. **Budget Submission and Adoption:** The Association budget shall be submitted by the Executive Director to the Regional Council. The Regional Council shall adopt an Association budget at least 30 days prior the Annual Meeting. The Association budget and assessment schedule shall be adopted by the General Assembly at the Annual Meeting. Notwithstanding any provision of the agreement establishing the Association, any member that cannot pay its assessment therefore because of any applicable law or charter provision, or other lack of ability to appropriate or pay the same, may add such assessment to its assessment for the next full fiscal year. The budget for each year shall provide the necessary funds with which to obtain and maintain the requisite liability and worker’s compensation insurance to fully protect each of the signatory parties hereto, and such insurance shall be so obtained and maintained.
- C. **Annual Membership Dues Assessment:** Each year, upon adoption of the Association budget, the General Assembly shall fix an annual membership dues assessment for all Members of the Association, Advisory Members of the Association and Regional Council members in amounts sufficient to provide the funds required by the Association budget and shall advise the legislative body of each Member, Advisory Member or Regional Council member thereof on or before the first regularly scheduled Regional Council meeting within thirty (30) days of the date of the General Assembly regular meeting of such year. Absent any other decision regarding membership dues assessments by the General Assembly, the annual membership dues assessment will be adjusted by the most recent year over year change in the Consumer Price Index – All Urban Consumers for the Los Angeles – Riverside – Orange County, California area, with a minimum of one per cent (1%) and using as a base for the assessment calculation the amount assessed in the previous assessment year. The annual membership dues assessment shall be determined in accordance with the formula set out in Article VIII D. of these Bylaws.

If a Member of the Association or an Advisory Member of the Association or a Regional Council member is unable to pay its annual membership dues assessment for any of the reasons cited in Article VIII B. of these Bylaws and if a Member (but not an Advisory Member or Regional Council member) is unable or unwilling to add its dues assessment to its assessment for the next full fiscal year, the Regional Council, for not more than one (1) year at a time, may defer, waive, or reduce payment of the annual membership dues assessment for a Member, an Advisory Member or a Regional Council member. Similarly, the Executive Director may authorize reduced payment of the annual membership dues assessment for a Member, an Advisory Member or a Regional Council member by no more than ten (10%) for not more than one (1) year at a time based upon documented financial hardship. In taking any of the actions above, the Regional Council shall adjust the Association budget to provide a balanced Association budget reflecting any of the above actions.

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Any action of the Regional Council deferring, waiving, or reducing the payment of the annual dues shall be reported at the following General Assembly meeting. In addition, if the Regional Council waives the annual membership dues assessment for a Member of the Association, or an Advisory Member of the Association or a Regional Council member, the Regional Council shall consider, at the same time and decide, on a case-by-case basis, whether the Official Representative of the Member or Advisory Member shall have the right to vote at the General Assembly and whether the representative of the Member, Advisory Member or Regional Council member can continue to vote on the Regional Council or any committee or subcommittee of the Association, serve in a leadership position, receive a stipend or have any other membership rights or privileges restricted during the period when the annual dues have been waived.

If the Regional Council decides to waive the annual membership dues assessment for a Member of the Association and also decides to suspend the voting rights of the Member for the period when the dues assessment is waived and if the representative of the Member serving on the Regional Council represents a multi-city District, the position of District representative shall be vacated by the action of the Regional Council and the vacancy shall be filled through a special election in accordance with the procedures set forth in the Regional Council Policy Manual.

Any Member of the Association, Advisory Member of the Association or Regional Council member that fails to pay its annual membership dues assessment, or, in the case of a Member, fails to announce its intention to add its assessment to the assessment for the next fiscal year or fails to seek a deferral or waiver or reduction of its assessment by January 1 of the July 1 – June 30 fiscal year shall be considered to have withdrawn from the Association and will cease to be a Member, Advisory Member or Regional Council member effective January 1. The Executive Director or his designee shall endeavor to provide written notices of annual membership dues assessment delinquencies in December of each fiscal year.

D. Methods of Assessment:

Member Cities and Counties and Tribal Governments: Each member county and each member city, based on its total population, shall pay, as part of its total annual assessment, the following fixed basic assessment:

COUNTIES		CITIES	
Total Population	Base	Population	Base
Up to 249,999	3,500	Up to 9,999	\$ 100
250,000 – 1,099,999	10,000	10,000 – 24,999	250
1,100,000 – 1,999,999	15,000	25,000 – 99,999	500
2,000,000 – 3,999,999	25,000	100,000 – 499,000	750
4,000,000 up	35,000	500,000 – 999,999	1,000
		1,000,000 up	1,250

For purposes of the annual assessment each federally recognized Indian Nation in the SCAG Region that becomes an Advisory Member of the Association shall be treated as a member city. The remainder of the total annual dues assessment to be borne by the member counties shall be

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charged to and paid by said member counties in proportion that the population of unincorporated portions of each bear to the total regional population. The remainder of the total annual assessment to be borne by the member cities shall be charged to and paid by said member cities in the proportion that the population of each bears to the total regional population. The computation of the shares of said total annual assessments as above provided shall be based upon the respective populations of the counties and cities as determined by the State Controller in making the most recent allocation to cities and counties pursuant to the Motor Vehicle License Fee Law, or based upon population data from the State Department of Finance in the event that the State Controller data is not available. For a member city newly incorporated pursuant to California Government Code Section 57176, the total annual assessment for the first five (5) years following incorporation shall be based upon such city's actual population as defined under California Revenue and Taxation Code Section 11005.3(d).

If any county or city was not a Member of the Association at the time the latest assessment was fixed and shall become a Member of the Association thereafter, an assessment shall be payable by such county or city to the Association upon becoming a Member in a sum based upon the current county or city per capita rate, as the case may be, prorated from the date of establishing membership until the July 1 following the next annual meeting of the General Assembly after such date. Notwithstanding the previous provisions of this Article VIII, no rebates or adjustments shall be made among the existing member counties and/or cities if such additional assessments shall be received from new Members. Notwithstanding the previous provisions of this Section, no regular dues assessment of any county or city shall exceed twenty percent (20%) of the total assessment for any annual assessment period.

CTCs: Each CTC shall pay a fixed annual assessment based on total population, using the following assessment table:

<u>Total Population</u>	<u>Annual Assessment</u>
Up to 249,000	\$ 3,500
250,000-1,099,999	\$ 10,000
1,100,000-1,999,000	\$ 15,000
2,000,000-3,999,999	\$ 25,000
More than 4,000,000	\$ 35,000

TCA, the Air Districts and the Public Transportation Representative: TCA shall pay an annual assessment of \$10,000. The annual assessment for a representative from the Air Districts on the Regional Council shall be \$10,000 to be paid in a manner agreed upon by the five (5) Air Districts within the SCAG Region. There is no required assessment for the Public Transportation Representative on the Regional Council.

- E. **Annual Audit:** The Regional Council shall cause an annual external audit of the financial affairs of the Association to be made by a certified public accountant at the end of each fiscal year. The Regional Council shall employ a certified public account of its choosing. The Regional Council shall also establish an Audit Committee to provide oversight of the annual external audit. The members of Audit Committee shall be comprised of members of the Regional Council and serve for one (1) year terms. The First Vice-President shall be a member of the Audit Committee and

the Second Vice-President shall serve as the chair of the Audit Committee for one (1) year. The audit report shall be made to Association member cities and counties.

- F. **Indemnification for Tort Liability:** In contemplation of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement as defined in Section 895 of said code, the Members of the Association hereto as between themselves, pursuant to the authorization contained in Sections 895.4 and 895.6 of said code, will each assume the full liability imposed upon it, or any of its officers, agents or employees by law for injury caused by a negligent or wrongful act or omission occurring in the performance of this agreement to the same extent that such liability would be imposed in the absence of Section 895.2 of said code. To achieve the above stated purpose each Member of the Association indemnifies and holds harmless any other Member of the Association for any loss, cost or expense that may be imposed upon such other Member of the Association solely by virtue of said Section 895.2. The rules set forth in Civil Code Section 2778 are hereby made a part of these Bylaws.

- G. **Debts, Liabilities and Obligations of the Association:** Notwithstanding the provisions of Section 7 of said Joint Powers Agreement by which this Association is formed, no contract, employment, debt, liability or obligation of the Association shall be binding upon or obligate any Member of this Association without the express written request or consent of such Member and only to the extent so requested or consented to; nor shall the Association have the authority or the power to bind any member by contract, employment, debt, liability, or obligation made or incurred by it without the written request or consent of such Member, and then only to such extent as so requested or consented to in writing.

- H. **Depositaries and Investments:** In addition to the depositary and the disbursing officer as specified in Section 7 of the Joint Powers Agreement, the Regional Council may authorize additional depositaries and those authorized to disburse the Association's funds, and may specify the terms and conditions pertaining thereto.

ARTICLE IX – STATUTORY AUTHORITY

The Southern California Association of Governments shall be an agency established by a joint powers agreement among the members pursuant to Title 1, Division 7, Chapter 5, of the Government Code of the State of California and shall have the powers vested in the Association by State or Federal law, the Joint Powers Agreement, or these Bylaws. The Association shall not have the power of eminent domain, or the power to levy taxes.

ARTICLE X – VOLUNTARY WITHDRAWAL

Any Member of the Association, Advisory Member of the Association or Regional Council member may, at any time, withdraw from the Association providing, however, that the intent to withdraw must be stated in the form of a resolution enacted by the legislative body of the agency wishing to withdraw. Such resolution of intent to withdraw from the Association must be given to the Association by the withdrawing agency at least 30 days prior to the effective date of withdrawal. The withdrawing agency shall not be entitled to a refund of the annual assessment paid to the Association.

ARTICLE XI – BYLAWS AND RESOLUTIONS COMMITTEE AND AMENDMENTS

The Bylaws and any amendments thereto are subject to the approval of the General Assembly.

Amendments to these Bylaws may be proposed by an Official Representative, the Executive Director, the Bylaws and Resolutions Committee and the Regional Council.

If proposed by an Official Representative, the amendment shall be submitted to the Association by a deadline established by the Association that is subject to waiver by the SCAG President or Executive Director but which in all cases must be at least forty-five (45) days prior to the regular meeting of the General Assembly for assignment and consideration by the Bylaws and Resolutions Committee.

The Bylaws and Resolutions Committee shall be appointed by the President and composed of twelve (12) representatives of Members of the Association serving on the Regional Council, with at least one (1) representative from each county in the SCAG Region and with at least two (2) representatives being county representatives. The representatives serving on the Bylaws and Resolutions Committee shall have terms that commence on the date of their appointment and extend to the adjournment of the next regular meeting of the General Assembly. A quorum of the Bylaws and Resolutions Committee shall be a majority of its membership. Proxy voting is not allowed and members must be present to vote. The affirmative votes of a majority of those Bylaws and Resolutions Committee members voting shall be required for any action by the Bylaws and Resolutions Committee. The Second Vice-President shall serve as the chair of the Bylaws and Resolutions Committee.

Except for amendments proposed by the Regional Council, all proposed amendments to the Bylaws shall be considered by the Bylaws and Resolutions Committee, and thereafter, by the Regional Council: except, however, amendments proposed by the Executive Director or his designee that are not recommended by the Bylaws and Resolutions Committee shall not be sent to the Regional Council. All amendments proposed by an Official Representative, and all amendments proposed by the Bylaws and Resolution Committee or the Executive Director or his designee that are recommended by the Regional Council along with amendments proposed by the Regional Council, shall be forwarded to the Official Representative of each General Assembly member at least twenty-one (21) days prior to the regular meeting of the General Assembly at which such proposed amendments will be voted upon.

An affirmative vote of a majority of the Official Representatives or Alternates of the General Assembly voting-eligible Members of the Association present and voting with a quorum in attendance is required to adopt an amendment to these Bylaws. If, within sixty (60) days after the adoption of any amendment, one-third (1/3) or more of the Official Representatives protest such amendment by filing a written protest with the Executive Director, the adoption of such amendment shall be suspended until the next meeting of the General Assembly when the amendment shall again be taken up for consideration and vote.

Notwithstanding any provision of the agreement establishing the Association, Article V - A-4(b) and the Article VIII A, B, and E of said Bylaws shall not be changed except with the concurrence of the

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legislative body of each signatory party to said agreement which has not then withdrawn from the Association.

ARTICLE XII – EFFECTIVE DATE

These Bylaws shall go into effect immediately upon the effective date of the agreement establishing the Association.

ARTICLE XIII – HIRING PROHIBITION

No individual who is or was an Official Representative or Alternate on SCAG’s General Assembly or is or was a representative of a Member of the Association or of an Advisory Member of the Association or of a Regional Council member serving on the Regional Council or is or was a member of any of SCAG’s Policy Committees shall be eligible for compensated employment with SCAG for a period of one (1) year after the individual’s last day of service in any of the SCAG positions described in this Article.

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Bylaws adopted by the Joint County-City SCAG Committee:

March 27, 1964

Bylaws amended by the SCAG General Assembly:

February 24, 1966

November 4, 1966

February 24, 1967

February 18, 1970

September 24, 1970

February 16, 1973

September 12, 1974

February 27, 1975

March 8, 1977

October 6, 1977

March 3, 1978

October 6, 1978

March 16, 1979

October 2, 1980

April 29, 1982

April 26, 1984

January 29, 1987

March 21, 1989

March 22, 1990

April 21, 1991

Attachment: SCAG Bylaws (v.050621 for 2022 RC) v.3 (Consideration of Proposed Amendments to the SCAG Bylaws)

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February 27, 1992

March 12, 1993

March 4, 1994

March 3, 1995

July 3, 1996

October 9, 1997

April 16, 1998

September 3, 1998

April 8, 1999

April 6, 2000

May 1, 2003

September 4, 2003

May 4, 2004

May 5, 2005

May 4, 2006

May 3, 2007

May 8, 2008

May 7, 2009

May 6, 2010

May 5, 2011

April 5, 2012

June 7, 2012

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May 2, 2013

May 1, 2014

May 7, 2015

May 5, 2016

May 4, 2017

May 3, 2018

May 2, 2019

May 6, 2021



Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

NO. 641
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL
MINUTES OF THE REGULAR MEETING
THURSDAY, MARCH 3, 2022

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. A VIDEO RECORDING OF THE ACTUAL MEETING IS AVAILABLE ON THE SCAG WEBSITE AT: <http://scag.iqm2.com/Citizens/>

The Regional Council (RC) of the Southern California Association of Governments (SCAG) held its regular meeting both in person and virtually (telephonically and electronically), given the declared state of emergency (pursuant to State of Emergency Proclamation dated March 4, 2020) and local public health directives imposing and recommending social distancing measures due to the threat of COVID-19, and pursuant to Government Code Section 54953(e)(1)(A). A quorum was present.

Members Present

Hon. Clint Lorimore, President	<i>Eastvale</i>	District 4
Hon. Jan Harnik, 1st Vice President		RCTC
Sup. Carmen Ramirez, 2nd Vice President		Ventura County
Supervisor Luis Plancarte		Imperial County
Supervisor Hilda Solis		Los Angeles County
Supervisor Don Wagner		Orange County
Supervisor Karen Spiegel		Riverside County
Hon. Maria Nava-Froelich		ICTC
Hon. Alan Wapner		SBCTA
Hon. Peggy Huang		TCA
Hon. Mike T. Judge		VCTC
Hon. Ben Benoit		Air District Representative
Hon. Cheryl Viegas-Walker	<i>El Centro</i>	District 1
Hon. Kathleen Kelly	<i>Palm Desert</i>	District 2
Hon. Rey Santos	<i>Baumont</i>	District 3
Hon. Zak Schwank	<i>Temecula</i>	District 5
Hon. Frank Navarro	<i>Colton</i>	District 6
Hon. Larry McCallon	<i>Highland</i>	District 7
Hon. Deborah Robertson	<i>Rialto</i>	District 8



Hon. Ray Marquez *Chino Hills* District 10

Members Present – continued

Hon. Randall Putz *Big Bear Lake* District 11
Hon. Fred Minagar *Laguna Niguel* District 12
Hon. Wendy Bucknum *Mission Viejo* District 13
Hon. Diane Dixon *Newport Beach* District 15
Hon. Phil Bacerra *Santa Ana* District 16

Hon. Kim Nguyen *Garden Grove* District 18
Hon. Trevor O’Neil *Anaheim* District 19
Hon. Joe Kalmick *Seal Beach* District 20
Hon. Art Brown *Buena Park* District 21
Hon. Marty Simonoff *Brea* District 22
Hon. Frank Yokoyama *Cerritos* District 23
Hon. Ray Hamada *Bellflower* District 24
Hon. Sean Ashton *Downey* District 25
Hon. José Luis Solache *Lynwood* District 26
Hon. Ali Saleh *Bell* District 27
Hon. Mark E. Henderson *Gardena* District 28
Hon. Cindy Allen *Long Beach* District 30
Hon. Steve De Ruse *La Mirada* District 31
Hon. Jorge Marquez *Covina* District 33
Hon. Adele Andrade-Stadler *Alhambra* District 34
Hon. Margaret E. Finlay *Duarte* District 35
Hon. Steve Tye *Diamond Bar* District 37
Hon. Tim Sandoval *Pomona* District 38
Hon. James Gazeley *Lomita* District 39
Hon. Alex Fisch *Culver City* District 41
Hon. Paula Devine *Glendale* District 42
Hon. David J. Shapiro *Calabasas* District 44
Hon. Laura Hernandez *Port Hueneme* District 45
Hon. David Pollock *Moorpark* District 46
Hon. Steve Manos *Lake Elsinore* District 63
Hon. Michael Posey *Huntington Beach* District 64
Hon. Elizabeth Becerra *Victorville* District 65
Hon. Megan Beaman Jacinto *Coachella* District 66
Hon. Marsha McLean *Santa Clarita* District 67
Hon. Patricia Lock Dawson *Riverside* District 68



Hon. Marisela Nava
Hon. Andrew Masiel, Sr.
Ms. Lucy Dunn

Perris
Pechanga Dev. Corp.
Business Representative

District 69
Tribal Gov't Reg'l Planning Brd.
Ex-Officio Member

Members Not Present

Hon. Rex Richardson, Imm. Past President

Supervisor Kathryn Barger
Supervisor Curt Hagman
Hon. L. Dennis Michael
Hon. Tammy Kim
Hon. Leticia Clark
Hon. Steven Ly
Hon. Jonathan Curtis
Hon. Drew Boyles
Hon. Juan Carrillo
Hon. Lorrie Brown
Hon. Gilbert Cedillo
Hon. Nithya Raman
Hon. Paul Koretz
Hon. Paul Krekorian
Hon. Bob Blumenfield
Hon. Nury Martinez
Hon. Monica Rodriguez
Hon. Marqueece Harris-Dawson
Hon. Curren D. Price, Jr.
Hon. Mark Ridley-Thomas
Hon. Mike Bonin
Hon. John Lee
Hon. Mitch O'Farrell
Hon. Kevin de León
Hon. Joe Buscaino
Hon. Eric Garcetti

Members Not Present

Long Beach

Rancho Cucamonga
Irvine
Tustin
Rosemead
La Cañada Flintridge
El Segundo
Palmdale
Ventura
Los Angeles
Los Angeles
Los Angeles
Los Angeles
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Los Angeles
Los Angeles
Los Angeles
Los Angeles

Members Not Present

District 29

Los Angeles County
San Bernardino County
District 9
District 14
District 17
District 32
District 36
District 40
District 43
District 47
District 48
District 51
District 52
District 49/Public Transit Rep.
District 50
District 53
District 54
District 55
District 56
District 57
District 58
District 59
District 60
District 61
District 62
Member-at-Large

Staff Present

Kome Ajise, Executive Director
Darin Chidsey, Chief Operating Officer
Debbie Dillon, Chief Strategy Officer
Cindy Giraldo, Chief Financial Officer
Sarah Jepson, Director of Planning
Carmen Fujimori, Human Resources Director



Javiera Cartagena, Director of Government and Public Affairs
Julie Shroyer, Chief Information Officer
Michael Houston, Chief Counsel, Director of Legal Services
Jeffery Elder, Deputy Legal Counsel
Ruben Duran, Board Counsel
Maggie Aguilar, Clerk of the Board

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Lorimore called the meeting to order at 12:31 p.m. and asked Regional Councilmember Larry McCallon, Highland, District 7, to lead the Pledge of Allegiance.

Given the declared state of emergency (pursuant to State of Emergency Proclamation dated March 4, 2020) and local public health directives imposing and recommending social distancing measures due to the threat of COVID-19, and pursuant to Government Code Section 54953(e)(1)(A), President Lorimore announced the meeting was being held both in person and virtually (telephonically and electronically).

PUBLIC COMMENT PERIOD

President Lorimore opened the Public Comment Period and outlined instructions for public comments. He noted this was the time for persons to comment on any matter pertinent to SCAG’s jurisdiction that were not listed on the agenda.

He reminded the public to submit comments via email to ePublicComment@scag.ca.gov. Board Counsel Ruben Duran acknowledged there were no written public comments received by email before or after the deadline for items not listed on the agenda.

Donald Harlan, a stakeholder from Los Angeles, offered public comments pertaining to environmental permitting in the City of Los Angeles and Los Angeles County and expressed his views of SCAG governance matters and funding.

Seeing no public comment speakers, President Lorimore closed the Public Comment Period.

REVIEW AND PRIORITIZE AGENDA ITEMS

There were no requests to prioritize agenda items.

ACTION ITEM

1. Findings to Continue Holding Virtual Regional Council and Committee Meetings Under AB 361

President Lorimore opened the Public Comment Period.

Seeing no public comment speakers, President Lorimore closed the Public Comment Period.

A MOTION was made (McCallon) to (1) ratify the prior actions of the Executive/Administration Committee taken at its February 2, 2022 meeting relating to findings made pursuant to Government Code Section 54953(e)(3); (2) make the following findings required by Government Code Section 54953(e)(3) on the basis of the staff report, which is incorporated by this reference, that (i) a proclaimed state of emergency remains active in connection with the COVID-19 public health crisis, (ii) the RC has reconsidered the circumstances of the state of emergency and (iii) state and local officials continue to impose or recommend measures to promote social distancing in relation to the COVID-19 public health crisis and, further, (3) authorize all legislative bodies of the Southern California Association of Government (SCAG), including the RC, EAC and all committees and task forces established by the RC or SCAG's Bylaws, to utilize remote teleconference meetings pursuant to and in compliance with Brown Act provisions contained in Government Code Section 54953(e).

Motion was SECONDED (Solis). The motion passed by the following roll call votes:

AYES: ALLEN, ANDRADE-STADLER, ASHTON, BACERRA, BEAMAN JACINTO, BECERRA, BENOIT, A. BROWN, BUCKNUM, DE RUSE, DEVINE, DIXON, FINLAY, FISCH, GAZELEY, GOODELL, HAMADA, HARNIK, HENDERSON, HERNANDEZ, HUANG, JUDGE, J. KALMICK, KELLY, LOCK DAWSON, LORIMORE, MANOS, J. MARQUEZ, R. MARQUEZ, MASIEL, MCCALLON, MCLEAN, MINAGAR, NAVA, NAVA-FROELICH, NGUYEN, O'NEIL, PLANCARTE, POLLOCK, POSEY, PUTZ, RAMIREZ, ROBERTSON, SALEH, SANDOVAL, SANTOS, SCHWANK, SHAPIRO, SIMONOFF, SOLACHE, SOLIS, SPIEGEL, VIEGAS-WALKER, WAGNER, WAPNER and YOKOYAMA (56)

NOES: NONE (0)

ABSTAIN: NONE (0)

2. Approval of the Fiscal Year 2022-23 Draft Comprehensive Budget

President Lorimore opened the Public Comment Period.

Donald Hartland offered public comments pertaining to SCAG governance matters and funding.

Seeing no public comment speakers, President Lorimore closed the Public Comment Period.

Kome Ajise, Executive Director, briefly stated that the draft FY 23 budget that was before them was developed based on SCAG's multi-year Strategic Plan, which focuses on SCAG's vision and priorities. He explained that SCAG was required by federal and state law to develop an Overall Work Program (OWP) each year. He indicated that after a 30-day public comment review period, the OWP will be submitted to the Regional Council for final approval on May 5. He also stated that the general fund budget and membership assessment will also be forwarded to the General Assembly for approval on May 5. He reported that the proposed budget meets SCAG's primary responsibility requirements and furthers the implementation of the long-range Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), also known as Connect SoCal. He further noted that the FY 2022-23 draft comprehensive budget also highlights funding support and activities as the agency prepares for the development of Connect SoCal 2024.

Cindy Giraldo, Chief Financial Officer, reported that the proposed FY 22-23 budget complies with SCAG's primary responsibility to develop the SCS, the federal transportation improvement program, the annual OWP, and the transportation-related local air quality management plans. She noted that as shown in table 1 of the staff report provided, the budget totals just under \$119.6 million, which is down from \$176.8 million in the current fiscal year. She indicated that the reflected decline is the result of progress made in expending the REAP 2019 funds, which accounts for \$14.7 million of the decline, and the completion of grants with partner transit agencies which accounts for another \$40 million. She reported that not yet accounted for in the budget were the expected REAP 2021 funds which will bring in approximately \$245 million in new revenue for the region. Once fully programmed, the FY23 budget will be approximately \$365 million, nearly a 100% growth or double the current fiscal year budget, and not the 32% decline currently reflected. Ms. Giraldo further reported that on the expenditure side, the largest component of the budget was the OWP which accounts for \$112 million or 94% of the total \$120 million budget. She noted that in January, they had the annual OWP development meeting with Caltrans, FHWA and FTA, and that feedback received from the federal and state agencies was supportive of both the work SCAG accomplished and of the proposed OWP before the RC. She explained that within the staff report, on page 22 of the agenda packet a chart had been provided that details the total budget for each program within the OWP and within the comprehensive budget document starting on page 49 there was narratives on each program that describes the program's objectives and its alignment with SCAG's strategic plan. She also reported that major cost components of the budget include salaries and benefits for SCAG employees which totals \$36.6 million of the proposed budget and the consultant budget, the largest component, totaling \$59.5 million, which includes money set aside for distribution to sub-recipients. She indicated that together these 2 items account for 80% of the total budget. She further explained that total salaries and benefit cost amount of \$36.6 million was just under a \$4 million increase over prior year and noted that this increase was predominately attributed to the addition of 11 permanent and 3 limited terms positions, as outlined in Attachment 2 to the staff report provided, and escalating payments toward the CalPERS unfunded pension liability. She also indicated that the budget also continues to fund SCAG's Merit Pay Program, the continuation of the

Vacation Cash-out pilot program, and the work at SCAG employee benefit. She stated that no new employee benefits are being requested for approval as part of the budget before them. Lastly, she reported that the general fund revenues include membership dues of \$2.3 million and that were calculated in compliance with the methods outlined in the SCAG Bylaws. She highlighted that a detailed breakdown of the membership dues by agency was provided within the comprehensive budget document starting on page 89 of the agenda packet.

Regional Councilmember Jorge Marquez, Covina, District 33, asked if they could take the recommendation on Item Number 2 and the Consent Calendar all in one motion.

Board Counsel Duran stated that it would be allowable, as long as the record was clear that the Regional Council was making a motion to approve item two and the Consent Calendar items three through the appropriate number.

Michael Houston, Chief Counsel and Director of Legal Services, stated that he agreed with Board Counsel but suggested taking public comment on the Consent Calendar since they had not done that yet.

President Lorimore thanked Regional Council Member Marquez for the suggestion. Related to the consent calendar, President Lorimore stated the motion would also include Receive and File items 6 through 12. Additionally, he clarified that there was a typographical error on the agenda and that the minutes in the agenda packet were for February 3rd, not January.

Regional Council Member Sean Ashton, Downey, District 25 seconded the motion.

President Lorimore asked if there was any further discussion, seeing none, he clarified the motion was for Item Numbers 2, 3 through 5 and Receive and File 6 through 12.

The Clerk noted for the record that the motion was made by Regional Councilmember Marquez and seconded by Regional Council Member Ashton.

Board Counsel Duran noted this also included the correction on the minutes.

CONSENT CALENDAR

3. Minutes of the Meeting – February 3, 2022
 4. Approval for Additional Stipend Payment
 5. SB 922 (Wiener) - CEQA Exemption for Transit Projects
-

Receive and File

6. March 2022 State and Federal Legislative Update
7. Policy Development Framework for Connect SoCal 2024
8. Connect SoCal's Program Environmental Impact Report (PEIR) 101
9. 2022 Outlook for Go Human Active Transportation and Safety Program
10. Fiscal Year (FY) 2020-21 External Audit
11. Purchase Orders \$5,000 - \$199,999; Contracts \$25,000 - \$199,999 and Amendments \$5,000 - \$74,999
12. CFO Monthly Report

A MOTION was made (Marquez) to 1) approve the Fiscal Year 2022-23 (FY 2022-23) Draft Comprehensive Budget in the amount of \$119,579,605; 2) authorize the release of the Draft Overall Work Program (OWP) to initiate the 30-day public comment period; 3) approve the General Fund Budget and Membership Assessment and transmit to the General Assembly; and 4) approve Consent Calendar Items 3 through 5, Receive and File Items 6 through 12 and the correction on the minutes for February 3rd, not January. Motion was SECONDED (Ashton). The motion passed by the following roll call votes:

AYES: ALLEN, ANDRADE-STADLER, ASHTON, BACERRA, BEAMAN JACINTO, BECERRA, BENOIT, A. BROWN, BUCKNUM, DE RUSE, DEVINE, DIXON, FINLAY, FISCH, GAZELEY, GOODELL, HAMADA, HARNIK, HENDERSON, HUANG, JUDGE, J. KALMICK, KELLY, LOCK DAWSON, LORIMORE, MANOS, J. MARQUEZ, R. MARQUEZ, MCCALLON, MCLEAN, MINAGAR, NAVA, NAVA-FROELICH, NGUYEN, O'NEIL, PLANCARTE, POLLOCK, POSEY, PUTZ, RAMIREZ, SALEH, SANDOVAL, SANTOS, SCHWANK, SHAPIRO, SIMONOFF, SOLACHE, SOLIS, SPIEGEL, VIEGAS-WALKER, WAGNER, WAPNER and YOKOYAMA (53)

NOES: NONE (0)

ABSTAIN: TYE (1)

PRESIDENT'S REPORT

President Lorimore introduced Ms. Lucy Dunn as the new Business Representative who was replacing Mr. Randall Lewis. He provided a brief overview of her background and accomplishments.

Ms. Dunn expressed it was a pleasure to join them all and that it was an honor. She stated that she knew she had big shoes to fill with Randall Lewis because he was an outstanding leader for all of them in business and for the region. She thanked them all for their support.

President Lorimore also announced that Regional Council Member Sean Ashton (RC District 25) would be resigning his council seat, effective March 18, for a work opportunity. He recognized Regional Council Member Ashton's service at SCAG.

Regional Council Member Ashton thank the members for their support and noted it had been an honor to serve. He thanked several members.

President announced the Bylaws and Resolutions Committee appointments as follows: Cheryl Viegas-Walker, El Centro, District 1; Luis Plancarte, Imperial County; Margaret Finlay, Duarte, District 35; Frank Yokoyama, Cerritos, District 23; Peggy Huang, TCA Representative; Donald Wagner, Orange County; Jan Harnik, RCTC; Karen Spiegel, Riverside; Larry McCallon, Highland, District 7; Curt Hagman, San Bernardino County; Carmen Ramirez, Ventura County (Chair); and David Pollock, Moorpark, District 46. He proceeded to announce the Nominating Committee appointments as follows: Cheryl Viegas-Walker, El Centro, District 1; Rex Richardson, Long Beach, District 29 (Chair); Marty Simonoff, Brea, District 22; Steve Manos, Lake Elsinore, District 63; Karen Spiegel, Riverside; Alan Wapner, SCBTA Representative David Pollock, Moorpark, District 46. He also announced the Scholarship Committee appointments as follows: Cheryl Viegas-Walker, El Centro, District 1 (Chair); Margaret Finlay, Duarte, District 35; Frank Yokoyama, Cerritos, District 23; Kim Nguyen, Garden Grove, District 18; Kathleen Kelly, Palm Desert, District 2; Ray Marquez, Chino Hills, District 10; David Pollock, Moorpark, District 46.

He also provided an update on the advocacy meeting with Congresswoman Young Kim which consisted of a tour of the Port of Los Angeles to learn about the challenges facing their supply chain, and how SCAG can support this vital industry through convenings. He also announced that he toured the Ontario Airport with Regional Councilmembers Alan Wapner, Dennis Michael, and Ray Marquez and that the tour focused on the FedEx distribution center at the airport and how air cargo and the airport are integrating into the expanding goods movement industry in the Inland Empire. Lastly, he reported that the next Regional Council meeting is scheduled for April 7 at 12:30 p.m.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Ajise welcomed Ms. Dunn to SCAG. He also wished Regional Council Member Ashton well and stated he would be missed. He congratulated President Lorimore on the first RC hybrid meeting and thanked staff for their hard work in putting the meeting together. He also thanked members who were able to join them for the Joint Policy Committee meeting last month as they kicked off the policy development phase of the 2024 Connect SoCal or RTP/SCS. He stated that one of their priorities for the year, as outlined in the President's and SCAG's EAC Strategic Work Plan, was to elevate and expand the elected leadership involvement for regional policy development across all of the committees and to ensure staff has clear direction on the collective priorities, and that those priorities are addressed as they advance the work of developing the regional plan. He stated that based on the JPC discussion and the previous policy action, staff had prepared a Draft Policy Framework that was included in your agenda package as agenda Item 7. He reported that the item was presented at EAC meeting the day before and that it was starting point for conversation on key policy issues. He expressed that they hoped to get member comments and their input so that they can continue to shape the framework such that it allows staff to capture all of the policy input. He noted that the Policy Development Framework will serve as an important guiding document for policy discussions on the plan and their agendas next year. He encouraged the members to review the framework and provide comments. He also provided a brief update on the Regional Data Platform that was launched on February 23 and noted benefits of the platform. He stated that RDP was available through the Regional Hub at <https://hub.scag.ca.gov/>. Lastly, he provided an update on the 2022 Outlook for the Go Human Program and noted that Item Number 9 on the agenda was a report that covers the strategies and resources SCAG is providing to communities to support pedestrian and bicycle safety this year. He highlighted that May was National Bike Safety Month and wanted to draw attention to the availability of these resources and encourage city staff to visit SCAG's website and reach out to our team to discuss opportunities to collaborate.

FUTURE AGENDA ITEM/S

Regional Council Member Trevor O'Neil reported that there was an issue with the California Debt Limit Allocation Committee (CDLAC) which oversees the allocation of tax-exempt bonds that goes towards affordable housing projects. He stated there's an annual cap to the bond issuance that goes towards affordable housing, and that in April CDLAC would be considering changing their scoring system for prioritizing which projects are approved, prioritizing those that are targeted to very low income or homeless housing projects. He stated that this change would make it more difficult to produce affordable housing at other income levels because developers rely on obtaining the 4% low-income housing tax credit which can only be claimed when at least half the project funding comes from them getting financing from these tax-exempt bonds. He indicated that if they can't get the bonds, they can't get the tax credits, and no affordable housing gets built contrary to the state's RHNA goals. He stated that if it was within the purview of their adopted policies, he would like staff to look at this issue and provide comments to CDLAC before they take it up, urging

them not to adopt their proposed changes. He further indicated that if it was more appropriate, he would like to agendize an item for the next Regional Council meeting to discuss and take position and provide direction to staff.

Executive Director Ajise stated they could certainly look into this, but it was the President's discretion as to agendize it.

President Lorimore indicated they would figure out the best place to put this item.

ANNOUNCEMENT/S

Regional Council Member Minagar, Laguna Niguel, District 12, stated he made a request in the past for a comprehensive presentation on Assembly Bill 43 which took effect on January 1, 2022, and asked the status of the presentation.

Ms. Jepson acknowledged the request and stated they were still working on the presentation for the Transportation Committee.

Regional Council Member Bucknum, Mission Viejo, District 13, welcomed Lucy Dunn and expressed excitement for having Ms. Dunn's input and insight. She stated that they appreciated her participation and her accepting this position.

ADJOURNMENT

There being no further business, President Lorimore adjourned the Regional Council meeting in at 1:28 p.m.

[MINUTES ARE UNOFFICIAL UNTIL APPROVED BY THE REGIONAL COUNCIL]

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AGENDA ITEM 5
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Darin Chidsey, Chief Operating Officer
(213) 236-1836, Chidsey@scag.ca.gov
Subject: Approval for Additional Stipend Payments

RECOMMENDED ACTION:

Approve additional stipend payments, pursuant to Regional Council Policy Manual, Article VIII, Section B(4) [RC Approved June 2019, amended June 2021], as requested by Regional Councilmember Alan D. Wapner, SBCTA.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 7: Secure funding to support agency priorities to effectively and efficiently deliver work products.

EXECUTIVE SUMMARY:

Pursuant to the Regional Council Stipend Policy, staff is seeking approval for additional stipend payments for Regional Councilmember Alan D. Wapner.

BACKGROUND:

In accordance with the Regional Council Policy Manual, Article VIII, Section B(4) [RC Approved June 2019, amended June 2021], *“Representatives of Regional Council Members may receive up to six (6) Stipends per month and the SCAG President may authorize two (2) additional Stipends in a single month on a case-by-case basis. SCAG’s First Vice President, Second Vice President and Immediate Past President may receive up to nine (9) Stipends per month. SCAG’s President may receive up to twelve (12) Stipends per month. Approval by the Regional Council is required for payment of any Stipends in excess of the limits identified herein.”*

For the month of February 2022, Regional Councilmember Alan D. Wapner, SBCTA, attended the following events for SCAG, which will count towards his 9th stipend requests:

No.	Meeting Date	Meeting Name
9 th	February 28	General Assembly Host Committee



FISCAL IMPACT:

Funds for stipends are included in the General Fund Budget (800-0160.01: Regional Council).



AGENDA ITEM 6 REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

EXECUTIVE DIRECTOR'S
APPROVAL

From: Cindy Giraldo, Chief Financial Officer
(213) 630-1413, giraldo@scag.ca.gov

Subject: Resolution No. 22-642-1 Approving Amendment 3 to the FY 2021-22
Comprehensive Budget including the Overall Work Program

RECOMMENDED ACTION:

It is recommended that, the Executive/Administration Committee (EAC) and the Regional Council (RC):

- 1) Approve Resolution No. 22-642-1 adopting an amendment to the Fiscal Year 2021-22 (FY 2021-22) Comprehensive Budget including the Overall Work Program (OWP) budget; and
- 2) Authorize the Executive Director, or his designee, to submit the Amendment 3 to the FY 2021-22 OWP to the California Department of Transportation (Caltrans).

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 7: Secure funding to support agency priorities to effectively and efficiently deliver work products.

EXECUTIVE SUMMARY:

Staff recommends that the Executive/Administration Committee (EAC) and Regional Council (RC) approve Resolution No. 22-642-1, adopting a third amendment to the FY 2021-22 Comprehensive Budget including the OWP budget. This amendment increases the OWP budget, in the amount of \$13,827,388, increasing the total budget from \$135.3 million to \$149.1 million (Amendment 3).

Amendment 3 is a formal amendment to FY 2021-22 OWP, which includes:

- *\$4.9 million in grant balance adjustments for Consolidated Planning Grant (CPG) funds, as well as \$0.96 million adjustments in Transportation Development Act (TDA) funds and In-Kind Commitments for ongoing regional transportation projects;*
- *\$0.24 million for U.S. Department of Energy (DOE) grant funds to support testing and evaluation of curb management operations as a subrecipient to the Los Angeles Cleantech Incubator (LACI);*
- *\$0.01 million for Year 1 of the DOE grant funds to support the AI-based mobility monitoring system and analytics demonstration pilot as a subrecipient to the University of California, Irvine (UCI);*

- *\$0.11 million for Year 2 of the DOE grant funds to perform outreach in support of expanding alternative fuels in SCAG region;*
- *\$6.75 million for Mobile Source Air Pollution Reduction Review Committee (MSRC) Last Mile Freight Program (LMFP) grant funds to help goods movement providers invest in clean truck and infrastructure technology;*
- *\$0.6 million for California Energy Commission's (CEC) Research Hub for Electric Technologies in Truck Applications (RHETTA) grant funds to study supporting infrastructure for medium and heavy-duty zero-emission trucks as a subrecipient to the Electric Power Research Institute (EPRI);*
- *\$0.02 million for the California Department of Housing and Community Development (HCD) grant funds passed through by the City of Santa Ana to support the Southern California Go Human Campaign; and*
- *\$0.25 million for the California Emerging Technology Fund (CETF) grant funds for overall general support for SCAG's broadband program.*

BACKGROUND:

On May 6, 2021, the EAC and RC adopted the FY22 Final Comprehensive Budget, which included the FY22 OWP budget in the amount of \$94.1 million. The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) subsequently approved SCAG's FY22 OWP on June 29, 2021.

Thereafter, SCAG submitted administrative Amendment 1 to the FY22 OWP to program the Regional Early Action Planning 2019 (REAP 2019) full grant award, the Active Transportation Program (ATP) Cycle 5 grant funds, additional TDA funds to support the existing state-funded projects, and a grant balance adjustment for the FY21 OTS Pedestrian and Bicycle Safety program. Additionally, the amendment included the reallocation of CPG funds that resulted in budget-neutral changes. Amendment 1 increased the OWP budget from \$94.1 million to \$134.4 million.

On December 1, 2021, the EAC, acting on behalf of the RC, approved Amendment 2 to the FY 22 OWP increasing the budget from \$134.4 million to \$135.3 million for programming CPG funds, TDA funds, Sustainable Transportation Planning grant funds, various federal and state grants including REAP 2019 grant for ongoing regional transportation and housing projects; adjusting staff time allocations in various OWP projects as well as adding new OWP projects (Broadband Planning and Local Information Services Team); programming the Inclusive Economic Recovery Strategy (IERS) grant funds to support the implementation of the IERS; and programming the FY22 Office of Traffic Safety (OTS) grant funds to support the Southern California Go Human Campaign.

On January 27, 2022, and March 2, 2022, Caltrans issued the final FY22 FHWA PL and FY22 FTA 5303 allocations, respectively. Combined, it was \$2.3 million higher than the amount programmed in SCAG's FY22 OWP. This amendment includes revising the amount programmed for CPG funds to

reflect the final allocations for this fiscal year as well as to program the remaining CPG carryover funds, in the amount of \$2.6 million, from the prior fiscal years.

DISCUSSION:

Staff recommends that the EAC and the RC approve Amendment 3 to the FY 2021-22 Comprehensive Budget, which includes an amendment to the FY22 OWP, in the amount of \$13.8 million, increasing the budget from \$135.3 million to \$149.1 million. Table 1 provides a summary of FY22 OWP revenue changes for the adjustments to federal transportation planning grants and the local funds supporting the grants, as well as adjustments to Federal Other, MSRC LMFP, State Other, and local grant funds. The changes to revenue resulted in a net increase of \$13.8 million. The most significant changes include grant balance adjustments for CPG funds and in-kind commitments as well as programming of the new grant funds.

FUNDING SOURCES	Amend#2	Change	Amend#3
FHWA PL - Metropolitan Planning	\$ 23,042,594	\$ 3,813,448	\$ 26,856,042
FTA 5303 - Metropolitan Planning	\$ 18,486,300	\$ 1,076,800	\$ 19,563,100
FHWA SPR - Strategic Partnership Grants	\$ 896,958	\$ -	\$ 896,958
FTA 5304 - Sustainable Communities Grants	\$ 451,044	\$ -	\$ 451,044
FEDERAL OTHER	\$ 2,447,837	\$ 356,477	\$ 2,804,314
SB 1 - Sustainable Communities Formula Grants	\$ 10,851,028	\$ -	\$ 10,851,028
SHA - Sustainable Communities Grants	\$ 855,504	\$ -	\$ 855,504
REAP 2019 Grant Program	\$ 42,608,322	\$ -	\$ 42,608,322
MSRC Last Mile Freight Program Grant	\$ 10,000,000	\$ 6,751,000	\$ 16,751,000
STATE OTHER	\$ 12,902,428	\$ 622,548	\$ 13,524,976
TDA	\$ 5,899,377	\$ 293,322	\$ 6,192,699
IN-KIND COMMITMENTS	\$ 4,804,824	\$ 663,793	\$ 5,468,617
CASH/LOCAL OTHER	\$ 2,060,127	\$ 250,000	\$ 2,310,127
TOTAL	\$ 135,306,343	\$ 13,827,388	\$ 149,133,731

- 1) \$4,890,248 increase for grant balance adjustments for the CPG funds (\$3,813,448 increase for FHWA PL, \$1,076,800 increase for FTA 5303) for ongoing regional transportation projects;
- 2) \$356,477 increase for Federal Other, including \$107,500 for Year 2 of the DOE grant for alternative fuels outreach project, \$10,000 for Year 1 of the DOE grant funds passed through by UCI for AI-based mobility monitoring system and analytics demonstration pilot project, and \$238,977 for DOE grant funds passed through by LACI for testing and evaluation of curb management operations;
- 3) \$6,751,000 increase for MSRC LMFP grant funds to support clean truck and infrastructure technology implementation for Phase 1 Selected Contingency List;

- 4) \$622,548 increase for State Other, including \$600,048 for CEC grant funds passed through by EPRI to study supporting infrastructure for medium and heavy-duty zero-emission trucks and \$22,500 for HCD grant funds passed through by the City of Santa Ana to support the Southern California Go Human Campaign;
- 5) \$293,322 increase for TDA funds for ongoing regional transportation projects;
- 6) \$663,793 increase for balance adjustments for the third-party contributions as a result of various grant balance adjustments; and
- 7) \$250,000 increase for Cash/Local Other to include \$250,000 in CETF funds to support SCAG’s Broadband Program.

Table 2 provides a summary of FY22 OWP expenditure changes for the adjustments to federal transportation planning grants and the local funds supporting the grants, as well as adjustments to Federal Other, MSRC LMFP, State Other, and local grant funds. The most significant changes are an increase for consultants to support the various grant-funded activities, as well as an increase for other costs to account for the funds set aside to support FY23 OWP activities.

OWP EXPENDITURES	Amend#2	Change	Amend#3
SALARIES & BENEFITS	\$ 43,961,262	\$ 50,500	\$ 44,011,762
CONSULTANTS *	\$ 77,020,630	\$ 7,192,127	\$ 84,212,757
NON-PROFITS/IHL	1,176,911	\$ (434,889)	742,022
IN-KIND COMMITMENTS	\$ 4,804,824	\$ 663,793	\$ 5,468,617
CASH/LOCAL OTHER	\$ 879,977	\$ -	\$ 879,977
OTHER COSTS	\$ 7,462,739	\$ 6,355,857	\$ 13,818,596
TOTAL	\$ 135,306,343	\$ 13,827,388	\$ 149,133,731
* Consultants included: consultant, consultant TC, consultant IC REAP and cloud services			

The proposed changes to expenditure categories are:

- 1) \$50,500 increase for staff resources, including one position upgrade as well as FTE adjustments in the OWP;
- 2) \$7,192,127 increase to the consultant budget related to various grants;
- 3) \$434,889 decrease to the non-profit/institution for higher learning category to align with various grants;
- 4) \$663,793 increase to in-kind commitments to support various grants; and
- 5) \$6,355,857 increase in other costs to set aside the funds to support FY23 OWP activities.

The list of budget changes for Amendment 3 to the FY22 OWP is included in Attachment 2. The full report for Amendment 3 to the FY22 OWP is available at <https://scag.ca.gov/sites/main/files/file-attachments/fy21-22-owp-amend03.pdf>.

Salaries and Benefits Budget

Amendment 2 to the budget presented to the EAC and RC in December included salaries and benefits costs for 194 positions in the amount of \$43.96 million. This amendment includes a position upgrade for the IERS grant-funded position from Assistant Regional Planner to Associate Regional Planner to align with the approved classification in the final grant budget. The amended budget increases the salaries and benefits costs for 194 positions to \$44.01 million. The work-time and fringe benefits costs associated with the position upgrade are approximately \$10K and will be fully covered by the IERS grant.

Budget Resolution Changes

Based on a review of the budget resolution language performed by the SCAG Legal Services and Finance divisions, changes to the resolution language have been incorporated to add clarity to authority that has been historically delegated to the SCAG Executive Director. The SCAG Bylaws, Article VII, give the SCAG Executive Director authority to administer the Personnel Rules. Resolution No. 22-642-1 (5) clarifies the required alignment between the personnel authority and the budget authority by designating and authorizing the SCAG Executive Director to make administrative amendments to the Comprehensive Budget to implement the Personnel Rules. Resolution No. 22-642-1 (10) also gives the SCAG Executive Director the authority to allocate additional TDA funding to projects that are included in the approved OWP through administrative amendments when such exceedance is necessary to execute or implement the OWP approved by the Regional Council. These proposed changes in the attached budget resolution provide and clarify the budget authority levels necessary to ensure business continuity and maximize operational efficiency.

FISCAL IMPACT:

Amendment 3 to the FY 2021-22 Comprehensive Budget, including the OWP, results in an OWP budget increase of \$13.8 million from \$135.3 million to \$149.1 million. After approval by the EAC and RC, Amendment 3 to the FY22 OWP will be submitted to Caltrans for final approval.

ATTACHMENT(S):

1. Resolution No. 22-642-1 Approving Amendment 3 to the FY 2021-22 Comprehensive Budget including the Overall Work Program (OWP)
2. List of Budget Changes - FY22 OWP Amendment 3



RESOLUTION NO. 22-642-1

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) APPROVING AMENDMENT 3 TO THE FISCAL YEAR 2021-22 COMPREHENSIVE BUDGET, INCLUDING THE OVERALL WORK PROGRAM

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS 900 Wilshire Blvd., Ste. 1700 Los Angeles, CA 90017 T: (213) 236-1800 www.scag.ca.gov

REGIONAL COUNCIL OFFICERS

- President Clint Lorimore, Eastvale
First Vice President Jan C. Harnik, Riverside County Transportation Commission
Second Vice President Carmen Ramirez, County of Ventura
Immediate Past President Rex Richardson, Long Beach

COMMITTEE CHAIRS

- Executive/Administration Clint Lorimore, Eastvale
Community, Economic & Human Development Jorge Marquez, Covina
Energy & Environment David Pollock, Moorpark
Transportation Art Brown, Buena Park

WHEREAS, the Southern California Association of Governments (SCAG) is the Metropolitan Planning Organization, for the six-county region consisting of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties pursuant to 23 U.S.C. § 134 et seq. and 49 U.S.C. § 5303 et seq.; and

WHEREAS, SCAG has developed the Fiscal Year (FY) 2021-22 Comprehensive Budget that includes the following budget components: the Overall Work Program (OWP); the FTA Discretionary and Formula Grant Budget; the TDA Capital and Debt Service Budget; the General Fund Budget; the Indirect Cost Budget; and the Fringe Benefits Budget; and

WHEREAS, the OWP is the basis for SCAG's annual regional planning activities and budget; and

WHEREAS, in conjunction with the OWP Agreement and Master Fund Transfer Agreement, the OWP constitutes the annual funding contract between the State of California Department of Transportation (Caltrans) and SCAG for the Consolidated Planning Grant (CPG), and the Sustainable Transportation Planning Grants; and

WHEREAS, SCAG is also eligible to receive other Federal and/or State grant funds and/or local funds for certain regional transportation planning related activities. For such funding upon award, the funds are implemented through the OWP and SCAG and the applicable Federal or State agency shall execute the applicable grant agreement(s); and

WHEREAS, SCAG's Regional Council approved the FY 2021-22 Comprehensive Budget including the OWP in May 2021, which was subsequently approved by Caltrans in June 2021. The Regional Council approved Amendment 1 to the OWP in September 2021 and Amendment 2 was approved in December 2021; and

WHEREAS, Amendment 3 to the FY 2021-22 Comprehensive Budget including the OWP, will result in an OWP budget increase of \$13,827,388, from \$135,306,343 to \$149,133,731; and

WHEREAS, Amendment 3 to the FY 2021-22 Comprehensive Budget including the OWP, along with its corresponding staff report and this resolution, has been reviewed and discussed by SCAG's Regional Council on April 7, 2022.

Attachment: Resolution No. 22-642-1 Approving Amendment 3 to the FY 2021-22 Comprehensive Budget including the Overall Work Program

NOW, THEREFORE, BE IT RESOLVED, by the Regional Council of the Southern California Association of Governments, that Amendment 3 to the FY 2021-22 Comprehensive Budget including the OWP is approve and adopted.

BE IT FURTHER RESOLVED THAT:

1. The Regional Council hereby authorizes submittal of Amendment 3 to the FY 2021-22 OWP to the participating State and Federal agencies.
2. The Regional Council hereby authorizes submittal of SCAG's approved FY 2021-22 Indirect Cost Rate Proposal (ICRP) to the participating State and Federal agencies.
3. SCAG pledges to pay or secure in cash or services, or both, the matching funds necessary for financial assistance.
4. The SCAG Executive Director, or in his or her absence, the Chief Financial Officer, is hereby designated and authorized to execute all related agreements and other documents on behalf of the Regional Council.
5. The SCAG Bylaws give the SCAG Executive Director authority to administer the Personnel Rules. In accordance with that authority, the SCAG Executive Director, or in his or her absence, the Chief Financial Officer, is hereby designated and authorized to make administrative amendments to the FY 2021-22 Comprehensive Budget including the OWP to implement the Personnel Rules.
6. The SCAG Executive Director, or in his or her absence, the Chief Financial Officer, is hereby authorized to make and submit to the applicable funding agencies, the necessary work program, and budget amendments to SCAG's FY 2021-22 Comprehensive Budget including the OWP, based on actual available funds and to draw funds as necessary on a line of credit or other requisition basis.
7. The SCAG Executive Director, or in his or her absence, the Chief Financial Officer, is hereby authorized to submit grant applications and execute the applicable grant agreements and any amendments with the applicable Federal or State agency and to implement grant funds through SCAG's OWP, and this includes submittal and execution of the required Overall Work Program Agreement (OWPA) and the Master Fund Transfer Agreement (MFTA) with Caltrans, as part of the Caltrans Sustainable Transportation Planning Grant Programs.
8. The SCAG Executive Director, or in his or her absence, the Chief Financial Officer, is hereby authorized to make administrative amendments to the FY 2021-22 OWP that do not affect the delivery of regional transportation planning tasks, activities, steps, products, or the funding amounts listed on the OWPA.
9. The SCAG Executive Director, or in his or her absence, the Chief Financial Officer, is hereby authorized to make administrative amendments to the FY 2021-22 General Fund Budget; the Indirect Cost Budget; the Fringe Benefit Budget; FTA Discretionary and Formula Grant Budget; and the TDA Budget that do not exceed the overall funding amounts approved by the SCAG Regional Council and the participating State and Federal agencies.
10. The SCAG Executive Director, or in his or her absence, the Chief Financial Officer, is hereby authorized to make administrative amendments to the FY 2021-22 TDA Budget, including exceeding the TDA Budget approved by the Regional Council, for the purpose of allocating additional funding to projects that are included in the approved OWP, when such exceedance is necessary to execute or implement the OWP approved by the Regional Council.

11. The SCAG Executive Director, or in his or her absence, the Chief Financial Officer, is hereby authorized to negotiate and execute subrecipient agreements (e.g., memorandum of understanding) and related documents, on behalf of the Regional Council, involving the expenditure of funds programed under the FY 2021-22 Comprehensive Budget including the OWP.

PASSED, APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting this 7th day of April, 2022.

Clint Lorimore
President, SCAG
Mayor, Eastvale

Attested by:

Kome Ajise
Executive Director

Approved as to Form:

Michael R.W. Houston
Chief Counsel

FY 2021-22 OWP Amendment 3
List of Budget Changes

Director	Project/Task No.	Category	Budget Change	CPG FHWA_PL	CPG FTA_5303	TDA	FTA 5304	FHWA SPR	SHA	FY20 SB1 Formula	FY21 SB1 Formula	FY22 SB1 Formula	State Others	REAP AB 101	REAP 2021	FY21 OTS	FY22 OTS	DOE	MSRC	ATP	IERS Grant	Cash/Local Other	In-Kind Commitments	Justification					
Jepson	010-0170.01	Staff	\$ 22,215	19,667																				2,548	Reconcile existing FTEs for staff to accurately reflect work responsibilities and tasks (reduced to match availability). Re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.				
Jepson	010-1631.02	Staff	\$ (32,017)	(28,345)																					(3,672)	Adjust FTE allocations to more accurately reflect time expended to date.			
Jepson	010-2106.02	Staff	\$ (10,736)	(9,505)																					(1,231)	Reconcile existing FTEs for staff to accurately reflect work responsibilities and tasks.			
Jepson	010-2106.02	Staff	\$ (7,158)	(6,337)																					(821)	This request is to add additional staff to LIST to provide RDP-LDX technical assistance to local jurisdictions for the development of Connect SoCal.			
Jepson	015-0159.01	Staff	\$ 313,315	(1,600)	278,978																				35,937	Reduce the Consultant budget by \$90,250 and re-purpose the funds to GL 55950 Temporary help under 015-0159.01 RTP Financial Planning & 015-0159.02 Transportation User Fee. Transfer funds of \$1,600 travel budget to cover urgent travel need for 055-1531.01 - Southern California Economic Growth Strategy. Increased budget to prepare and support the work that would be carried over to FY23.			
Jepson	015-0159.02	Staff	\$ 50,972	45,125																						5,847	Reduce the Consultant budget by \$90,250 and re-purpose the funds to GL 55950 Temporary help under 015-0159.01 RTP Financial Planning & 015-0159.02 Transportation User Fee.		
Jepson	020-0161.04	Staff	\$ 582,800	515,953																						66,847	Increase budget to prepare and support the work that would be carried over to FY23. To re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.		
Jepson	020-0161.05	Staff	\$ (20,573)	(18,213)																						(2,360)	This request is to add additional staff to LIST to provide RDP-LDX technical assistance to local jurisdictions for the development of Connect SoCal.		
Jepson	020-0161.05	Steps/ Products/ Objective	\$ -																									Updated the completion date for Product 42 to 6/30/22.	
Jepson	020-0161.06	Staff	\$ 226,401	200,433																						25,968	Increase budget to prepare and support the work that would be carried over to FY23.		
Jepson	020-0161.06	Steps/ Products/ Objective	\$ -																									Update references of Environmental Justice Working Group in the objective, Steps and Products to Equity Working Group.	
Jepson	030-0146.02	Staff	\$ 3,432	22,728	(19,690)																					394	This request is to add additional staff to LIST to provide RDP-LDX technical assistance to local jurisdictions for the development of Connect SoCal. Re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.		
Jepson	045-0142.12	Staff	\$ 254,702	225,487																							29,215	Increase budget to prepare and support the work that would be carried over to FY23.	
Jepson	045-0142.23	Staff	\$ 339,603	300,650																							38,953	Increase budget to prepare and support the work that would be carried over to FY23.	
Jepson	045-0142.25	Staff	\$ 308,223	272,870																							35,353	Increase budget to prepare and support the work that would be carried over to FY23.	
Jepson	050-0169.01	Staff	\$ (36,019)	(31,887)																						(4,132)	This request is to add additional staff to LIST to provide RDP-LDX technical assistance to local jurisdictions for the development of Connect SoCal.		
Jepson	050-0169.06	Staff	\$ (5,704)	(5,050)																						(654)	Reconcile existing FTEs for staff to accurately reflect work responsibilities.		
Jepson	050-0169.07	Consultant	\$ (90,250)	(90,250)																								Reduce the Consultant budget by \$90,250 and re-purpose the funds to Temporary help GL under 015-0159.01 RTP Financial Planning & 015-0159.02 Transportation User Fee.	
Jepson	050-0169.08	Non-Profits/HHL	\$ -	(44,265)	44,265																							Swap funding source of Non-Profit Budget, \$44,265, from FTA 5303 to TDA (M-02-22).	
Jepson	050-0169.08	Steps/ Products/ Objective	\$ -																									Update references of Public Health Working Group in the steps and products to Equity Working Group.	
Jepson	055-0133.06	Staff	\$ 3,913	3,464																							449	To re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.	
Jepson	055-0133.06	Steps/ Products/ Objective	\$ -																									Steps updated to Staff/Consultant.	
Jepson	055-1531.01	Staff	\$ 2,727	2,414																							313	Transfer funds of \$1,600 travel budget to cover urgent travel need for 055-1531.01 - Southern California Economic Growth Strategy for staff. Re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.	
Jepson	055-4856.01	Staff	\$ 3,372	2,985																							38	Re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.	
Jepson	055-4856.02	Staff	\$ 9,900	8,764																							1,136	Re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.	
Jepson	065-0137.12	Staff	\$ (8,177)																									Reconcile FTEs for staff to accurately reflect work responsibilities.	
Jepson	070-0130.12	Staff	\$ 139,238	123,267																							15,971	Increase budget to prepare and support the work that would be carried over to FY23.	
Cartagena	090-0148.01	Consultant	\$ -	(98,629)	98,629																							Budget for Contract 23-QS-C01, Videographer Services for the SCAG 2022 Regional Conference and General Assembly; funding switch from CPG to TDA, net change is 50.	
Cartagena	090-0148.01	Staff	\$ 230,694	204,233																								26,461	Increase budget to prepare and support the work that would be carried over to FY23.
Cartagena	095-1633.01	Staff	\$ 566,003	501,083																								64,920	Increase budget to prepare and support the work that would be carried over to FY23.
Jepson	100-4901.01	Consultant	\$ 250,000																				\$ 250,000					Program grant funds in the amount of \$250,000 from California Emerging Technology Fund (CETF) for overall general support for SCAG to promote Digital Inclusion among the Local Government Members.	
Jepson	100-4901.01	Staff	\$ 16,797	14,870																							1,927	Re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.	
Jepson	100-4901.01	Staff	\$ (4,903)	(4,341)																							(562)	Reconcile FTEs for staff to accurately reflect work responsibilities.	
Giraldo	120-0175.01	Staff	\$ 524,551	501,083	(36,698)																						60,166	Adjust FTE allocations to more accurately reflect time expended to date. Increased budget to prepare and support the work that would be carried over to FY23.	
Giraldo	120-0175.02	Staff	\$ 64,168		64,168																								Adjust FTE allocations to more accurately reflect time expended to date.
Jepson	130-0162.13	Staff	\$ 3,087	2,733																								354	Re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.
Jepson	130-0162.18	Consultant	\$ (366,000)	(366,000)																									Shift \$366k of the consultant budget to 115-4912.02.
Jepson	130-0162.18	Staff	\$ 195,789	249,536	(76,204)																							22,455	Reconcile FTEs for staff to accurately reflect work responsibilities. Increase budget to prepare and support the work that would be carried over to FY23. Re-allocate Misc. Labor Budget from 310-4874.01 which was set aside for the internal recruitment in FY22 Amendment 02. This shift is to reconcile the labor budget change, based on the promoted staff's FTE allocation.
Jepson	140-0121.02	Staff	\$ 41,165	36,443																								4,722	Adjust FTE allocations to more accurately reflect time expended to date.
Jepson	140-0121.08	Staff	\$ 156,217	138,299																								17,918	Increase budget to prepare and support the work that would be carried over to FY23.
Jepson	145-4818.01	Steps/ Products/ Objective	\$ -																										Update Product delivery dates.
Jepson	145-4846.01	Steps/ Products/ Objective	\$ -																										Update Steps and Products end dates.
Jepson	145-4865.01	Steps/ Products/ Objective	\$ -																										Update Product delivery dates.
Jepson	145-4867.01	Steps/ Products/ Objective	\$ -																										Update Steps and Products end dates.
Jepson	145-4885.01	Staff	\$ -																										Update GL from misc. labor future to misc. labor.
Jepson	155-4863.01	Consultant	\$ (714)																									(131)	Move remaining cash and in-kind match to 290-4904.01 to complete project.
Jepson	225-3564.14	Steps/ Products/ Objective	\$ -																										Update Steps and Products end dates.
Jepson	225-3564.16	Consultant	\$ 455,139																										Update budget to reflect expenditures.
Jepson	225-3564.16	Non-Profits/HHL	\$ (471,139)																										Updating budget to reflect expenditures.
Jepson	225-3564.16	Staff	\$ 133,714		117,714																								Updating budget to reflect expenditures.
Jepson	225-3564.17	Consultant	\$ (6,000)																										Updating budget to reflect expenditures.
Jepson	225-3564.17	Staff	\$ (59,875)																										Updating budget to reflect expenditures.
Jepson	225-4837.01	Staff	\$ (11,557)																										Adjust FTE allocations to more accurately reflect time expended to date.
Jepson	225-4837.01	Steps/ Products/ Objective	\$ -																										Update Steps and Products end dates.
Jepson	230-0174.05	Staff	\$ (19,717)	(17,455)																								(2,262)	This request is to add additional staff to LIST to provide RDP-LDX technical assistance to local jurisdictions for the development of Connect SoCal.



AGENDA ITEM 7 REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

EXECUTIVE DIRECTOR'S
APPROVAL

From: Cindy Giraldo, Chief Financial Officer
(213) 630-1413, giraldo@scag.ca.gov

Subject: Contract Amendment Greater Than 30% of the Contract's Original Value:
Contract No. 20-002-C01 Amendment No. 3, General Counsel Services

RECOMMENDED ACTION:

Approve Amendment No. 3 to Contract No. 20-002-C01, with Best Best & Krieger, LLP, which amendment (1) increases the contract in an amount not to exceed \$48,870, increasing the contract value from \$858,960 to \$907,830, to provide additional as needed Board Counsel Services and (2) exercises a one (1) year term extension, which extension right is provided in the original contract. Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract amendment on behalf of SCAG.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians. 4: Provide innovative information and value-added services to enhance member agencies' planning and operations and promote regional collaboration.

EXECUTIVE SUMMARY:

On October 3, 2020 SCAG awarded Contract 20-002-C01 to Best Best & Krieger, LLP (BBK) to provide legal services as Board Counsel to the Regional Council and its committees and to provide certain "on call" services, including litigation services and other services as approved by the Executive Director. Under this agreement, BBK performs two (2) Tasks. "Task 1" provides legal services that include, but are not limited to: attending and serving as Board Counsel at Regional Council (RC) and other committee meetings; consulting and providing advice to the RC, committees, Executive Director and other staff on various legal matters; assisting with the annual performance review of the Executive Director; reviewing and revising as needed proposed changes to the SCAG Bylaws and RC policies; and additional services as requested by the RC or the Executive Director. Task 1 services are rendered in accordance with an agreed-upon flat monthly fee, starting at \$8,000 per month for FY 2019-20, with indexing in subsequent years. "Task 2" are as needed services which include, but are not limited to, litigation assistance (if approved by the Regional Council) and other services (as approved by the Executive Director), in accordance with



an agreed upon hourly rate structure. The contract is for three (3) years, with two additional 12-month options, for a total of 60-months.

This Amendment 3 would increase funding by \$48,870 for the vendor to perform Task 2 work that is within scope of the original agreement, such as assisting SCAG with responding to an increased level of public records requests, including requests where the Legal Department is unable to participate due to ethical/professional conflicts of interest.

In addition to increasing funding, Amendment 3 would exercise an option to extend the contract for an additional year, as permitted by the contract.

This amendment when combined with a previous amendment exceeds \$75,000, as well as 30% of the contract's original value. Therefore, in accordance with the SCAG Procurement Manual (January 2021) Section 9.3, it requires the Regional Council's approval.

BACKGROUND:

Staff recommends executing the following amendment greater than 30% of the contract's original value:

<u>Consultant/Contract #</u>	<u>Contract Purpose</u>	<u>Amendment Amount</u>
Best Best & Krieger, LLP (20-002-C01)	The consultant shall provide additional Board Counsel Services.	\$48,870

FISCAL IMPACT:

Funding of \$48,870 is available in the FY22 Indirect Cost Program budget, in Project Number 810-0120.09.

ATTACHMENT(S):

1. Contract Summary 20-002-C01 Amendment 3
2. Contract Summary 22-002-C01 Amendment 3 COI

CONSULTANT CONTRACT NO. 20-002-C01 AMENDMENT 3

Consultant:	Best Best & Krieger, LLP
Background & Scope of Work:	<p>On October 3, 2020 SCAG awarded Contract 20-002-C01 to Best Best & Krieger, LLP (BBK) to provide legal services as Board Counsel to the Regional Council and its committees and to provide certain “on call” services, including litigation services and other services as approved by the Executive Director. Under this agreement, BBK performs two (2) Tasks. “Task 1” provides legal services that include, but are not limited to: attending and serving as Board Counsel at Regional Council (RC) and other committee meetings; consulting and providing advice to the RC, committees, Executive Director and other staff on various legal matters; assisting with the annual performance review of the Executive Director; reviewing and revising as needed proposed changes to the SCAG Bylaws and RC policies; and additional services as requested by the RC or the Executive Director. Task 1 services are rendered in accordance with an agreed-upon flat monthly fee, starting at \$8,000 per month for FY 2019-20, with indexing in subsequent years. Task 2 are as needed services which include, but are not limited to, litigation assistance (if approved by the Regional Council) and other services (as approved by the Executive Director), in accordance with an agreed upon hourly rate structure. The contract is for three (3) years, with two addition 12-month options, for a total of 60-months. In November of last year, this contract was amended (pursuant to Amendment 2) that was approved by the Executive/Administration Committee (EAC) and Regional Council (RC) to augment funds due to prior expenditure made when SCAG was without internal legal counsel.</p> <p>This amendment would increase the contract value by \$48,870 from *\$858,960 to \$907,830. This amendment also includes a one (1) year term extension, which extension right is part of the original contract (which provides SCAG with options to extend the contract as described above.</p> <p>The funding increase is due the need to engage the vendor for Task 2 work that is within scope of the original agreement relating to an increased level of public records request, including requests where the Legal Department is unable to participate due to ethical/professional conflicts of interest are ongoing and will require outside counsel to perform legal review where internal resource is not able to do so.</p> <p>* Note there was a typo in the November 2021 EAC/RC Staff Report which incorrectly stated \$857,960 as the contract total, when it should have been \$858,960, \$1,000 higher.</p>
Project’s Benefits & Key Deliverables:	<p>The project’s benefits and key deliverables include, but are not limited to:</p> <ul style="list-style-type: none">• Legal Counsel Services to the Regional Council on a flat fee monthly basis in FY 2022-23.• As Needed Task 2 services on an hourly fee basis.
Strategic Plan:	<p>This item supports SCAG’s Strategic Plan Goal: 1: Produce innovative solutions that improve the quality of life for Southern Californians; and Goal 4: Provide innovative information and value-added services to enhance member agencies’ planning and operations and promote regional collaboration.</p>

Amendment	Amendment 3	\$48,870
Amount:	Amendment 2	\$363,480
	Amendment 1 (administrative only)	\$0
	Original contract value	<u>\$495,480</u>
	Total contract value is not to exceed	\$907,830

This amendment when combined with a previous amendment exceeds \$75,000, as well as 30% of the contract's original value. Therefore, in accordance with the SCAG Procurement Manual (January 2021) Section 9.3, it requires the Regional Council's approval.

Contract Period: October 23, 2019 through June 30, 2023 (subject to extension as noted above, of which one extension of one year is being sought by this amendment).

Project Number: 810-0120.09 \$48,870

Funding source: Indirect Cost Budget

Funding of \$48,870 is available in the FY22 Indirect Cost budget, in Project Number 810-0120.09.

Basis for the Amendment: This amendment is needed to (1) extend the term of an additional 12-month period and to engage the consultant for Task 2 work that is within scope of the original agreement relating to an increased level of public records request, including requests where the Legal Department is unable to participate due to ethical/professional conflicts of interest are ongoing and will require outside counsel to perform legal review where internal resource are not able to do so.

**Conflict Of Interest (COI) Form - Attachment
For April 7, 2022 Regional Council Approval**

Approve Amendment No. 3 to Contract No. 20-002-C01, with Best Best & Krieger, LLP, in an amount not to exceed \$48,870, increasing the contract value from \$858,960 to \$907,830, to provide additional as needed Board Counsel Services. This amendment also includes a one (1) year term extension, which extension right is part of the original contract (which provides SCAG with options to extend the contract as described above). Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract amendment on behalf of SCAG.

The consultant team for this contract includes:

Consultant Name	Did the consultant disclose a conflict in the Conflict of Interest Form they submitted with its original proposal (Yes or No)?
Best Best & Krieger, LLP (prime consultant)	Yes - form attached

SCAG CONFLICT OF INTEREST FORM

RFP No./Contract No. 20-002-C01 Amendment 3

SECTION I: INSTRUCTIONS

All persons or firms seeking contracts must complete and submit a SCAG Conflict of Interest Form along with the proposal. This requirement also applies to any proposed subconsultant(s). Failure to comply with this requirement may cause your proposal to be declared non-responsive.

In order to answer the questions contained in this form, please review SCAG’s Conflict of Interest Policy, the list of SCAG employees, and the list of SCAG’s Regional Council members. All three documents can be viewed online at <https://scag.ca.gov>. The SCAG Conflict of Interest Policy is located under “GET INVOLVED”, then “Contract & Vendor Opportunities” and scroll down under the “Vendor Contracts Documents” tab; whereas the SCAG staff may be found under “ABOUT US” then “OUR TEAM” then “Employee Directory”; and Regional Council members can be found under “MEETINGS”, then scroll down to “LEADERSHIP” then select “REGIONAL COUNCIL” on the left side of the page and click on “Regional Council Officers and Member List.”

Any questions regarding the information required to be disclosed in this form should be directed to SCAG’s Legal Division, especially if you answer “yes” to any question in this form, as doing so MAY also disqualify your firm from submitting an offer on this proposal

Name of Firm: Best, Best & Krieger LLP
Name of Preparer: Ruben Duran, Partner
Project Title: Board Counsel
Date Submitted: 03/30/2022

SECTION II: QUESTIONS

1. During the last twelve (12) months, has your firm provided a source of income to employees of SCAG or members of the SCAG Regional Council, or have any employees or Regional Council members held any investment (including real property) in your firm?

YES NO

If “yes,” please list the names of those SCAG employees and/or SCAG Regional Council members and the nature of the financial interest:

Name	Nature of Financial Interest
_____	_____
_____	_____
_____	_____
_____	_____

2. Have you or any members of your firm been an employee of SCAG or served as a member of the SCAG Regional Council within the last twelve (12) months?

YES NO

If "yes," please list name, position, and dates of service:

Name	Position	Dates of Service
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Are you or any managers, partners, or officers of your firm related by blood or marriage/domestic partnership to an employee of SCAG or member of the SCAG Regional Council that is considering your proposal?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____
_____	_____

4. Does an employee of SCAG or a member of the SCAG Regional Council hold a position at your firm as a director, officer, partner, trustee, employee, or any position of management?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____
_____	_____

5. Have you or any managers, partners, or officers of your firm ever given (directly or indirectly), or offered to give on behalf of another or through another person, campaign contributions or gifts to any current employee of SCAG or member of the SCAG Regional Council (including contributions to a political committee created by or on behalf of a member/candidate)?

YES NO

If "yes," please list name, date gift or contribution was given/offered, and dollar value:


Name	Date	Dollar Value
Randall Putz	09/23/2021	\$100.84
Ben Benoit	02/24/2022	\$100.00
Clint Lorimore	02/23/2022	\$150.00
Karen Spiegel	06/13/2021	\$150.00

SECTION III: VALIDATION STATEMENT

This Validation Statement must be completed and signed by at least one General Partner, Owner, Principal, or Officer authorized to legally commit the proposer.

DECLARATION

I, (printed full name) Ruben Duran, hereby declare that I am the (position or title) Partner of (firm name) Best Best & Krieger LLP, and that I am duly authorized to execute this Validation Statement on behalf of this entity. I hereby state that this SCAG Conflict of Interest Form dated 03/30/2022 is correct and current as submitted. I acknowledge that any false, deceptive, or fraudulent statements on this Validation Statement will result in rejection of my contract proposal.



03/30/2022

Signature of Person Certifying for Proposer
(original signature required)

Date

NOTICE

A material false statement, omission, or fraudulent inducement made in connection with this SCAG Conflict of Interest Form is sufficient cause for rejection of the contract proposal or revocation of a prior contract award.



AGENDA ITEM 8
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Cindy Giraldo, Chief Financial Officer
(213) 630-1413, giraldo@scag.ca.gov

Subject: Contract Amendment Greater Than 30% of the Contract's Original Value:
Contract No. 21-054-C01 Amendment No. 2, Amazon Web Services (AWS)
Infrastructure for the Regional Data Platform

RECOMMENDED ACTION:

Approve Amendment No. 2 to Contract No. 21-054-C01, Regional Data Platform (RDP) – Amazon Web Services (AWS), with DLT Solutions, in an amount not to exceed \$94,001, increasing the contract value from \$155,990 to \$250,000, and extending the Term from April 30, 2022, to June 30, 2022, to enable the consultant to continue to provide AWS cloud infrastructure services. Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract amendment on behalf of SCAG.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 3: Be the foremost data information hub for the region.

EXECUTIVE SUMMARY:

On April 1, 2021, SCAG awarded Contract 21-054-C01 to DLT Solutions to provide Amazon Web Services (AWS) cloud computing services. SCAG has the critical mission of supporting 191 cities and six counties in Southern California with regional governance of transportation, planning and economic development. A significant component of this mission is providing complete and up-to-date data, methods and tools to member agencies to support local planning activities. The cloud infrastructure will enable SCAG to fulfill this mission through the implementation of a modern and comprehensive Regional Data Platform that will promote more efficient, cost-effective, and transparent planning across the SCAG region.

This increase is due to an increase in SCAG's computing capacity needs under the production environment of the Regional Data Platform (RDP) AWS cloud infrastructure. As SCAG continues the implementation of the RDP, AWS continues to provide flexible and readily available computing resources.



This amendment exceeds \$75,000 and when combined with a previous amendment also exceeds 30% of the contract's original value. Therefore, in accordance with the SCAG Procurement Manual (January 2021) Section 9.3, it requires the Regional Council's approval.

BACKGROUND:

Staff recommends executing the following amendment greater than 30% of its original value:

<u>Consultant/Contract #</u>	<u>Contract Purpose</u>	<u>Amendment Amount</u>
DLT Solutions (21-054-C01)	The vendor shall provide AWS cloud computing services.	\$94,001

FISCAL IMPACT:

Funding of \$94,001 is available in the FY22 Indirect Cost budget in project number 811-1163.08.

ATTACHMENT(S):

1. Contract Summary 21-054-C01 Amendment 2
2. Contract Summary 21-054-C01 Amendment 2 COI

CONTRACT NO. 21-054-C01 AMENDMENT NO. 02

Consultant: DLT Solutions

Background & Scope of Work: On April 1, 2021, SCAG awarded Contract 21-054-C01 to DLT Solutions to provide Amazon Web Services (AWS) cloud computing services. SCAG has the critical mission of supporting 191 cities and six counties in Southern California with regional governance of transportation, planning and economic development. A significant component of this mission is providing complete and up-to-date data, methods and tools to member agencies to support local planning activities. The cloud infrastructure will enable SCAG to fulfill this mission through the implementation of a modern and comprehensive Regional Data Platform that will promote more efficient, cost-effective, and transparent planning across the SCAG region.

This amendment also increases the contract value from \$155,999 to \$250,000 (\$94,001) and extends the contract term from 4/30/22 to 6/30/22.

This increase is due to an increase in SCAG’s computing capacity needs under the production environment of the Regional Data Platform (RDP) AWS cloud infrastructure. As SCAG continues the implementation of the RDP, AWS continues to provide flexible and readily available computing resources.

Project’s Benefits & Key Deliverables: This project directly supports the development and implementation of the Regional Data Platform. Key benefits include flexibly to increase SCAG’s computing capacity to meet the specialized needs of the Regional Data Platform, flexible high-capacity data storage, efficient and cost-effective computing resources.

Strategic Plan: This item supports SCAG’s Strategic Plan Goal 3: Be the foremost data information hub for the region; Objective F. Model best practices by prioritizing continuous improvement and technical innovations through the adoption of interactive, automated, and state-of-the-art information tools and technologies.

Amendment	Amendment 2	\$94,001
Amount:	Amendment 1	\$35,999
	Original contract value	<u>\$120,000</u>
	Total contract value is not to exceed	\$250,000

This amendment exceeds \$75,000 and when combined with a previous amendment also exceeds 30% of the contract’s original value. Therefore, in accordance with the SCAG Procurement Manual (January 2021) Section 9.3, it requires the Regional Council’s approval.

Contract Period: April 1, 2021, through June, 30, 2022

Project Number: 811-1163.08 \$94,001
Funding sources: Indirect Cost

Basis for the Amendment: In accordance with SCAG’s Procurement Manual (January 2021) Section 9.3, to foster greater economy and efficiency, SCAG’s federal procurement guidance (2 CFR 200.318 [e]) authorizes SCAG to procure goods and services by using an

Attachment: Contract Summary 21-054-C01 Amendment 2 (Contract Amendment Greater Than 30% of the Contract’s Original Value: Contract

Intergovernmental Agreement (Master Service Agreement – MSA, also known as a Leveraged Purchase Agreement – LPA) The goods and services procured under an MSA were previously competitively procured by another governmental entity (SCAG is essentially “piggy-backing” on the agreement.) SCAG utilized an MSA with the U.S. Communities Contract Number 4400006643 that was competitively procured. This MSA is specifically designed for use by local agencies to leverage combined purchasing power for discounted volume pricing.

As SCAG’s computing capacity increases so are the cost associated with utilizing this AWS cloud infrastructure contract. Monthly recurring costs are determined based on the amount of utilization. As previously stated, this project directly supports the development and implementation of the Regional Data Platform, one of SCAG’s critical projects. The AWS cloud infrastructure will enable SCAG to develop and implement a modern and comprehensive Regional Data Platform that will promote more efficient, cost-effective, and transparent planning across the SCAG region.

**Conflict Of Interest (COI) Form - Attachment
For April, 7, 2022 Regional Council Approval**

Approve Amendment No. 2 to Contract No. 21-054-C01, Regional Data Platform (RDP) – Amazon Web Services (AWS), with DLT Solutions, in an amount not to exceed \$94,001, increasing the contract value from \$155,990 to \$250,000, and extending the Term from April 30, 2022 to June 30, 2022, to enable the consultant to continue to provide AWS cloud infrastructure services. Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract amendment on behalf of SCAG.

The consultant team for this contract includes:

Consultant Name	Did the consultant disclose a conflict in the Conflict of Interest Form they submitted with its original proposal (Yes or No)?
DLT Solution (prime consultant)	No - form attached

SCAG CONFLICT OF INTEREST FORM

RFP No./Contract No. 21-054-C01

SECTION I: INSTRUCTIONS

All persons or firms seeking contracts must complete and submit a SCAG Conflict of Interest Form along with the proposal. This requirement also applies to any proposed subconsultant(s). Failure to comply with this requirement may cause your proposal to be declared non-responsive.

In order to answer the questions contained in this form, please review SCAG's Conflict of Interest Policy, the list of SCAG employees, and the list of SCAG's Regional Council members. All three documents can be viewed online at <https://scag.ca.gov>. The SCAG Conflict of Interest Policy is located under "GET INVOLVED", then "Contract & Vendor Opportunities" and scroll down under the "Vendor Contracts Documents" tab; whereas the SCAG staff may be found under "ABOUT US" then "OUR TEAM" then "Employee Directory"; and Regional Council members can be found under "MEETINGS", then scroll down to "LEADERSHIP" then select "REGIONAL COUNCIL" on the left side of the page and click on "Regional Council Officers and Member List."

Any questions regarding the information required to be disclosed in this form should be directed to SCAG's Legal Division, especially if you answer "yes" to any question in this form, as doing so MAY also disqualify your firm from submitting an offer on this proposal

Name of Firm: DLT Solutions, LLC
Name of Preparer: Elizabeth white
Project Title: DLT Quote No. 5065453
Date Submitted: Mar 30, 2022

SECTION II: QUESTIONS

1. During the last twelve (12) months, has your firm provided a source of income to employees of SCAG or members of the SCAG Regional Council, or have any employees or Regional Council members held any investment (including real property) in your firm?

YES NO

If "yes," please list the names of those SCAG employees and/or SCAG Regional Council members and the nature of the financial interest:

Name	Nature of Financial Interest
<u>N/A</u>	<u>N/A</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

2. Have you or any members of your firm been an employee of SCAG or served as a member of the SCAG Regional Council within the last twelve (12) months?

YES NO

If "yes," please list name, position, and dates of service:

Name	Position	Dates of Service
N/A	N/A	N/A

3. Are you or any managers, partners, or officers of your firm related by blood or marriage/domestic partnership to an employee of SCAG or member of the SCAG Regional Council that is considering your proposal?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
N/A	N/A

4. Does an employee of SCAG or a member of the SCAG Regional Council hold a position at your firm as a director, officer, partner, trustee, employee, or any position of management?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
N/A	N/A

5. Have you or any managers, partners, or officers of your firm ever given (directly or indirectly), or offered to give on behalf of another or through another person, campaign contributions or gifts to any current employee of SCAG or member of the SCAG Regional Council (including contributions to a political committee created by or on behalf of a member/candidate)?

YES NO

If "yes," please list name, date gift or contribution was given/offered, and dollar value:

Name	Date	Dollar Value
N/A	N/A	N/A

SECTION III: VALIDATION STATEMENT

This Validation Statement must be completed and signed by at least one General Partner, Owner, Principal, or Officer authorized to legally commit the proposer.

DECLARATION

I, (printed full name) Elizabeth white, hereby declare that I am the (position or title) Director of Contracts of (firm name) DLT Solutions, LLC, and that I am duly authorized to execute this Validation Statement on behalf of this entity. I hereby state that this SCAG Conflict of Interest Form dated Mar 30, 2022 is correct and current as submitted. I acknowledge that any false, deceptive, or fraudulent statements on this Validation Statement will result in rejection of my contract proposal.

DocuSigned by:

 148307806878448 _____ Mar 30, 2022 _____
 Signature of Person Certifying for Proposer Date
 (original signature required)

NOTICE

A material false statement, omission, or fraudulent inducement made in connection with this SCAG Conflict of Interest Form is sufficient cause for rejection of the contract proposal or revocation of a prior contract award.



**AGENDA ITEM 9
REPORT**

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Cindy Giraldo, Chief Financial Officer
(213) 630-1413, giraldo@scag.ca.gov

Subject: Contracts \$200,000 or Greater: Contract No. 21-047 MRFP 14, Regional Resilience Framework

RECOMMENDED ACTION:

Approve Contract No. 21-047 MRFP 14 in an amount not-to-exceed \$504,954, to AECOM Technical Services Inc., to assist with developing a Regional Resilience Framework. Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract amendment on behalf of SCAG.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians. 4: Provide innovative information and value-added services to enhance member agencies' planning and operations and promote regional collaboration.

EXECUTIVE SUMMARY:

To better anticipate a wide range of potential futures and strengthen the resilience and preparedness of the region, SCAG and Consultant shall develop a "Regional Resilience Framework" (Resilience Framework) to identify, understand, and prioritize the degree of shocks and stressors across the myriad settings and jurisdictions in the SCAG region. The overall goal of the Resilience Framework is to create a collection of resilience planning resources and initialize a collaborative information network to strengthen resilience across the SCAG region. The study area for this project is the whole SCAG region consisting of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura Counties.

BACKGROUND:

Staff recommends executing the following contract \$200,000 or greater:

<u>Consultant/Contract #</u>	<u>Contract Purpose</u>	<u>Contract Amount</u>
AECOM, Technical Services Inc.	Consultant shall engage with a diverse set of stakeholders across the SCAG region; will	\$504,954

(21-047 MRFP 14) undergo an exploratory scenario process to augment the 2024 and 2028 RTP/SCS planning processes; and will develop a toolkit of resources to assist local jurisdictions with assessing vulnerability and resilience and identify strategies for strengthening local resilience.

FISCAL IMPACT:

Funding of \$250,000 is available in the FY 2021-22 Overall Work Program (OWP) in Project Number 290.4896.01. The remaining funding of \$254,954 is pending Regional Council approval under the FY 2022-23 OWP in Project Number 290.4896.02, subject to budget availability.

ATTACHMENT(S):

1. Contract Summary 21-047 MRFP 14
2. Contract Summary 21-047 MRFP 14 COI

CONSULTANT CONTRACT NO. 21-047 MRFP 14

Recommended Consultant: AECOM, Technical Services Inc.

Background & Scope of Work: To better anticipate a wide range of potential futures and strengthen the resilience and preparedness of the region, SCAG and Consultant will develop a “Regional Resilience Framework” (Resilience Framework) to identify, understand, and prioritize the degree of shocks and stressors across the myriad settings and jurisdictions in the SCAG region. Consultant will engage with a diverse set of stakeholders across the SCAG region; will undergo an exploratory scenario process to augment the 2024 and 2028 RTP/SCS planning processes; and will develop a toolkit of resources to assist local jurisdictions with assessing vulnerability and resilience and identify strategies for strengthening local resilience. The overall goal of the Resilience Framework is to create a collection of resilience planning resources and initialize a collaborative information network to strengthen resilience across the SCAG region. The study area for this project is the whole SCAG region consisting of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties.

Project’s Benefits & Key Deliverables: The project’s benefits and key deliverables include, but are not limited to:

- Regional Resilience Outreach and Engagement Strategy;
- Matrix of Resilience Shocks, Stressors, Indicators, and Performance Metrics;
- Resilience Exploratory Scenario Analyses;
- Resilience Toolkit for Local and Regional Jurisdictions;
- Resilience Financing and Funding Report and Matrix and
- Resilience Case Studies.

Strategic Plan: This item supports SCAG’s Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians, and Goal 4: Provide innovative information and value-added services to enhance member agencies’ planning and operations and promote regional collaboration.

Contract Amount:	Total not to exceed	\$504,954
	AECOM (Prime Consultant)	\$278,728
	Katherine Padilla & Associates (KPA), Inc. (Subconsultant)	\$97,452
	Fehr & Peers (Subconsultant)	\$128,774

Contract Period: Notice to Proceed through June 30, 2023.

Project Number(s): 290.4896.01 \$250,000
290.4896.02 \$254,954
Funding source(s): FY22 SB 1 Sustainable Communities (SC) Formula, FY23 SB 1 Sustainable Communities (SC) Formula, Transportation Development Act (TDA)

Funding of \$250,000 is available in the FY 2021-22 Overall Work Program (OWP) in Project Number 290.4896.01. The remaining funding of \$254,954 is pending Regional Council approval under the FY 2022-23 OWP in Project Number 290.4896.02, subject to budget availability.

Request for Proposal (RFP):

SCAG staff notified 19 firms on the bench of the release of RFP 21-047 MRFP 14 by email. SCAG received the following four (4) proposals in response to the solicitation:

AECOM (2 subconsultants)	\$504,954
Arup (2 subconsultants)	\$504,930
Ascent Environmental, Inc. (2 subconsultants)	\$503,095
WSP (2 subconsultants)	\$504,969

Basis for Selection:

The PRC recommended AECOM, Technical Services Inc. for the contract award because the Consultant:

- Provided a detailed and the best outreach and engagement plan focused on engaging with community-based organizations and low-income and communities of color;
- Showed the strongest understanding of the resilience toolkit of resources that will be developed for local and regional jurisdictions, and how the outreach will need to be integrated throughout the development of the resilience resources and deliverables;
- Holds extensive experience working with MPOs and working on resilience at a regional planning scales;
- Provided the most detailed structure and process for conducting the technical analysis under the task for Regional Resiliency Exploratory Scenario Planning;
- Described the best integration of the Regional Resilience Framework deliverable into development of Connect SoCal 2024 and 2028; and
- Proposed the most appropriate and significant number of hours to each of the project tasks.

Although other firms proposed a lower price, the PRC did not recommend these firms for contract award because the firms:

- Technical approach did not showcase a detailed or innovative approach to the project;
- Consultant team showed the least experience with exploratory scenario planning; and
- Provided significantly fewer hours compared to the recommended offeror (price per hour was significantly higher compared to the recommended offeror).

**Conflict of Interest (COI) Form - Attachment
For April 7, 2022 Regional Council Approval**

Approve Contract No. 21-047 MRFP 14 in an amount not-to-exceed \$504,954, to AECOM Technical Services Inc., to assist with developing a Regional Resilience Framework. Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract amendment on behalf of SCAG.

The consultant team for this contract includes:

Consultant Name	Did the consultant disclose a conflict in the Conflict of Interest Form they submitted with its original proposal (Yes or No)?
AECOM (prime consultant)	No - form attached
Fehr & Peers (subconsultant)	No - form attached
Katherine Padilla & Associates (subconsultant)	No - form attached

SCAG CONFLICT OF INTEREST FORM

SECTION I: INSTRUCTIONS

All persons or firms seeking contracts must complete and submit a SCAG Conflict of Interest Form along with the proposal. This requirement also applies to any proposed subconsultant(s). Failure to comply with this requirement may cause your proposal to be declared non-responsive.

In order to answer the questions contained in this form, please review SCAG's Conflict of Interest Policy, the list of SCAG employees, and the list of SCAG's Regional Council members. All three documents can be viewed online at <https://scag.ca.gov>. The SCAG Conflict of Interest Policy is located under "GET INVOLVED", then "Contract & Vendor Opportunities" and scroll down under the "Vendor Contracts Documents" tab; whereas the SCAG staff may be found under "ABOUT US" then "OUR TEAM" then "Employee Directory"; and Regional Council members can be found under "MEETINGS", then scroll down to "LEADERSHIP" then select "REGIONAL COUNCIL" on the left side of the page and click on "Regional Council Officers and Member List."

Any questions regarding the information required to be disclosed in this form should be directed to SCAG's Legal Division, especially if you answer "yes" to any question in this form, as doing so MAY also disqualify your firm from submitting an offer on this proposal

Name of Firm: AECOM Technical Services, Inc.
Name of Preparer: Charlene Dekker
Project Title: Regional Resilience Framework
RFP Number: No. 21-047-MRFP-14 **Date Submitted:** 2/28/2022

SECTION II: QUESTIONS

1. During the last twelve (12) months, has your firm provided a source of income to employees of SCAG or members of the SCAG Regional Council, or have any employees or Regional Council members held any investment (including real property) in your firm?

YES NO

If "yes," please list the names of those SCAG employees and/or SCAG Regional Council members and the nature of the financial interest:

Name	Nature of Financial Interest
_____	_____
_____	_____
_____	_____
_____	_____

2. Have you or any members of your firm been an employee of SCAG or served as a member of the SCAG Regional Council within the last twelve (12) months?

YES NO

If "yes," please list name, position, and dates of service:

Name	Position	Dates of Service
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Are you or any managers, partners, or officers of your firm related by blood or marriage/domestic partnership to an employee of SCAG or member of the SCAG Regional Council that is considering your proposal?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____
_____	_____

4. Does an employee of SCAG or a member of the SCAG Regional Council hold a position at your firm as a director, officer, partner, trustee, employee, or any position of management?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____
_____	_____

5. Have you or any managers, partners, or officers of your firm ever given (directly or indirectly), or offered to give on behalf of another or through another person, campaign contributions or gifts to any current employee of SCAG or member of the SCAG Regional Council (including contributions to a political committee created by or on behalf of a member/candidate)?

YES NO

If "yes," please list name, date gift or contribution was given/offered, and dollar value:


Name	Date	Dollar Value
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION III: VALIDATION STATEMENT

This Validation Statement must be completed and signed by at least one General Partner, Owner, Principal, or Officer authorized to legally commit the proposer.

DECLARATION

I, (printed full name) Charlene Dekker, hereby declare that I am the (position or title) Vice President, Director of Operations of (firm name) AECOM Technical Services, Inc., and that I am duly authorized to execute this Validation Statement on behalf of this entity. I hereby state that this SCAG Conflict of Interest Form dated March 28, 2021 is correct and current as submitted. I acknowledge that any false, deceptive, or fraudulent statements on this Validation Statement will result in rejection of my contract proposal.


Signature of Person Certifying for Proposer
(original signature required)

March 29, 2022
Date

NOTICE

A material false statement, omission, or fraudulent inducement made in connection with this SCAG Conflict of Interest Form is sufficient cause for rejection of the contract proposal or revocation of a prior contract award.

SCAG CONFLICT OF INTEREST FORM

SECTION I: INSTRUCTIONS

All persons or firms seeking contracts must complete and submit a SCAG Conflict of Interest Form along with the proposal. This requirement also applies to any proposed subconsultant(s). Failure to comply with this requirement may cause your proposal to be declared non-responsive.

In order to answer the questions contained in this form, please review SCAG’s Conflict of Interest Policy, the list of SCAG employees, and the list of SCAG’s Regional Council members. All three documents can be viewed online at <https://scag.ca.gov>. The SCAG Conflict of Interest Policy is located under “GET INVOLVED”, then “Contract & Vendor Opportunities” and scroll down under the “Vendor Contracts Documents” tab; whereas the SCAG staff may be found under “ABOUT US” then “OUR TEAM” then “Employee Directory”; and Regional Council members can be found under “MEETINGS”, then scroll down to “LEADERSHIP” then select “REGIONAL COUNCIL” on the left side of the page and click on “Regional Council Officers and Member List.”

Any questions regarding the information required to be disclosed in this form should be directed to SCAG’s Legal Division, especially if you answer “yes” to any question in this form, as doing so MAY also disqualify your firm from submitting an offer on this proposal

Name of Firm: Fehr & Peers

Name of Preparer: Jeremy Klop

Project Title: SCAG Regional Resilience Framework

RFP Number: No. 21-047-MRFP-14 **Date Submitted:** February 25, 2022

SECTION II: QUESTIONS

1. During the last twelve (12) months, has your firm provided a source of income to employees of SCAG or members of the SCAG Regional Council, or have any employees or Regional Council members held any investment (including real property) in your firm?

YES NO

If “yes,” please list the names of those SCAG employees and/or SCAG Regional Council members and the nature of the financial interest:

Name	Nature of Financial Interest
_____	_____
_____	_____
_____	_____
_____	_____

2. Have you or any members of your firm been an employee of SCAG or served as a member of the SCAG Regional Council within the last twelve (12) months?

YES NO

If "yes," please list name, position, and dates of service:

Name	Position	Dates of Service
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Are you or any managers, partners, or officers of your firm related by blood or marriage/domestic partnership to an employee of SCAG or member of the SCAG Regional Council that is considering your proposal?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____
_____	_____

4. Does an employee of SCAG or a member of the SCAG Regional Council hold a position at your firm as a director, officer, partner, trustee, employee, or any position of management?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____
_____	_____

5. Have you or any managers, partners, or officers of your firm ever given (directly or indirectly), or offered to give on behalf of another or through another person, campaign contributions or gifts to any current employee of SCAG or member of the SCAG Regional Council (including contributions to a political committee created by or on behalf of a member/candidate)?

YES NO

If "yes," please list name, date gift or contribution was given/offered, and dollar value:

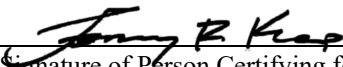
Name	Date	Dollar Value
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION III: VALIDATION STATEMENT

This Validation Statement must be completed and signed by at least one General Partner, Owner, Principal, or Officer authorized to legally commit the proposer.

DECLARATION

I, (printed full name) Jeremy Klop, hereby declare that I am the (position or title) Principal of (firm name) Fehr & Peers, and that I am duly authorized to execute this Validation Statement on behalf of this entity. I hereby state that this SCAG Conflict of Interest Form dated 02/22/2022 is correct and current as submitted. I acknowledge that any false, deceptive, or fraudulent statements on this Validation Statement will result in rejection of my contract proposal.

 02/22/2022
 Signature of Person Certifying for Proposer Date
 (original signature required)

NOTICE

A material false statement, omission, or fraudulent inducement made in connection with this SCAG Conflict of Interest Form is sufficient cause for rejection of the contract proposal or revocation of a prior contract award.

SCAG CONFLICT OF INTEREST FORM

SECTION I: INSTRUCTIONS

All persons or firms seeking contracts must complete and submit a SCAG Conflict of Interest Form along with the proposal. This requirement also applies to any proposed subconsultant(s). Failure to comply with requirement may cause your proposal to be declared non-responsive.

In order to answer the questions contained in this form, please review SCAG's Conflict of Interest Policy, the list of SCAG employees, and the list of SCAG's Regional Council members. All three documents can be viewed online at <https://scag.ca.gov>. The SCAG Conflict of Interest Policy is located under "GET INVOLVED" then "Contract & Vendor Opportunities" and scroll down under the "Vendor Contracts Documents" tab; where the SCAG staff may be found under "ABOUT US" then "OUR TEAM" then "Employee Directory"; and Regional Council members can be found under "MEETINGS", then scroll down to "LEADERSHIP" then select "REGIONAL COUNCIL" on the left side of the page and click on "Regional Council Officers and Member List".

Any questions regarding the information required to be disclosed in this form should be directed to SCAG's Legal Division, especially if you answer "yes" to any question in this form, as doing so MAY also disqualify your firm from submitting an offer on this proposal.

Name of Firm: Katherine Padilla & Associates (KPA), Inc.
Name of Preparer: Katherine Padilla Otanez
Project Title: SCAG REAP
RFP Number: _____ **Date Submitted:** Feb. 22, 2022

SECTION II: QUESTIONS

1. During the last twelve (12) months, has your firm provided a source of income to employees of SCAG or members of the SCAG Regional Council, or have any employees or Regional Council members had any investment (including real property) in your firm?

YES NO

If "yes," please list the names of those SCAG employees and/or SCAG Regional Council members and the nature of the financial interest:

Name	Nature of Financial Interest
_____	_____
_____	_____
_____	_____
_____	_____

2. Have you or any members of your firm been an employee of SCAG or served as a member of the SCAG Regional Council within the last twelve (12) months?

YES NO

If "yes," please list name, position, and dates of service:

Name	Position	Dates of Service
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Are you or any managers, partners, or officers of your firm related by blood or marriage/domestic partnership to an employee of SCAG or member of the SCAG Regional Council that is considering your proposal?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____

4. Does an employee of SCAG or a member of the SCAG Regional Council hold a position at your firm a director, officer, partner, trustee, employee, or any position of management?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____

5. Have you or any managers, partners, or officers of your firm ever given (directly or indirectly), or offered to give on behalf of another or through another person, campaign contributions or gifts to any current employee of SCAG or member of the SCAG Regional Council (including contributions to a political committee created by or on behalf of a member/candidate)?

YES NO

If "yes," please list name, date gift or contribution was given/offered, and dollar value:

Name	Date	Dollar Value
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION III: VALIDATION STATEMENT

This Validation Statement must be completed and signed by at least one General Partner, Owner, Principal, or Officer authorized to legally commit the proposer.

DECLARATION

I, (printed full name) KATHERINE PADILLA OTAZ, hereby declare that I am the (position or title) PRESIDENT of (firm name) KATHERINE PADILLA ASSOC, and that I am duly authorized to execute this Validation Statement on behalf of this entity. I hereby state that this SCAG Conflict of Interest Form dated 2/22/2022 is correct and current as submitted. I acknowledge that any false, deceptive, or fraudulent statements on this Validation Statement will result in rejection of my contract proposal.

Katherine Padilla OTAZ
 Signature of Person Certifying for Proposer
 (original signature required)

FEBRUARY 22, 2022
 Date

NOTICE

A material false statement, omission, or fraudulent inducement made in connection with this SCAG Conflict of Interest Form is sufficient cause for rejection of the contract proposal or revocation of a prior contract award.



AGENDA ITEM 10
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Cindy Giraldo, Chief Financial Officer
(213) 630-1413, giraldo@scag.ca.gov

Subject: Contracts \$200,000 or Greater: Contract No. 21-048 MRFP 03,
Sustainable Communities Program Parking Bundle

RECOMMENDED ACTION:

Approve Contract No. 21-048 MRFP 03 in an amount not-to-exceed \$215,469, with Walker Consultants, to develop for the City of Desert Hot Springs a parking management plan encompassing the commercial and light industrial hubs of the City to facilitate new development, and provide mobility options accommodating to all users. Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract amendment on behalf of SCAG.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians. 4: Provide innovative information and value-added services to enhance member agencies' planning and operations and promote regional collaboration.

EXECUTIVE SUMMARY:

The consultant shall develop for the City of Desert Hot Springs a parking management plan encompassing the commercial and light industrial hubs of the City to facilitate new development, and provide mobility options accommodating to all users. Also, as a part of this project, the consultant shall perform a comprehensive examination of the City of Garden Grove's existing on-street parking in specific neighborhoods to provide an improved experience to those who work, visit, or live in Garden Grove.

BACKGROUND:

Staff recommends executing the following contract \$200,000 or greater:

<u>Consultant/Contract #</u>	<u>Contract Purpose</u>	<u>Contract Amount</u>
Walker Consultants (21-048 MRFP 03)	The consultant shall develop a parking management plan encompassing the	\$215,469

commercial and light industrial hubs of the City of Desert Hot Springs to facilitate new development, and provide mobility options accommodating to all users.

FISCAL IMPACT:

Funding of \$215,469 is available in the FY 2021-22 OWP budget in Project Number 275.4895.01, and any funding amount that is not spent in FY 2021-22 will be carried over into the FY 2022- 2023 OWP budget.

ATTACHMENT(S):

1. Contract Summary 21-048 MRFP 03
2. Contract Summary 21-048 MRFP 03 COI

CONSULTANT CONTRACT NO. 21-048 MRFP 03

Recommended Consultant:

Walker Consultants

Background & Scope of Work:

The consultant shall provide services for a Sustainability Planning Grant for the City of Garden Grove and the City of Desert Hot Springs. Specifically, the consultant shall inventory current parking practices and strategies, for managing demand and propose strategies to manage parking needs more efficiently.

This project will focus on advancing parking management in selected sites within each city. Parking management is a major need for cities and strategies can potentially help achieve a balanced transportation system. It can be used to regulate supply, reduce street congestion through pricing, and encourage transit use.

The Parking Management Plans will directly align with Connect SoCal’s Sustainable Community Strategy (SCS) goals and strategies by focusing growth near destinations and mobility options, creating an opportunity to leverage technology innovations, support the implementation of sustainable policies, promote a green region, and take a GHG reducing approach to transportation planning and future development.

Project’s Benefits & Key Deliverables:

The project’s benefits and key deliverables include, but are not limited to:

1. Providing an assessment of the supply and demand for on-street parking to include a determination on the need for additional parking. This will include an evaluation of existing conditions including the days and hours of parking enforcement, current parking restrictions, and associated signage effectiveness;
2. Developing strategies to improve the maintenance and management of on-street parking. This includes ways to generate safe, convenient, and available parking solutions for residents, businesses, and visitors;
3. Recommending design and operational improvements/options to increase the efficiency of on-street parking, including parking related signage.

Strategic Plan:

This item supports SCAG’s Strategic Plan Goal: 1: Produce innovative solutions that improve the quality of life for Southern Californians. Goal 4: Provide innovative information and value-added services to enhance member agencies’ planning and operations and promote regional collaboration.

Contract Amount:

Total not to exceed	\$215,469
Walker Consultant (prime consultant)	\$143,706
IBI Group	\$71,763

Contract Period:

Notice to Proceed through June 30, 2023

Project Number(s): 275.4895.01 \$215,469
Funding source(s): FY22 SB 1 Sustainable Communities (SC) Formula and Transportation Development Act (TDA)

Funding of \$215,469 is available in the FY 2021-22 OWP budget in Project Number 275.4895.01, and any amount that is not spent in FY 2021-22 will be carried over into the FY 2022- 2023 OWP budget.

Request for Proposal (RFP): SCAG staff released MRFP 21-048 MRFP 03 to all 21 firms on SCAG’s Transportation Planning Bench. A total of 57 firms downloaded the RFP. SCAG received two (2) proposals in response to the solicitation, but one proposal was non responsive. Please see below for the one proposal received:

Walker Consultants (1 subconsultant) \$215,469

After receiving only one responsive proposal, staff surveyed 21 firms that received the RFP to determine why each did not submit a proposal. 5 firms responded to staff’s inquiry, which disclosed the main reason these firms did not respond was they did not have enough time to submit proposal (even though we advertised the RFP our standard three-weeks) and did not have the required expertise.

Selection Process: The Proposal Review Committee (PRC) evaluated each proposal in accordance with the criteria set forth in the RFP and conducted the selection process in a manner consistent with all applicable federal and state contracting

The PRC consisted of the following individuals:

- Jaimee Lederman, Sr. Regional Planner (Project Manager), SCAG
- Paul Guerrero, Sr. Analyst, City of Garden Grove
- Jeremy Marks, Junior Planner, SCAG
- Daniel Porras, Assistant City Manager, City of Desert Hot Springs

Basis for Selection: The PRC recommended Walker Consultants for the contract award because the consultant;

- Demonstrated an excellent understanding of the project, specifically understanding the unique parking challenges for each city and neighborhood, offering a considered approach to stakeholder outreach throughout the project, and grounding the parking management plan in other local policies;
- Provided an excellent technical approach, for example included proprietary curb data collection and management software application to streamline data collection on existing conditions and allow technical analysis that could compare the results of different policy recommendations. Also propose interactive online service for making planning information available to the public and allowing for comments; and
- Demonstrated excellent experience in parking management plans and curb data collection across a diverse range of locations.

**Conflict of Interest (COI) Form - Attachment
For April 7, 2022 Regional Council Approval**

Approve Contract No. 21-048 MRFP 03 in an amount not-to-exceed \$215,469, with Walker Consultants, to develop for the City of Desert Hot Springs a parking management plan encompassing the commercial and light industrial hubs of the City to facilitate new development, and provide mobility options accommodating to all users. Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract amendment on behalf of SCAG.

The consultant team for this contract includes:

Consultant Name	Did the consultant disclose a conflict in the Conflict of Interest Form they submitted with its original proposal (Yes or No)?
Walker Consultants (prime consultant)	No - form attached
IBI Group (subconsultant)	No - form attached

SCAG CONFLICT OF INTEREST FORM

MRFP No. 21-048 03

SECTION I: INSTRUCTIONS

All persons or firms seeking contracts must complete and submit a SCAG Conflict of Interest Form along with the proposal. This requirement also applies to any proposed subconsultant(s). Failure to comply with this requirement may cause your proposal to be declared non-responsive.

In order to answer the questions contained in this form, please review SCAG's Conflict of Interest Policy, the list of SCAG employees, and the list of SCAG's Regional Council members. All three documents can be viewed online at <https://scag.ca.gov>. The SCAG Conflict of Interest Policy is located under "GET INVOLVED", then "Contract & Vendor Opportunities" and scroll down under the "Vendor Contracts Documents" tab; whereas the SCAG staff may be found under "ABOUT US" then "OUR TEAM" then "Employee Directory"; and Regional Council members can be found under "MEETINGS", then scroll down to "LEADERSHIP" then select "REGIONAL COUNCIL" on the left side of the page and click on "Regional Council Officers and Member List."

Any questions regarding the information required to be disclosed in this form should be directed to SCAG's Legal Division, especially if you answer "yes" to any question in this form, as doing so MAY also disqualify your firm from submitting an offer on this proposal

Name of Firm: Walker Consultants
Name of Preparer: Steffen Turoff
Project Title: Request for Proposal (RFP) No. 21-048-MRFP 03,
Sustainable Communities Program Parking Bundle

SECTION II: QUESTIONS

1. During the last twelve (12) months, has your firm provided a source of income to employees of SCAG or members of the SCAG Regional Council, or have any employees or Regional Council members held any investment (including real property) in your firm?

YES NO

If "yes," please list the names of those SCAG employees and/or SCAG Regional Council members and the nature of the financial interest:

Name	Nature of Financial Interest
_____	_____
_____	_____
_____	_____
_____	_____

2. Have you or any members of your firm been an employee of SCAG or served as a member of the SCAG Regional Council within the last twelve (12) months?

YES NO

If "yes," please list name, position, and dates of service:

Name	Position	Dates of Service
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Are you or any managers, partners, or officers of your firm related by blood or marriage/domestic partnership to an employee of SCAG or member of the SCAG Regional Council that is considering your proposal?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____

4. Does an employee of SCAG or a member of the SCAG Regional Council hold a position at your firm as a director, officer, partner, trustee, employee, or any position of management?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____

5. Have you or any managers, partners, or officers of your firm ever given (directly or indirectly), or offered to give on behalf of another or through another person, campaign contributions or gifts to any current employee of SCAG or member of the SCAG Regional Council (including contributions to a political committee created by or on behalf of a member/candidate)?

YES NO

If "yes," please list name, date gift or contribution was given/offered, and dollar value:

Name	Date	Dollar Value
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION III: VALIDATION STATEMENT

This Validation Statement must be completed and signed by at least one General Partner, Owner, Principal, or Officer authorized to legally commit the proposer.

DECLARATION

I, (printed full name) Steffen Turoff, hereby declare that I am the (position or title) Principal and Director for Planning, Los Angeles of (firm name) Walker Consultants, and that I am duly authorized to execute this Validation Statement on behalf of this entity. I hereby state that this SCAG Conflict of Interest Form dated January 12, 2022 is correct and current as submitted. I acknowledge that any false, deceptive, or fraudulent statements on this Validation Statement will result in rejection of my contract proposal.

Steffen  Digitally signed by Steffen Turoff, DN: cn=Steffen Turoff, o=Walker Consultants, ou=SCAG, cn=Steffen Turoff, email=sturoff@walkerconsultants.com, c=US

January 12, 2022

Signature of Person Certifying for Proposer
(original signature required)

Date

NOTICE

A material false statement, omission, or fraudulent inducement made in connection with this SCAG Conflict of Interest Form is sufficient cause for rejection of the contract proposal or revocation of a prior contract award.

SCAG CONFLICT OF INTEREST FORM

MRFP No. 21-048 03

SECTION I: INSTRUCTIONS

All persons or firms seeking contracts must complete and submit a SCAG Conflict of Interest Form along with the proposal. This requirement also applies to any proposed subconsultant(s). Failure to comply with this requirement may cause your proposal to be declared non-responsive.

In order to answer the questions contained in this form, please review SCAG's Conflict of Interest Policy, the list of SCAG employees, and the list of SCAG's Regional Council members. All three documents can be viewed online at <https://scag.ca.gov>. The SCAG Conflict of Interest Policy is located under "GET INVOLVED", then "Contract & Vendor Opportunities" and scroll down under the "Vendor Contracts Documents" tab; whereas the SCAG staff may be found under "ABOUT US" then "OUR TEAM" then "Employee Directory"; and Regional Council members can be found under "MEETINGS", then scroll down to "LEADERSHIP" then select "REGIONAL COUNCIL" on the left side of the page and click on "Regional Council Officers and Member List."

Any questions regarding the information required to be disclosed in this form should be directed to SCAG's Legal Division, especially if you answer "yes" to any question in this form, as doing so MAY also disqualify your firm from submitting an offer on this proposal

Name of Firm: IBI Group, A California Partnership

Name of Preparer: William Delo, Director

Project Title: Sustainable Communities Program Parking Bundle (21-048-MRFP 03)

SECTION II: QUESTIONS

1. During the last twelve (12) months, has your firm provided a source of income to employees of SCAG or members of the SCAG Regional Council, or have any employees or Regional Council members held any investment (including real property) in your firm?

YES NO

If "yes," please list the names of those SCAG employees and/or SCAG Regional Council members and the nature of the financial interest:

Name	Nature of Financial Interest
<u>N/A</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

2. Have you or any members of your firm been an employee of SCAG or served as a member of the SCAG Regional Council within the last twelve (12) months?

YES NO

If "yes," please list name, position, and dates of service:

Name	Position	Dates of Service
N/A		

3. Are you or any managers, partners, or officers of your firm related by blood or marriage/domestic partnership to an employee of SCAG or member of the SCAG Regional Council that is considering your proposal?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
N/A	

4. Does an employee of SCAG or a member of the SCAG Regional Council hold a position at your firm as a director, officer, partner, trustee, employee, or any position of management?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
N/A	

5. Have you or any managers, partners, or officers of your firm ever given (directly or indirectly), or offered to give on behalf of another or through another person, campaign contributions or gifts to any current employee of SCAG or member of the SCAG Regional Council (including contributions to a political committee created by or on behalf of a member/candidate)?

YES NO

If "yes," please list name, date gift or contribution was given/offered, and dollar value:


Name	Date	Dollar Value
N/A		

SECTION III: VALIDATION STATEMENT

This Validation Statement must be completed and signed by at least one General Partner, Owner, Principal, or Officer authorized to legally commit the proposer.

DECLARATION

I, (printed full name) William Delo, hereby declare that I am the (position or title) Director of (firm name) IBI Group, A California Partnership, and that I am duly authorized to execute this Validation Statement on behalf of this entity. I hereby state that this SCAG Conflict of Interest Form dated 01/12/2022 is correct and current as submitted. I acknowledge that any false, deceptive, or fraudulent statements on this Validation Statement will result in rejection of my contract proposal.

 01/12/2022
 Signature of Person Certifying for Proposer Date
 (original signature required)

NOTICE

A material false statement, omission, or fraudulent inducement made in connection with this SCAG Conflict of Interest Form is sufficient cause for rejection of the contract proposal or revocation of a prior contract award.



AGENDA ITEM 11
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Cindy Giraldo, Chief Financial Officer
(213) 630-1413, giraldo@scag.ca.gov

Subject: Contracts \$200,000 or Greater: Contract No. 22-025-C01, Truck Route Study

RECOMMENDED ACTION:

Approve Contract No. 22-025-C01 in an amount not to exceed \$324,540 with The Regents of University of California at Riverside (UCR), to conduct a truck route study. Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract on behalf of SCAG.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians. 4: Provide innovative information and value-added services to enhance member agencies' planning and operations and promote regional collaboration.

EXECUTIVE SUMMARY:

The consultant shall conduct a study that will focus on key areas made up of truck routes, residential areas along those routes, and warehousing hubs, to address changes that can be made in the first mile to improve the local environment, reduce air pollution, and enable last-mile mobility innovation at the end of trips.

BACKGROUND:

Staff recommends executing the following contract \$200,000 or greater:

<u>Consultant/Contract #</u>	<u>Contract Purpose</u>	<u>Contract Amount</u>
The Regents of University of California at Riverside (UCR) (22-025-C01)	The consultant shall conduct a study that will focus on key areas made up of truck routes, residential areas along those routes, and warehousing hubs, to address changes that can be made in the first mile to improve the local	\$324,540

environment, reduce air pollution, and enable last-mile mobility innovation at the end of trips.

FISCAL IMPACT:

Funding of \$225,000 is available in the FY 2021-22 OWP budget in Project Number 275.4895.01, and the remaining \$99,540 is expected to be available in the FY 2022-23 OWP budget in Project Number 275.4895.02, subject to budget availability.

ATTACHMENT(S):

1. Contract Summary 22-025-C01
2. Contract Summary 22-025-C01 COI

CONSULTANT CONTRACT NO. 22-025-C01

Recommended Consultant:

The Regents of the University of California at Riverside (UCR)

Background & Scope of Work:

The Inland Empire in Southern California has grown to be one of the largest hubs of goods movement systems in the nation; more than 44% of the goods bought and consumed in the United States pass through the Inland Empire on their way to their final destinations. A considerable amount of infrastructure, employment, and capital are connected to the logistics and supply chain industry of the Inland Empire. At the end of 2020, the Southern California logistics industry employed about 383,000 workers.

At the heart of the Inland Empire, the City of Rialto has regional significance as a major warehousing hub and job center. The Smart Cities Plan to Mitigate Impacts of Warehousing and Logistics Project is a study of existing warehousing and logistics conditions in the City of Rialto. This Project is intended to define and quantify costs and benefits, evaluate technological and pricing solutions, and include goals, policies, programs, a pilot project, and an implementation plan for regulatory changes and investment in intelligent transportation infrastructure. By increasing the accessibility and mobility of people and freight with technology and innovative designs, this project will help create a more sustainable, equitable transportation system in the region and support regional economic vitality.

To complete this Project, the consultant will focus on key areas made up of truck routes, residential areas along those routes, and warehousing hubs, and is intended to address changes that can be made in the first mile to improve the local environment, reduce air pollution, and enable last mile mobility innovation at the end of trips.

Project’s Benefits & Key Deliverables:

The project’s benefits and key deliverables include, but are not limited to:

- Helping the city, surrounding region, as well as SCAG region understand similar challenges and plan for mitigating the impacts of warehousing and logistics; and
- Using smart technologies to capture data giving the region an opportunity to explore innovative methods for data collection.

Strategic Plan:

This item supports SCAG’s Strategic Plan Goals: Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians. Goal 4: Provide innovative information and value-added services to enhance member agencies’ planning and operations and promote regional collaboration.

Contract Amount:

Total not to exceed **\$324,540**
UCR (prime consultant)

Contract Period:

Notice to Proceed through June 30, 2023

Project Number(s):

275.4895.01 \$225,000
275.4895.02 \$99,540
Funding source(s): FY22 SB 1 Sustainable Communities (SC) Formula, FY23 SB 1 Sustainable Communities (SC) Formula, and Transportation Development Act (TDA)

Attachment: Contract Summary 22-025-C01 (Contracts \$200,000 or Greater: Contract No. 22-025-C01, Truck Route Study)

Funding of \$225,000 is available in the FY 2021-22 OWP budget in Project Number 275.4895.01, and the remaining \$99,540 is pending Regional Council approval under the FY 2022-23 OWP budget in Project Number 275.4895.02, subject to budget availability.

Request for Proposal (RFP):

SCAG staff notified 2,614 firms of the release of RFP 22-025-C01 via SCAG’s Solicitation Management System website. A total of 57 firms downloaded the RFP. SCAG received the following two (2) proposal proposals in response to the solicitation:

UCR (No subconsultants)	\$324,540
IBI Group(3 Subconsultants)	\$349,256

Selection Process:

The Proposal Review Committee (PRC) evaluated each proposal in accordance with the criteria set forth in the RFP and conducted the selection process in a manner consistent with all applicable federal and state contracting

The PRC consisted of the following individuals:

Prithvi Deore, Assistant Regional Planner(Project Manager), SCAG
 Siri Champion, Sr. Planner, City of Rialto
 Marisa Laderach, Sr. Regional Planner, SCAG

Basis for Selection:

The PRC recommended The Regents of the University of California at Riverside(UCR) for the contract award because the consultant:

- Demonstrated the best understanding of the project, specifically in their task descriptions for literature review, detailed out technical part along with challenges and mitigations to carry out the project. The engagement section is also highlighted with previous experience. The data collection plan is also detailed along with usage of technologies to support the work.
- Provided the best technical approach, for example, as mentioned previously, the consultant is experience and understanding of technologies that can be integrated in the study; and
- Proposed the lowest price.

**Conflict of Interest (COI) Form - Attachment
For April 7, 2022, Regional Council Approval**

Approve Contract No. 22-025-C01 in an amount not to exceed \$324,540 with The Regents of University of California at Riverside (UCR), to conduct a truck route study. Authorize the Executive Director, or his designee, pursuant to legal counsel review, to execute the contract amendment on behalf of SCAG.

The consultant team for this contract includes:

Consultant Name	Did the consultant disclose a conflict in the Conflict of Interest Form they submitted with its original proposal (Yes or No)?
The Regents of the University of California at Riverside(UCR) (prime consultant)	No - form attached

Attachment: Contract Summary 22-025-C01 (Contracts \$200,000 or Greater: Contract No. 22-025-C01, Truck Route Study)

SCAG CONFLICT OF INTEREST FORM

RFP No. 22-025

RFP No./Contract No. _____

SECTION I: INSTRUCTIONS

All persons or firms seeking contracts must complete and submit a SCAG Conflict of Interest Form along with the proposal. This requirement also applies to any proposed subconsultant(s). Failure to comply with this requirement may cause your proposal to be declared non-responsive.

In order to answer the questions contained in this form, please review SCAG's Conflict of Interest Policy, the list of SCAG employees, and the list of SCAG's Regional Council members. All three documents can be viewed online at <https://scag.ca.gov>. The SCAG Conflict of Interest Policy is located under "GET INVOLVED", then "Contract & Vendor Opportunities" and scroll down under the "Vendor Contracts Documents" tab; whereas the SCAG staff may be found under "ABOUT US" then "OUR TEAM" then "Employee Directory"; and Regional Council members can be found under "MEETINGS", then scroll down to "LEADERSHIP" then select "REGIONAL COUNCIL" on the left side of the page and click on "Regional Council Officers and Member List."

Any questions regarding the information required to be disclosed in this form should be directed to SCAG's Legal Division, especially if you answer "yes" to any question in this form, as doing so MAY also disqualify your firm from submitting an offer on this proposal

Name of Firm: The Regents of the University of California, Riverisde

Name of Preparer: Ursula N. Prins

Project Title: City of Rialto Smart Cities Plan to Mitigate impacts of warehousing logistics

RFP Number: 22-025 Date Submitted: 11-12-2021

SECTION II: QUESTIONS

1. During the last twelve (12) months, has your firm provided a source of income to employees of SCAG or members of the SCAG Regional Council, or have any employees or Regional Council members held any investment (including real property) in your firm?

YES NO

If "yes," please list the names of those SCAG employees and/or SCAG Regional Council members and the nature of the financial interest:

Name	Nature of Financial Interest
_____	_____
_____	_____
_____	_____
_____	_____

2. Have you or any members of your firm been an employee of SCAG or served as a member of the SCAG Regional Council within the last twelve (12) months?

YES NO

If "yes," please list name, position, and dates of service:

Name	Position	Dates of Service
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Are you or any managers, partners, or officers of your firm related by blood or marriage/domestic partnership to an employee of SCAG or member of the SCAG Regional Council that is considering your proposal?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____
_____	_____

4. Does an employee of SCAG or a member of the SCAG Regional Council hold a position at your firm as a director, officer, partner, trustee, employee, or any position of management?

YES NO

If "yes," please list name and the nature of the relationship:

Name	Relationship
_____	_____
_____	_____
_____	_____
_____	_____

5. Have you or any managers, partners, or officers of your firm ever given (directly or indirectly), or offered to give on behalf of another or through another person, campaign contributions or gifts to any current employee of SCAG or member of the SCAG Regional Council (including contributions to a political committee created by or on behalf of a member/candidate)?

YES NO

If "yes," please list name, date gift or contribution was given/offered, and dollar value:

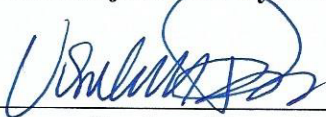
Name	Date	Dollar Value
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION III: VALIDATION STATEMENT

This Validation Statement must be completed and signed by at least one General Partner, Owner, Principal, or Officer authorized to legally commit the proposer.

DECLARATION

I, (printed full name) Ursula Prins, hereby declare that I am the (position or title) PreAward Manager of (firm name) The Regents of the University of California and I am duly authorized to execute this Validation Statement on behalf of this entity. I hereby state that this SCAG Conflict of Interest Form dated 11-12-2021 is correct and current as submitted. I acknowledge that any false, deceptive, or fraudulent statements on this Validation Statement will result in rejection of my contract proposal.

 11 12 2021
 Signature of Person Certifying for Proposer Date
 (original signature required)

Responses provided are based on my current knowledge as this information is not readily available or provided to my office.

NOTICE
 A material false statement, omission, or fraudulent inducement made in connection with this SCAG Conflict of Interest Form is sufficient cause for rejection of the contract proposal or revocation of a prior contract award.

Attachment: Contract Summary 22-025-C01 COI (Contracts \$200,000 or Greater: Contract No. 22-025-C01, Truck Route Study)



AGENDA ITEM 12
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Transportation Committee (TC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Cory Wilkerson, Program Manager II
(213) 236-1992, wilkerson@scag.ca.gov

Subject: 2023 Active Transportation Program Regional Guidelines

RECOMMENDED ACTION FOR TC:

Recommend that the Regional Council adopt Resolution No. 22-642-2 approving the 2023 Active Transportation Program Regional Guidelines.

RECOMMENDED ACTION FOR RC:

Adopt Resolution No. 22-642-2 approving the 2023 Active Transportation Program Regional Guidelines.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 7: Secure funding to support agency priorities to effectively and efficiently deliver work products.

EXECUTIVE SUMMARY:

On March 16, 2022, the California Transportation Commission (CTC) adopted the 2023 Active Transportation Program Guidelines (Statewide Guidelines). Per the Statewide Guidelines, SCAG is responsible for adopting the 2023 ATP Regional Guidelines (Regional Guidelines) to direct the selection of projects receiving awards through the regional portion of the Active Transportation Program. Approximately \$138 million is anticipated to be available in the SCAG region for programming through the ATP Regional Program.

BACKGROUND:

On March 16, 2022, the California Transportation Commission (CTC) adopted the 2023 Active Transportation Program (ATP) Statewide Guidelines and announced the 2023 ATP call for projects. Project applications are due on June 15, 2022. The 2023 ATP budget is estimated to be approximately \$651 million and will cover fiscal years 2023/2024 through 2026/27. Approximately sixty percent (60%) of the total funding awards will be recommended by the CTC through the Statewide Program and Small Urban/Rural Program components. Forty percent (40%) of the total funding awards will be recommended by Metropolitan Planning Organizations (MPOs) and included

in Regional Programs. SCAG’s share of the MPO component (SCAG Regional Program) is approximately \$138 million, fifty-three percent (53%) of the MPO component.

The proposed 2023 ATP Regional Guidelines outline the process by which SCAG, in collaboration with the CTC and the county transportation commissions within the SCAG region, will recommend funding awards for the 2023 ATP Regional Program. The Regional Guidelines retain many of the same funding policies as in previous cycles, including preserving population-based funding targets (see tables below) and dedicating 5% (\$6,884,000) of the ATP Regional Program resources for planning and capacity building projects (see below). Continued from previous cycles, the ATP Regional Program awards funding to two categories of projects: (1) Implementation Projects and (2) Planning & Capacity Building Projects.

- **Implementation Projects:** No less than 95% of the funding will be recommended to proposals in this category. The selection process for Implementation Projects is the same as in previous cycles and is predominately managed by the county transportation commissions. Eligible applicants must apply for these funds by submitting an application through the statewide ATP call for projects. Base scores are established through the statewide ATP review process. The Regional Guidelines allow county transportation commissions to prioritize projects by adding up to twenty (20) points, on a 120-point scale, to supplement the state-provided base scores. As in previous cycles, the Board of each county transportation commission shall approve the methodology for assigning the additional points, as well as approve the final project scores. Total funding available in each county is based on population-based funding targets.

Implementation Projects Category: Funding Targets

County	Pop %	Funding (in 1,000s)
Imperial	1%	\$1,249
Los Angeles	53%	\$69,579
Orange	17%	\$22,144
Riverside	13%	\$16,802
San Bernardino	12%	\$15,159
Ventura	4%	\$5,863
Total	100%	\$130,795

- **Planning & Capacity Building Projects:** Five percent (5%) of the funding will be recommended to proposals in this category. Unlike previous cycles where SCAG hosted a supplemental call for projects through its Sustainable Communities Program (SCP), the project selection process will rely entirely on the statewide ATP application and scoring process. As with the Implementation Project category, each county transportation commission will prioritize projects by adding up to twenty (20) points, to supplement the

state-provided base scores. Further, there will also be population-based funding targets for each county.

Planning & Capacity Building Projects Category: Funding Targets

County	Pop %	Funding (in 1,000s)
Imperial	1%	\$66
Los Angeles	53%	\$3,662
Orange	17%	\$1,165
Riverside	13%	\$884
San Bernardino	12%	\$798
Ventura	4%	\$309
Total	100%	\$6,884

A staff recommended ATP Regional Program, assembled by combining project recommendations from the Implementation and Planning & Capability Building categories, will be reviewed by the Chief Executive Officers (CEOs) of the county transportation commissions to address any outstanding issues and achieve consensus prior to finalization of the program. The ATP Regional Program recommendations will be approved by the Boards or CEOs of the county transportation commissions prior to consideration by SCAG’s Regional Council and submission to the CTC.

Next Steps

SCAG staff will continue to work with the county transportation commissions in the SCAG region, the CTC, Caltrans and other partners to provide outreach to ensure eligible applicants are aware of the ATP funding opportunity and provide technical assistance, resources and support as requested to facilitate regional competitiveness through the application submission period ending on June 15, 2022. Upon RC approval, the 2023 ATP Regional Guidelines will be submitted to the CTC for consideration of approval at the June 2022 Commission meeting. Finally, the 2023 ATP Regional Program will be submitted to the Regional Council for approval in April 2023.

FISCAL IMPACT:

Funding for staff work on ATP is included in SCAG’s FY 2022-23 Overall Work Program (OWP) task 050-0169.06: Active Transportation Program.

ATTACHMENT(S):

1. 2023 ATP Regional Guidelines
2. Resolution No. 22-642-2 - Regional Program Guidelines
3. PowerPoint Presentation - ATP Cycle 6-Regional Guidelines

2023 Active Transportation Program Regional Guidelines

Draft

April 2022

Southern California Association of Governments
Imperial County Transportation Commission
Los Angeles County Metropolitan Authority
Orange County Transportation Authority
Riverside County Transportation Commission
San Bernardino County Transportation Authority
Ventura County Transportation Commission

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
2023 ACTIVE TRANSPORTATION PROGRAM REGIONAL GUIDELINES

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Introduction

Purpose

The intent of this document is to successfully implement the Metropolitan Planning Organization (MPO) component of the California Active Transportation Program (ATP). The following 2023 ATP Regional Guidelines (Regional Guidelines) outline the roles, responsibilities and processes for selecting projects to receive funding from the SCAG region's dedicated share of the 2023 ATP. The Regional Guidelines also outline the requirements for programming, allocation, project delivery, project reporting, project administration and program evaluation related to the 2023 Regional Active Transportation Program (Regional Program). The Regional Guidelines may be revisited and modified for future rounds of funding in order to remain consistent with the 2023 ATP Statewide Guidelines (Statewide Guidelines), and to consider innovative concepts and best practices to improve the Regional Program's efficiency and effectiveness.

Background

- The goals of the ATP are to:
 - Increase the proportion of trips accomplished by biking and walking;
 - Increase the safety and mobility of non-motorized users;
 - Advance the active transportation efforts of regional agencies to achieve greenhouse gas reductions goals as established pursuant to SB 375;
 - Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding;
 - Ensure that disadvantaged communities (DAC) fully share in the benefits of the program; and
 - Provide a broad spectrum of projects to benefit many types of active transportation users.
- The 2023 Statewide Guidelines, adopted by the California Transportation Commission (CTC) on March 16, 2022, describe the policy, standards, criteria and procedures for the development, adoption and management of the ATP Statewide Program.
- Per the 2023 Statewide Guidelines, 40% of the funds for the ATP must be distributed by MPOs in urban areas with populations greater than 200,000, with funds distributed to each MPO based on total MPO population.
- The funds distributed by the MPOs must be programmed and allocated to projects selected through a competitive process in accordance with the ATP Statewide Guidelines.
- A MPO choosing to use the same project selection criteria and weighting, minimum project size, match requirement, and definition of DAC as used by the CTC for the statewide competition may defer its project selection to the CTC.
- MPOs may also issue a separate, supplemental call for projects. If a call for projects is initiated, it will require development and approval of guidelines and applications. In administering a competitive selection process, a MPO must use a multidisciplinary advisory group to assist in evaluating project applications.
- 25% of the regional funds must benefit DAC.

- The Statewide Guidelines allow for a large MPO to make up to 25% of its 2023 ATP funding available for active transportation plans in DACs.
- The Statewide Guidelines establish four eligible project types and one pilot project type:
 - Infrastructure Projects: Capital improvements that will further the goals of this program. This typically includes the environmental, design, right-of-way, and construction phases of a capital (facilities) project. A new infrastructure project will not be programmed without a complete project study report (PSR) or PSR equivalent. The application will be considered a PSR equivalent if it defines and justifies the project scope, cost and schedule. Though the PSR or equivalent may focus on the project components proposed for programming, it must provide at least a preliminary estimate of costs for all components. PSR guidelines are posted on the CTC website: <http://www.catc.ca.gov/programs/ATP.htm>. *A capital improvement that is required as a condition for private development approval or permits is not eligible for funding from the Active Transportation Program.*
 - Plans: The development of a community wide bicycle, pedestrian, safe routes to school, or active transportation plan in a DAC.
 - Non-infrastructure Projects: Education, encouragement, and enforcement activities that further the goals of this program. The CTC intends to focus funding for non-infrastructure on start-up projects. A project is considered to be a start-up when no program currently exists. Start-up projects must demonstrate how the program is sustainable after ATP funding is exhausted. ATP funds cannot fund ongoing program operations. Non-infrastructure projects are not limited to those benefiting school students. Program expansions or new components of existing programs are eligible for ATP funds as long as the applicant can demonstrate that the existing program will be continued with non-ATP funds.
 - Infrastructure projects with non-infrastructure components.
 - Quick Build Projects: Interim capital improvement projects that further the goals of the ATP. These projects require minor construction activities and are typically built with durable, low to moderate cost materials, and last from one year to five years. These projects have moderate design flexibility to anticipate adjustments that may occur based on community feedback. The purpose of a quick-build project is to immediately implement safety needs, allowing a community to benefit quickly from improvements made, and/or allow the people of a community affected by the project to provide input and test the project improvements before they are permanently constructed.
- Per Statewide Guidelines, and based on SB 99, the following requirements apply specifically to SCAG:
 - SCAG must consult with the county transportation commissions, the CTC, and Caltrans in the development of the competitive project selection criteria. The criteria should include consideration of geographic equity consistent with program objectives;
 - SCAG must place priority on projects that are consistent with plans adopted by local and regional governments within the county where the project is located; and
 - SCAG must obtain concurrence from the county transportation commissions.
- The SCAG Regional Program will be developed through coordination of the ATP Subcommittee. The ATP Subcommittee is a subcommittee of the SCAG Sustainability Committee. The ATP Subcommittee

is comprised of SCAG staff and representatives from each of the six (6) county transportation commissions. The Subcommittee drafts the Regional Program Guidelines, the Regional Program and administers tasks associated with project delivery. The County Transportation Commissions approve the Regional Program as it pertains to each respective county. SCAG’s Regional Council approves the Regional Program Guidelines and Regional Program. The California Transportation Commission approves the Regional Program Guidelines and Regional Program.

Fund Estimates for 2023 Regional ATP

The 2023 ATP total funding estimate is \$650,740,000. Per the 2023 ATP Statewide Guidelines, the MPO share is 40% of the total budget and the SCAG share is 53% of the MPO amount.

The SCAG region’s share of the 2023 ATP is approximately \$137.6M, which includes funding in Fiscal Years 2023/24, 2024/25, 2025/26, and 2026/2027 to be programmed as follows:

Year (Fiscal)	Funds (\$1000s)
FY 23/24	31,242
FY 24/25	31,750
FY 25/26	37,077
FY 26/27	37,610
Total	137,679

Eligibility

SCAG intends to apply the eligibility requirements as adopted in the 2023 Statewide Guidelines to the Regional Program. These requirements include an option for SCAG to provide a Regional Definition of Disadvantaged Communities. As part the 2020 Connect SoCal Regional Transportation Plan (RTP)/ Sustainable Communities Strategy (SCS), SCAG established “environmental justice areas” and “communities of concern” as disadvantaged communities through a robust public outreach process that included the input of community stakeholders. These disadvantaged communities’ criteria are intended to complement existing definitions established through SB 535 and the ATP Statewide Guidelines.

Regional Disadvantaged Communities Definitions

Per the Statewide Guidelines, MPOs have the option to use different criteria for determining which projects benefit disadvantaged communities. This additional criteria includes Environmental Justice Areas and Communities of Concern. These criteria can be used in addition to the existing SB 535 criteria.

- Environmental Justice Areas: Environmental Justice Areas are reflected in Transportation Analysis Zones that show a higher share of minority population or households in poverty than is seen in the great region as a whole.

- Communities of Concern: Communities of Concern are Census Designated Places or city of Los Angeles Community Planning Areas that fall in the upper third for their concentration of minority population households in poverty. This designation is significant in severity due to the degree of poverty.

Project Selection Process

SCAG intends to award funding to projects in two program categories. These categories include: Implementation projects, and Planning & Capacity Building projects.

Implementation Projects Category

Implementation projects include infrastructure, non-Infrastructure, infrastructure projects with non-infrastructure components, and plans as defined by the Statewide Guidelines and included in the Background (above). No less than 95% of the total regional funds shall be dedicated to funding Implementation projects in the 2023 Regional ATP. Implementation funds shall be allocated to projects in each county using population-based funding targets (US Census 2020).

Implementation Projects Category: Funding Targets

County	Pop %	Funding Amount (\$1000s)
Imperial	1%	\$1,249
Los Angeles	53%	\$69,579
Orange	17%	\$22,144
Riverside	13%	\$16,802
San Bernardino	12%	\$15,159
Ventura	4%	\$5,863
Total	100%	\$130,795

In this category, and consistent with previous ATP cycles, SCAG will select Implementation projects utilizing the CTC statewide applications, scoring and ranking process. SCAG will only fund Implementation projects submitted through the statewide application process. However, SCAG and its member counties will reserve the option to establish an evaluation committee and issue a supplemental call for proposals for Implementation projects in future ATP cycles.

Planning & Capacity Building Projects Category

Planning & Capacity Building projects may include the development of Quick Build projects, non-infrastructure projects, and plans, as defined by the Statewide Guidelines and included in the Background section of the Regional Guidelines (above). The Regional Guidelines call for no more than 5% (\$6,884,000) of the total regional funds be allocated in this category with a maximum of 2% (\$2,753,600) being dedicated to Planning projects.

Unlike previous cycles, the pool of projects considered for funding in this category shall only include projects that are submitted through the CTC’s Statewide ATP Call for Projects using the state’s planning, non-infrastructure, or quick build application. SCAG will not release a supplemental call for projects. As with the Implementation Category, Planning and Capacity Building funds shall be allocated to projects in each county using population-based funding targets (US Census 2020).

Planning and Capacity Building Projects Category: Funding Targets

County	Pop %	Funding Amount (\$1000s)
Imperial	1%	\$66
Los Angeles	53%	\$3,662
Orange	17%	\$1,165
Riverside	13%	\$884
San Bernardino	12%	\$798
Ventura	4%	\$309
Total	100%	\$6,884

If a County does not receive sufficient applications to meet the Planning and Capacity Building funding targets outlined above, the county transportation commission may choose to allocate those funds towards the Implementation Project category.

Regional Program Selection Process

The selection process shall occur as follows:

- Prior to scoring by the CTC, SCAG shall coordinate with each county to ensure that all Implementation project applications submitted through the statewide call for proposals have been submitted to the county and SCAG.
- The county transportation commissions shall review the statewide project applications and determine which projects are “consistent with plans adopted by local and regional governments within the county” per the requirements of SB 99. County transportation commissions may also establish minimum eligibility requirements for Planning and Capacity Building projects. These requirements must be approved by SCAG staff and adopted by the county transportation commission Board.
- County transportation commissions may assign up to 20 points to each statewide project application deemed consistent and meeting eligibility requirements. SCAG recommends establishing a 20-point methodology for each project category outlined above.
- If a county transportation commission assigns additional points (up to 20, as noted above) to a project for which they are the lead applicant, an explanation shall be provided to SCAG of how the scoring process resulted in an unbiased evaluation of the project.

- The Board of each respective county transportation commission shall approve the scoring methodology/guidelines and point assignments, and submit the scores to SCAG for inclusion in the preliminary ranking of regional projects by January 30, 2023
- SCAG shall establish a preliminary regional projects list based on the county's submissions that programs no less than 95% of the total regional funds towards the implementation project category. Planning projects shall not exceed 2% of the total funding available. The county may also recommend funding for projects to be included on the Regional Program contingency list. Projects included on the contingency list shall be included in the program reflecting the project score as detailed in the Fund Balance and Contingency List section below.

Recommended Regional Program

SCAG shall create a draft Regional Program that incorporates the preliminary project lists from the Implementation and Planning & Capacity Building project categories.

SCAG will analyze the draft Regional Program to ensure it meets the DAC requirements by allocating at least 25% to projects benefiting DAC (as defined by the Statewide Guidelines).

If the total is less than 25%, SCAG will modify the preliminary regional project list to ensure the 25% mark is achieved, as follows:

- The lowest scoring project in the region may be replaced with the highest scoring DAC within the same County. If the county has no other eligible DAC projects, the lowest scoring project shall be replaced with the highest scoring DAC project(s) from the region.
- This process will be repeated until the 25% target is met.
- This process may lead to an outcome where a county receives less than its population-based share of the funding, but is necessary to ensure the DAC requirements for the Regional Program are met.

Prior to March 15, 2023, the final recommended Regional Program will be reviewed by the county transportation commission staff, Caltrans and CTC staff to make any final adjustments and achieve consensus prior to submitting the Regional Program recommendations to SCAG's Regional Council and CTC for approval.

With consensus from the County Transportation Commission CEOs or their designees, SCAG's Executive Director may make technical changes to the program as needed to ensure the timely delivery of the regionally-selected projects.

Programming

Fund Assignments

SCAG is required to recommend the funding assignments for all projects proposed for funding in the Regional Program. The programming years for the 2023 ATP are State Fiscal Years 2023/24 to 2026/27. Per the Statewide Guidelines, the ATP must be developed consistent with the fund estimate and the

amount programmed by fiscal year must not exceed the amount identified in the fund estimate. SCAG will aim to program in a constrained manner. SCAG is also required to recommend the funding source for each project, such that the program as a whole aligns with the fund estimate for each programming year. In meeting these requirements, SCAG will adhere to the following process and guiding principles:

- Funding assignments will be made by SCAG and the county transportation commissions through a collaborative decision-making process.
- Funding assignments will be made to best align the funding source with the project type, size, and sponsors' capacity for obligating federal funds; therefore, federal and state funds will not be equally distributed in each county.
- State funds will be programmed to address the following regional objectives, listed in order of priority:
 - Satisfy match requirements for federally funded projects. Projects that provide some but not all of the 11.47% match may need assistance in satisfying the match. State funding is eligible to bridge the gap in any match funding deficit. State funding shall not exceed 11.47% of total project funding;
 - Reduce administrative burden for Planning and Non-infrastructure projects and projects requesting less than \$3M;
 - Completion of California Environmental Quality Act (CEQA) prioritizes projects for state only funding ; and
 - Expedite delivery of pre-construction phases of projects to ensure timely delivery of projects funded for multiple phases.

Partial Awards

- County transportation commissions will be responsible for recommending partial awards for Implementation projects.
- SCAG and the county transportation commissions will only consider partial awards if the project sponsor meets one of the following requirements:
 - The applicant provides funds through additional sources to fully fund the project;
 - The applicant demonstrates the means by which it intends to fund the construction of a useable segment, consistent with the Regional Transportation Plan (RTP).
 - The applicant downsizes the project scope in a manner such that the “new” project would receive the same scores or ranking as the originally proposed project. The ATP Subcommittee will determine the eligibility of a downsized project scope based on the representative county transportation commission's request. The request shall include:
 - An explanation of the proposed scope change;
 - The reason for the proposed scope change;
 - The impact which the proposed scope change would have on the overall cost of the project;
 - An estimate of the impact the proposed scope change would have on the potential of the project to increase walking and bicycling as compared to the benefits identified in the project application (increase or decrease in benefit);

- An estimate of the impact the proposed scope change would have on the potential of the project to increase the safety of pedestrians and bicyclists as compared to the benefits identified in the project application (increase or decrease in benefit); and
- An explanation of the methodology used to develop the aforementioned estimates.
- For projects that fall into the Large Infrastructure category as defined in Statewide Guidelines, the applicant must demonstrate the means by which it intends to fund the construction of a useable segment, consistent with the RTP.
 - Uncommitted funds may only be from ATP, Local Partnership Program (formulaic or competitive), or federal discretionary grant program funds. The applicant must indicate its plan for securing a funding commitment; explain the risk of not securing that commitment, and its plan for securing an alternate source of funding should the commitment not be obtained. If a project with uncommitted funds is programmed, all funding commitments for that phase must be secured prior to July 1 of the fiscal year in which the project is programmed or the project will be removed from the program.
- If funding is made available (i.e. due to an ineligible project determination), the available funding will be prioritized for a threshold project receiving a partial award within the county where the funding was awarded initially. If the available funding exceeds the amount needed for fully funding the partial award, the surplus shall be made to the highest scoring project on the contingency list within the county where the funding was initially awarded. The surplus may also be made available for a partial award in another county, pending approval of the ATP Subcommittee.

Fund Balance & Contingency List

Any funds that are not assigned by SCAG to projects in the Regional Program will be returned to the state and incorporated into the fund estimate for subsequent ATP cycles. To maximize funds available in the region, the following steps will be pursued:

- The initial recommended Regional Program to the CTC will identify projects that program 100% of the region's share of ATP funds. If a balance exists after each county has exhausted to the greatest extent possible its Implementation and Planning & Capacity Building funding target, SCAG in consultation with the counties, will recommend the fund balance be awarded to fully or partially fund the highest scoring and/or shovel ready "contingency" project(s) (see below) across all counties.
- If the final project on a county's list exceeds the county's ATP funding target, the county may work with the project sponsor to explore the feasibility of a partial award, as noted above. If a partial award is determined to be insufficient and infeasible, the county may recommend fully or partially funding to the subsequent highest scoring projects on the county's list.

- The recommended Regional Program will include a contingency list of Implementation and Planning and Capacity Building projects that will be in place until the next cycle of ATP funding. Implementation and Planning & Capacity Building projects will be ranked in priority order based on the county transportation commission’s evaluation scoring. SCAG intends to fund projects on the contingency list should there be any project failures or savings in the Regional Program. When a contingency project is advanced for funding due to project failure from the Implementation list of projects, SCAG – in consultation with the counties – will strive to replace the failed project with a project from the same county from the Implementation list. When a contingency project is advanced for funding due to project failure from the Planning and Capacity Building list of projects, SCAG – in consultation with the counties – will strive to replace the failed project with a project from the same county from the Planning and Capacity Building list. In recommending replacement projects, SCAG and the county transportation commission may consider both project ranking and project readiness. If contingency projects are not amended into the program, they will remain unfunded and project sponsors may resubmit them for future ATP cycles.
- SCAG and/or the county transportation commissions are encouraged to pursue one or more of the following project management strategies:
 - Review the initial work schedule to determine timeline feasibility and propose revisions where necessary.

Program Amendments

The Regional Guidelines allow SCAG to amend the Regional Program to remove and advance projects. An annual report will be provided to the Regional Council on program amendments. Amendments to the Regional Program may occur under the following conditions and in the following manner:

- If project design, right-of-way or construction are programmed before the implementing agency completes the environmental process, and following completion of the environmental process updated information indicates that a project is expected to accomplish fewer benefits or is less cost effective as compared with the initial project application, then future funding for the project may be deleted from the program. It is the responsibility of the county transportation commission to recommend to SCAG that the project be deleted from the program if warranted. The county transportation commission that recommends project deletion may, in a reasonable timeframe, recommend replacing the deleted project with a project on the Contingency List.
- If a county transportation commission recommends deletion of a project and has not identified a replacement project for the contingency list in a reasonable timeframe, then SCAG will collaborate with the counties to identify a suitable replacement project from the region-wide contingency list and amend the project into the Regional Program.
- In order to ensure the timely use of all program funds, the CTC will, in the last quarter of the fiscal year, allocate funds to projects programmed in a future fiscal year on a first-come, first-served basis. SCAG will recommend approval of an advancement request if the project is:

- A Planning project and SCAG deems the project ready for allocation (see Allocation, below); or
- An Implementation project, and the county transportation commission recommends advancement of the project.

FTIP Amendments

All projects funded by the 2023 Regional Program must be amended into the Federal Transportation Improvement Program (FTIP).

- The county transportation commissions will be responsible for programming all Implementation and Planning & Capacity Building projects into the FTIP.
 - Projects that are regionally significant and Transportation Control Measures (TCM) must be individually listed in the FTIP by the county transportation commission.
 - Projects that are not regionally significant or TCMs may be entered as a group listing by project function, using the applicable classifications under 23 CFR 771.117(c) and (d) and/or 40 CFR part 93 (See www.dot.ca.gov/hq/transprog/federal/fedfiles/res_publications/grouped_pjt_listings.pdf)
- The county transportation commissions and SCAG shall aim to program all 2023 ATP projects, regardless of programming year, in the 2023 FTIP amendment cycle.

Allocation

The Statewide Guidelines defers to the Regional Guidelines for concurrence or recommendation letters for all allocation requests for projects funded in the MPO component. SCAG shall defer this responsibility to the county transportation commissions for all projects to provide a concurrence letter which notes that the project allocation request is consistent with the project as programmed in the FTIP or is being processed into the FTIP through an amendment or modification that is underway.

The CTC will consider approval of a Letter of No Prejudice (LONP) to advance a project programmed in the ATP. Approval of the LONP will allow the agency to begin work and incur eligible expenses prior to allocation. The Amended LONP Guidelines were adopted in October 2017 and are on the CTC's website, <http://www.catc.ca.gov/programs/atp/>.

Project Delivery

Per the Statewide Guidelines, ATP allocations must be requested in the fiscal year of project programming and are valid for award for six (6) months from the date of allocation, unless the CTC approves an extension. The Commission may extend the deadline only once for each allocation phase and only if it finds that unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The CTC and Caltrans require that the extension will not exceed the period of delay directly attributed to the extraordinary circumstance and cannot exceed twelve months. If extraordinary issues exist that require a longer extension, the implementer may request up to 20

months for allocation only. Refer to the ATP Statewide Guidelines for complete project delivery requirements.

Extension requests for a project in the SCAG Regional Program must include a recommendation by County Transportation Commission.

Caltrans will track the delivery of ATP projects and submit to the CTC a semiannual report showing the delivery of each project phase. SCAG will analyze these reports to identify project delivery issues in the SCAG region and work with the county transportation commissions and the project sponsor to resolve any issues.

Project Scope Change

In the event that a project requires a scope change, the project sponsor shall submit a request for scope change to SCAG and the responsible County Transportation Commission for review and approval. The request for scope change shall include:

- An explanation of the proposed scope change;
- The reason for the proposed scope change. If the request incorporates a change that alters original designs, the project sponsor shall provide the steps taken to retain the initial design and the extenuating circumstances that necessitate the design change. Extenuating circumstances are defined as those which make the project undeliverable due to costs and/or safety issues;
- The impact the proposed scope change would have on the overall cost of the project;
- An estimate of the impact the proposed scope change would have on the potential of the project to increase walking and bicycling as compared to the benefits identified in the project application (increase or decrease in benefit);
- An estimate of the impact the proposed scope change would have on the potential of the project to increase the safety of pedestrians and bicyclists as compared to the benefits identified in the project application (increase or decrease in benefit); and
- An explanation of the methodology used to develop the aforementioned estimates.

Project Reporting

As a condition of the project allocation, the CTC will require the implementing agency to submit semi-annual reports (unless the agency is subject to the Baseline Agreement requirement outlined in the 2023 ATP Statewide Guidelines) on the activities and progress made toward implementation of the project and a final delivery report. The purpose of the report is to ensure that the project is executed in a timely fashion and is within the scope and budget identified when the decision was made to fund the project.

Schedule

Action	Date
CTC adopts ATP Guidelines	March 16, 2022
Call for projects	March 16, 2022
Regional Council (RC) Approves ATP Regional Program Guidelines	April 7, 2022
Project applications to Caltrans (postmark date)	June 15, 2022
Commission approves or rejects MPO Guidelines	June 29, 2022
Staff recommendation for statewide and small urban and rural portions of the program	October 21, 2022
Commission adopts statewide and small urban and rural portions of the program	December 7, 2022
County 20-point scoring methodology submitted to SCAG	January 30, 2023
Counties submit recommended project lists to SCAG	January 30, 2023
Project PPRs for partially funded projects due to SCAG	January 30, 2023
Deadline for MPO DRAFT project programming recommendations to the Commission	February 15, 2023
RC Adopts SCAG Regional Program Approval	April 6, 2023
Deadline for MPO FINAL project programming recommendations to the Commission	April 21, 2023
Commission adopts MPO selected projects	June 2023



RESOLUTION NO. 22-642-2

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) APPROVING THE 2023 ACTIVE TRANSPORTATION PROGRAM (ATP) REGIONAL GUIDELINES

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS 900 Wilshire Blvd., Ste. 1700 Los Angeles, CA 90017 T: (213) 236-1800 www.scag.ca.gov

WHEREAS, the Southern California Association of Governments ("SCAG") is the Metropolitan Planning Organization, for the six county region consisting of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties pursuant to 23 U.S.C. § 134 et seq. and 49 U.S.C. §5303 et seq.;

REGIONAL COUNCIL OFFICERS

- President Clint Lorimore, Eastvale
First Vice President Jan C. Harnik, Riverside County Transportation Commission
Second Vice President Carmen Ramirez, County of Ventura
Immediate Past President Rex Richardson, Long Beach

WHEREAS, the Active Transportation Program was created by Senate Bill 99 (Chapter 359, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking;

WHEREAS, Streets and Highways Code Section 2382(k) allows the California Transportation Commission (Commission) to adopt separate guidelines for the metropolitan planning organizations charged with awarding funds to projects pursuant to Streets and Highways Code Section 2381(a)(1) relative to project selection;

COMMITTEE CHAIRS

- Executive/Administration Clint Lorimore, Eastvale
Community, Economic & Human Development Jorge Marquez, Covina
Energy & Environment David Pollock, Moorpark
Transportation Art Brown, Buena Park

WHEREAS, the Active Transportation Program Guidelines (Resolution G-20-31) requires the Commission to adopt a metropolitan planning organization's use of project selection criteria or weighting, minimum project size, match requirement, or definition of disadvantaged communities when differing from the statewide guidelines adopted by the Commission on March 16, 2022;

WHEREAS, SCAG is amending the Regional Program Guidelines with input from the six Southern California county transportation commissions to maximize planning funding and address minor inconsistencies in the guidelines;

WHEREAS, the Active Transportation Program Guidelines require metropolitan planning organizations to submit their ATP Regional Guidelines the Commission by April 21, 2022;

WHEREAS, attached with this Resolution as Exhibit "A" is SCAG's 2023 Active Transportation Program Regional Guidelines; and

NOW THEREFORE, BE IT RESOLVED by the Regional Council of the Southern California Association of Governments, that it approves SCAG's 2023 Active Transportation Program Regional Guidelines.

Attachment: Resolution No. 22-642-2 - Regional Program Guidelines (2023 Active Transportation Program Regional Guidelines)

BE IT FURTHER RESOLVED THAT:

1. The Regional Council, authorizes SCAG staff to submit the 2023 Active Transportation Regional Guidelines to the California Transportation Commission for approval.

PASSED, APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at a meeting held this 7th day of April, 2022.

Clint Lorimore
President, SCAG
Mayor, Eastvale

Attested by:

Kome Ajise
Executive Director

Approved as to Form:

Michael R.W. Houston
Chief Counsel

Active Transportation Program – Cycle 6

Transportation Committee

Cory Wilkerson – Active Transportation Program Manager
Mobility Planning and Goods Movement
April 7, 2022

www.scag.ca.gov



Funding Availability

- Programs 4 Years of Funds
 - Fiscal years 2023/24, 2024/25, 2025/26, and 2026/27
- Cycle 6 – Funding Estimate
 - \$650,740,000 over four years
- Funding Distribution
 - 50% for Statewide Component
 - 10% for Small Urban and Rural Component
 - 40% for Metropolitan Planning Organization Component
- SCAG MPO Draft Funding Estimate
 - \$137,679,000 over four years

SCAG Regional Program Funding Distribution

- 5% to Planning and Capacity Building Projects
 - \$6,884,000 over four years

	Population	%	\$
Imperial	179,702	1%	\$66
Los Angeles	10,014,009	53%	\$3,662
Orange	3,186,989	17%	\$1,165
Riverside	2,418,185	13%	\$884
San Bernardino	2,181,654	12%	\$798
Ventura	843,843	4%	\$309
	18,824,382	100%	\$6,884

- 95% to Implementation Projects
 - \$130,795,000 over four years

	Population	%	\$
Imperial	179,702	1%	\$1,249
Los Angeles	10,014,009	53%	\$69,579
Orange	3,186,989	17%	\$22,144
Riverside	2,418,185	13%	\$16,802
San Bernardino	2,181,654	12%	\$15,159
Ventura	843,843	4%	\$5,863
	18,824,382	100%	\$130,795

ATP Cycle 6 - Schedule

- March 16-17, 2022 – CTC adopts ATP Guidelines and Call for Projects
- April 7, 2022 – SCAG adopts Regional ATP Guidelines
- June 15, 2022 – Project Applications Deadline (postmark date)
- October 21, 2022 – CTC Statewide Recommendations
- December 7-8, 2022 – CTC adopts Statewide Projects List
- April 6, 2023 – SCAG adopts MPO Recommendations
- April 21, 2023 – Deadline to submit MPO Recommendations
- June 2023 – CTC adopts MPO Projects List

Thank You!

Cory Wilkerson
wilkerson@scag.ca.gov
(213) 236-1992
www.scag.ca.gov





AGENDA ITEM 13
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Javiera Cartagena, Director of Government and Public Affairs
(213) 236-1980, cartagena@scag.ca.gov

Subject: AB 1944 (Lee and C. Garcia) and AB 2449 (Rubio) - Brown Act Reform

RECOMMENDED ACTION:

Support

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

EXECUTIVE SUMMARY:

The Ralph M. Brown Act requires local government business to be conducted at open and public meetings. Existing law allows the legislative body of a local agency to use teleconferencing as long as each teleconference location is identified in the notice and agenda of the meeting and accessible to the public. Given the last couple years of the COVID-19 pandemic, many local agencies subject to the Brown Act, including SCAG, have met remotely and demonstrated that meeting virtually was not only possible but vital for members of the public. Assemblymembers Alex Lee (D-San Jose) and Cristina Garcia (D-Bell Gardens) introduced Assembly Bill (AB) 1944 and Assemblymember Blanca Rubio (D-West Covina) introduced Assembly Bill (AB) 2449 to modernize the Brown Act.

Staff presented AB 1944 and AB 2449 to the Legislative/Communications and Membership Committee (LCMC) at its meeting on March 15, 2022, after which the LCMC unanimously voted to forward a “support” position to the Regional Council. The Committee also recommended that staff work with the authors to clarify certain provisions and add an urgency clause to make them effective immediately upon Governor Newsom’s signature.

BACKGROUND:

The Ralph M. Brown Act was enacted in 1953 and generally requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda,

providing for the ability of the public to have an opportunity to comment on agenda items, and generally prohibits deliberation or action on items not listed on the agenda. The existing law allows the legislative body of a local agency to use teleconferencing as long as a quorum of the members participate from locations within the boundaries of the agency's jurisdiction. In order to teleconference, the teleconference location of each member who will be participating in the public meeting is required to be identified in the notice, each teleconference location must be accessible to the public, members of the public must be allowed to address the legislative body at each teleconference location, and the legislative body must post an agenda at each teleconference location.

Due to the COVID-19 pandemic, local agency boards struggled to conduct their meetings in compliance with the Brown Act's requirements while still abiding by stay-at-home orders. As a result, in March 2020, Governor Gavin Newsom issued Executive Order N-29-20 to grant local agencies flexibility with some Brown Act requirements while meeting remotely. However, the Governor's executive order was due to expire on September 30, 2021. These flexibilities would not continue to apply to the current pandemic or future emergencies like wildfires, floods, toxic leaks, or other events that make in-person gatherings dangerous. In the interim, the Legislature approved AB 361 (Chapter 165, Statutes of 2021), which permits local agencies to continue to meet virtually and remotely during a state-declared emergency without having to meet a quorum and other requirements of teleconference meetings under the Brown Act through January 1, 2024. Furthermore, AB 361 requires a majority vote by a legislative body every 30 days in order to continue allowing members to participate virtually without meeting existing Brown Act requirements.

AB 1944

On February 10, 2022, Assemblymembers Alex Lee (D-San Jose) and Cristina Garcia (D-Bell Gardens) introduced AB 1944. This bill would specify that a local agency subject to the Brown Act could vote to allow their members to teleconference into a meeting without having to reveal the address of a private location in the notice and agenda or make the private location accessible to the public. The bill would also require a video stream of a meeting be accessible to the public whenever members teleconference into meetings. Furthermore, an option for the public to address the legislative body either by phone or video would need to be available to ensure that the public is able to participate in the meeting.

AB 1944 was referred to the Assembly Committee on Local Government, but a hearing date has not yet been set.

Support

- Gilroy City Councilmember Zach Hilton
- Pinole Mayor Pro Tem Devin T. Murphy

Opposition

- N/A

- Santa Clara School Board Member Vickie Fairchild
- Santa Clara School Board Member Bonnie Lieberman
- San Jose Housing Commissioner Martha O'Connell
- Seaside City Councilmember Jon Wizard
- South San Francisco Councilmember James Coleman
- San Bruno Park District Trustee Andriana Shea
- Santa Ana City Councilmember Jessie Lopez
- Sacramento City Councilmember Katie Valenzuela
- South San Francisco Unified School District Board of Trustees John Baker
- North Westwood Neighborhood Councilmember Andrew Lewis

AB 2449

On February 17, 2022, Assemblymember Blanca Rubio (D-West Covina) introduced AB 2449. This bill would allow a local agency subject to the Brown Act to use teleconferencing if a quorum of the members of a legislative body participate in person from a singular location clearly identified on the agenda that is open to the public and within the local agency's jurisdiction. This bill would change the Brown Act's requirements so that a local agency would no longer have to identify the teleconference location, make each teleconference location accessible to the public, allow members of the public to address the legislative body at each teleconference location, or post an agenda at each teleconference location.

AB 2449 was referred to the Assembly Committee on Local Government, but a hearing date has not yet been set.

Support

- Three Valleys Municipal Water District (*sponsor*)
- San Gabriel Valley Economic Partnership
- Southern California Water Coalition

Opposition

- N/A

Prior Committee Action

Staff presented AB 1944 and AB 2449 to the LCMC at its meeting on March 15, 2022, with a recommended support position. AB 1944 and AB 2449 are consistent with Regional Council-adopted policy and legislative priorities that support legislative efforts to modernize the Brown Act to increase public participation, keep up with emerging technology, and allow local government agencies flexibility in conducting official meetings via teleconference and other electronic means.

Following a period of discussion, the LCMC unanimously voted to forward a support recommendation to the Regional Council. Staff was also instructed to encourage the authors to add

an urgency clause to their bills to make them effective immediately upon Governor Newsom's signature. The flexibilities to meet remotely under AB 361 are only in place during a declared state of emergency and when other criteria are met. Given the declining COVID case rates, Governor Newsom could revoke the state of emergency declaration and end AB 361 flexibilities.

Furthermore, for AB 1944, the Committee requested that staff work with the authors to clarify the definition of "a location that is not public" if a member of a legislative body elects to teleconference, so the address does not need to be made public. As written, it is unclear if a hotel is a public place.

SCAG staff also presented two amendments that the authors of AB 1944 intend to offer. First, the bill authors would like to clarify that the teleconferencing and remote participation flexibilities in the bill are contingent upon the availability of a video stream of a meeting. Secondly, if a legislative body elects to use teleconferencing, the authors would like to require that the legislative body cast a majority vote to use its authorities. AB 1944 is silent on how often the body must take this vote. The Committee agreed that a legislative body should only take one vote to take advantage of the bill's teleconferencing flexibilities.

FISCAL IMPACT:

Work associated with the staff report on AB 1944 and AB 2449 is contained in the Indirect Cost budget, Legislation 810-0120.10.



AGENDA ITEM 14
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Javiera Cartagena, Director of Government and Public Affairs
(213) 236-1980, cartagena@scag.ca.gov

Subject: S 3649 (Padilla) - Transportation Equity Act

RECOMMENDED ACTION:

Watch

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

EXECUTIVE SUMMARY:

On February 15, 2022, US Senator Alex Padilla (D-CA) introduced Senate Bill (S) 3649, which would re-establish and codify the Transportation Equity Committee (TEC) to provide independent advice and recommendations to the Secretary of Transportation on issues relating to transportation equity from transportation planning, design, research, policy, and advocacy stakeholders. Staff presented S 3649 to the Legislative/Communications and Membership Committee (LCMC) at its meeting on March 15, 2022, after which the LCMC voted 10 to 2 to forward a “watch” position to the Regional Council.

BACKGROUND:

In 2016, the United States Department of Transportation, led by Secretary Anthony Foxx under the Obama Administration, established the Advisory Committee on Transportation Equity (ACTE) through the rulemaking process for two years. The Committee was created to convene stakeholders to provide recommendations on issues related to transportation equity, including the role of transportation policy on health, housing, environmental justice, and other related matters. The Committee members came from various public, private, and non-profit organizations, including:

- Chairman Michael Nutter – Professor of Professional Practice in Urban & Public Affairs, Columbia University School of International and Public Affairs
- Mr. Billy Altom – Executive Director, Association of Programs for Rural Independent Living
- Ms. Ann Ferro – President and CEO, American Association of Motor Vehicle Administrators

- Ms. Angela Glover Blackwell – President and CEO, PolicyLink
- Dr. Joe Grengs – Professor, University of Michigan Urban and Regional Planning
- Mr. Van Jones – President, Dream Corps (participated by teleconference)
- Mr. Robert Puentes – President and CEO, ENO Center
- Dr. Beverly Scott – Chief Executive Officer, Beverly Scott Assoc., LLC
- Dr. Jim Spencer – Associate Dean of Research and Graduate Studies, Clemson University
- Mr. Phillip Washington – Chief Executive Officer, Los Angeles County Metropolitan Transportation Authority

In 2018, the Trump Administration dissolved the ACTE, almost a year before it was set to expire in its initial charter. On November 3, 2021, US Senator Alex Padilla, recognizing the need to ensure historic levels of transportation funding and programs are equitably distributed, led 16 of his colleagues to send a letter to the US Department of Transportation to re-establish the ACTE. However, Senator Padilla also recognizes that re-establishing the Committee through the rulemaking process would allow it to be easily dissolved by a future Administration. As a result, Senator Padilla has authored S 3649 to codify the Committee.

Additional information on S 3649 is included below.

S 3649

S 3649, the Transportation Equity Act, was authored by United States Senator Alex Padilla (D-CA) and introduced on February 15, 2022.

This bill would require the Secretary of Transportation to establish the Transportation Equity Committee (TEC) no later than 120 days after the bill is signed into law. The TEC would be tasked with providing advice on issues relating to transportation equity from transportation planning, design, research, policy, and advocacy stakeholders. The TEC would give advice and recommendations to the Secretary on transportation equity by developing a strategic plan that analyzes national transportation metrics and the effect of transportation equity on factors like economic development, connectivity, accessibility, and public engagement. The TEC will also be tasked with evaluating the Department of Transportation's work related to connecting people to economic opportunities, revitalizing communities by carrying out various activities related to transportation and opportunity and ensuring equal access to transportation for all residents.

The TEC membership will consist of between nine (9) and fifteen (15) appointees selected by the Secretary of Transportation who must have expertise in related areas, including housing, health care, disability access, and the environment. Membership must also reflect diverse backgrounds, geography, and viewpoints from academia, community groups, industry and business, nongovernmental organizations, State and local governments, federally recognized Indian Tribes, advocacy organizations, and indigenous groups. Each member will serve a two-year term with no

more than two (2) consecutive term reappointments. The Secretary may replace a member if the member misses three (3) consecutive meetings.

The TEC must meet at least two (2) times per year, with no more than nine (9) months between meetings. The Secretary will also select a Federal employee as the Designated Federal Officer who will coordinate the Committee and offer administrative support.

S 3649 was referred to the Committee on Commerce, Science, and Transportation and is pending a hearing. Secretary Buttigieg responded to Senator Padilla's letter and expressed support for re-establishing the TEC, and his response letter is attached to this report. Further, the following Senators have co-sponsored the bill:

- Sen. Warnock, Raphael G. [D-GA]
- Sen. Blumenthal, Richard [D-CT]
- Sen. Booker, Cory A. [D-NJ]
- Sen. Carper, Thomas R. [D-DE]
- Sen. Casey, Robert P., Jr. [D-PA]
- Sen. Duckworth, Tammy [D-IL]
- Sen. Feinstein, Dianne [D-CA]
- Sen. Heinrich, Martin [D-NM]
- Sen. Markey, Edward J. [D-MA]
- Sen. Merkley, Jeff [D-OR]
- Sen. Peters, Gary C. [D-MI]
- Sen. Reed, Jack [D-RI]
- Sen. Sanders, Bernard [I-VT]
- Sen. Smith, Tina [D-MN]
- Sen. Van Hollen, Chris [D-MD]
- Sen. Wyden, Ron [D-OR]

Former Transportation Secretary Elaine Chao stated the following when asked why the Advisory Committee on Transportation Equity was dissolved and if she would consider reinstating it:

The Advisory Committee on Transportation Equity was established in 2016 to provide advice and recommendations about comprehensive, interdisciplinary issues related to transportation equity. The Department determined to sunset the Committee. Please be assured, the Department will continue to handle the important work of equity and access in transportation.

Prior Committee Action

Staff presented S 3649 to the LCMC at its meeting on March 15, 2022 with a recommendation to “support” because S 3649 is consistent with the following points from the Regional Council-adopted legislative platform:

- Recognizing that systemic racism continues to create barriers to success for people of color, SCAG seeks to lead and join in legislative efforts that reverse the effects of inequitable policies, processes, and practices related to planning decisions in the region.
- Support legislative efforts that further a “Health in All Policies” approach to facilitate equitable health outcomes related to SCAG’s core public health focus areas: accessibility (to healthy food, parks, and open space, and other services), affordable housing, air quality, climate resiliency, economic wellbeing, health equity, physical activity, and safety.

In addition, S 3649 is consistent with the Regional Council-adopted Race Equity Resolution NO. 20-623-2 and Racial Equity Early Action Plan, which calls for SCAG to advance racial equity through our policies, practices, and activities. The Early Action Plan calls for SCAG to identify new actions and commitments to improve regional conditions in partnership with other agencies and institutions across sectors, putting the community in the center of efforts.

After robust discussion, the LCMC voted 10 to 2 to forward a “watch” recommendation to the Regional Council. During the LCMC’s deliberations, several members of the Committee expressed concern that the bill did not contain bipartisan authorship. In addition, some members of the Committee noted that the bill, given its February 15, 2022 introduction date, may warrant additional time to be evaluated by stakeholders and members of the public before SCAG offers its official imprimatur. Lastly, some concerns were expressed related to general bureaucratic hurdles and the costs associated with standing up another committee.

To provide information for members of the RC on the above questions and concerns, staff contacted Senator Padilla’s office. Through his staff, Senator Padilla indicated that he solicited support for this proposal from his Republican colleagues and according to their comments, those members did not want to support a bill inconsistent with the Trump Administration’s decision to dissolve the Committee.

The Office of the Under Secretary for Policy of the Department of Transportation shall provide the necessary funding, logistics, and administrative support for the Committee. According to a report from the Federal Advisory Committee Act database, the previously established Committee had a cost of about \$20,000 per fiscal year to pay for support staff. Senator Padilla’s policy advisor advised SCAG staff that funds to re-establish the Committee would come from the Department of Transportation’s existing administrative funding.



The bill language for S 3649 is attached to this staff report.

FISCAL IMPACT:

Work associated with the staff report on S 3649 is contained in the Indirect Cost budget, Legislation 810-0120.10.

ATTACHMENT(S):

1. EAC - RC - 04072022 - S 3649 (Padilla) - Transportation Equity Act - Letter from Secretary Buttigieg
2. EAC - RC - 04072022 - S 3649 (Padilla) - Transportation Equity Act Bill Language



THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

March 1, 2022

The Honorable Alex Padilla
United States Senate
Washington, DC 20510

Dear Senator Padilla:

Thank you for your letter requesting that the U.S. Department of Transportation (DOT) re-establish the Advisory Committee on Transportation Equity (ACTE) to advise and identify opportunities to promote transportation equity.

Done right, transportation policy has the potential to be a tremendous tool for advancing equity, while creating jobs and promoting growth. Equity also promotes engaged and vibrant communities. One of our top priorities at DOT is to embed equity in everything we do, and make sure we understand how our decisions impact all communities, particularly underrepresented groups. The Department is already making large strides in identifying ways to strengthen equity and access across transportation projects and systems. An advisory committee would certainly be an asset to bolster this work.

I strongly support re-establishing the ACTE and have asked my team to begin gathering information about the committee and prepare a proposal for its re-establishment. Equity is one of the Department's top priorities. Convening a group of DOT experts on equity in transportation is key to moving forward to establish an equity lens throughout the Department.

The ACTE will play an important role in reaching our equity goals and we support re-establishing it. I look forward to continuing to work together to ensure a safer and more equitable transportation future for every American. If I can provide further information or assistance, please reach out or contact Mohsin Syed, Principal Deputy Assistant Secretary for Governmental Affairs, at mohsin.syed@dot.gov. A similar response has been sent to each cosigner of your letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pete Buttigieg", is positioned above the printed name.

Pete Buttigieg

Attachment: EAC - RC - 04072022 - S 3649 (Padilla) - Transportation Equity Act - Letter from Secretary Buttigieg (S 3649 (Padilla) -

117TH CONGRESS
2D SESSION

S. 3649

To establish an advisory committee to provide independent advice and recommendations to the Secretary of Transportation regarding comprehensive, interdisciplinary issues relating to transportation from a variety of stakeholders in transportation planning, design, research, policy, and advocacy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2022

Mr. PADILLA (for himself, Mr. WARNOCK, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CARPER, Mr. CASEY, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. HEINRICH, Mr. MARKEY, Mr. MERKLEY, Mr. PETERS, Mr. REED, Mr. SANDERS, Ms. SMITH, Mr. VAN HOLLEN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish an advisory committee to provide independent advice and recommendations to the Secretary of Transportation regarding comprehensive, interdisciplinary issues relating to transportation from a variety of stakeholders in transportation planning, design, research, policy, and advocacy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Transportation Equity
3 Act”.

4 **SEC. 2. TRANSPORTATION EQUITY COMMITTEE.**

5 (a) **DEFINITIONS.**—In this section:

6 (1) **COMMITTEE.**—The term “Committee”
7 means the Transportation Equity Committee estab-
8 lished under subsection (b).

9 (2) **SECRETARY.**—The term “Secretary” means
10 the Secretary of Transportation.

11 (b) **ESTABLISHMENT.**—Not later than 120 days after
12 the date of enactment of this Act, the Secretary shall es-
13 tablish an advisory committee, to be known as the Trans-
14 portation Equity Committee, to study and provide advice
15 on comprehensive and interdisciplinary issues relating to
16 transportation equity from a variety of stakeholders in
17 transportation planning, design, research, policy, and ad-
18 vocacy.

19 (c) **PURPOSE OF COMMITTEE.**—The Committee shall
20 provide independent advice and recommendations to the
21 Secretary on transportation equity, including by devel-
22 oping a strategic plan that includes recommendations to
23 the Secretary on national transportation metrics and the
24 effect of transportation equity on such factors as economic
25 development, connectivity, accessibility, and public engage-
26 ment.

1 (d) DUTIES.—The Committee shall evaluate the work
2 of the Department of Transportation in—

3 (1) connecting people to economic and related
4 forms of opportunity;

5 (2) revitalizing communities in carrying out
6 strategic, research, technological, regulatory, com-
7 munity engagement, and economic policy activities
8 relating to transportation and opportunity; and

9 (3) ensuring equal access to transportation for
10 all residents, including those with disabilities and
11 older adults.

12 (e) MEMBERSHIP.—

13 (1) IN GENERAL.—The Secretary shall appoint
14 an odd number of not less than 9 but not more than
15 15 members to the Committee, which shall include
16 balanced representation with varying points of view
17 from academia, community groups, industry and
18 business, nongovernmental organizations, State and
19 local governments, federally recognized Indian
20 Tribes, advocacy organizations, and indigenous
21 groups.

22 (2) BROAD REPRESENTATION.—To the extent
23 practicable, members of the Committee shall re-
24 flect—

1 (A) a variety of backgrounds and experi-
2 ences;

3 (B) geographic diversity, including urban,
4 rural, Tribal, territorial, and underserved and
5 marginalized communities throughout the
6 United States; and

7 (C) individuals with expertise in related
8 areas such as housing, health care, disability
9 access, and the environment.

10 (3) REPLACEMENT FOR INACTIVE MEMBERS.—

11 If a member misses 3 consecutive meetings, the Sec-
12 retary may—

13 (A) remove the member; and

14 (B) appoint a replacement to serve for the
15 remainder of the term as provided under sub-
16 section (i).

17 (f) DESIGNATED FEDERAL OFFICER.—

18 (1) IN GENERAL.—The Secretary shall appoint
19 a full-time Federal employee as the Designated Fed-
20 eral Officer for the Committee, who shall—

21 (A) serve as the coordinator of the Com-
22 mittee; and

23 (B) ensure that administrative support is
24 provided for the Committee, including by car-

1 rying out the responsibilities described in para-
2 graph (2).

3 (2) RESPONSIBILITIES.—The Designated Fed-
4 eral Officer shall—

5 (A) call meetings of the Committee, and
6 any subcommittees that the Committee des-
7 ignates, after consultation with the Chair;

8 (B) formulate and approve an agenda, in
9 consultation with the Chair, for each meeting;

10 (C) notify all Committee members of the
11 time, place, and agenda for any meeting;

12 (D) provide administrative support for all
13 meetings of the Committee;

14 (E) attend each Committee and sub-
15 committee meeting;

16 (F) maintain all Committee files and
17 records, including minutes from each meeting;

18 (G) adjourn any meeting when it is deter-
19 mined to be in the public interest;

20 (H) serve as the chair at a meeting, if di-
21 rected to do so by the Secretary;

22 (I) make available to the public meeting
23 notes and information; and

1 (J) publish in the Federal Register notice
2 of any meeting of the Committee not less than
3 15 days before the meeting.

4 (g) MEETINGS.—

5 (1) IN GENERAL.—The Committee shall meet
6 not less than 2 times each year, with not more than
7 9 months between meetings.

8 (2) TIME AND PLACE.—Meetings of the Com-
9 mittee shall be—

10 (A) at a reasonable time;

11 (B) in a place accessible to the public;

12 (C) in a room—

13 (i) large enough to accommodate at
14 least 100 people, including the Committee
15 members, staff, and a reasonable number
16 of interested members of the public; and

17 (ii) that is in compliance with the
18 Americans with Disabilities Act of 1990
19 (42 U.S.C. 12101 et seq.); and

20 (D) in compliance with section 504 of the
21 Rehabilitation Act of 1973 (29 U.S.C. 794).

22 (h) QUORUM.—A quorum shall be a majority of the
23 members of the Committee, rounded up to the nearest odd
24 number.

25 (i) TERM.—

1 (1) IN GENERAL.—Each member of the Com-
2 mittee shall serve a 2-year term with not more than
3 2 consecutive term reappointments.

4 (2) DELAYED REPLACEMENTS.—Notwith-
5 standing paragraph (1), a member may continue
6 service until a replacement member is appointed.

7 (j) SUPPORT.—The Office of the Under Secretary for
8 Policy of the Department of Transportation shall provide
9 necessary funding, logistics, and administrative support
10 for the Committee.

11 (k) APPLICATION OF FACA.—Section 14 of the Fed-
12 eral Advisory Committee Act (5 U.S.C. App.) shall not
13 apply to the Committee.

○



AGENDA ITEM 15
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Javiera Cartagena, Director of Government and Public Affairs
(213) 236-1980, cartagena@scag.ca.gov

Subject: SB 942 (Newman) - LCTOP Reform: Free or Reduced Fare Transit Program

RECOMMENDED ACTION:

Support

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

EXECUTIVE SUMMARY:

On February 8, 2022, Senator Josh Newman (D-Fullerton) introduced Senate Bill (SB) 942. This bill would provide public transit agencies with the flexibility to use Low Carbon Transit Operations Program (LCTOP) funds for free or reduced fare transit programs on an ongoing basis.

Staff presented SB 942 to the Legislative/Communications and Membership Committee (LCMC) at its meeting on March 15, 2022, after which the LCMC unanimously voted to forward a “support” position to the Regional Council.

BACKGROUND:

LCTOP is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by the California Legislature in 2014 by SB 862 (Chapter 36, Statutes of 2014). LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas (GHG) emissions and improve mobility, with a priority on serving disadvantaged communities.

Since the start of 2015, five percent of the annual Cap-and-Trade auction proceeds in the Greenhouse Gas Reduction Fund are continuously appropriated for LCTOP. Funding is distributed based on the State Transit Assistance (STA) formula where 50 percent is designated to regional entities and the other 50 percent for transit operators. Furthermore, to meet requirements outlined under SB 535 (Chapter 830, Statutes of 2012), the state requires agencies that serve designated

disadvantaged communities to use at least 50 percent of their allocated funds to benefit those communities.

LCTOP is administered by the California Department of Transportation (Caltrans) in coordination with the California Air Resource Board (CARB) and the State Controller's Office (SCO). Agencies must prepare a document for Caltrans and CARB illustrating how they will use the funds to reduce GHGs. Caltrans is responsible for ensuring that the statutory requirements of the program are met in terms of project eligibility, greenhouse reduction, disadvantaged community benefit, and other requirements of the law.

Approved projects eligible for LCTOP funds generally support new or expanded bus or rail services, including the initial use of such funds for reduced or free transit fare programs. However, current statutes and regulations governing LCTOP create barriers that preclude the use of LCTOP funds for long-term funding. Under the terms of the current guidelines articulated in the statute, a transit agency can only use LCTOP funds once, as part of the launch of a local program. The current guidelines do not afford a transit agency the ability to utilize these same funds on an ongoing basis for the continuation of a free or reduced fare program that would otherwise meet the criteria governing the program's stringent requirements. The lack of LCTOP funding to continually maintain these programs can stymie the efforts of transit agencies from achieving their goals as envisioned in the chartering legislation.

In the SCAG region, there are transit agencies that are exploring or managing programs associated with free or reduced fares. For example, the Orange County Transportation Authority (OCTA) has operated a "Youth Ride Free" program that was launched in coordination with 29 school districts, including 620 schools, as a promotional pass that allows young riders aged 18 and under to access all Orange County fixed-route buses for free. This is a key part of the county's strategy to improve mobility options, reduce congestion, and reduce GHG emissions. This LCTOP-funded six-month pilot began in September 2021, with passes valid through February 28, 2022. Since the program's inception, the number of unique youth riders has continued to steadily increase, from 7,584 in September 2021 to 12,339 unique riders in December 2021. This provides compelling evidence that the program has succeeded in its aim of ushering in a generation of new riders. Unfortunately, while the initial pilot program qualified to utilize LCTOP funding, the statutory restrictions make LCTOP an unsustainable source of ongoing funding, irrespective of the initial success or long-term prospects for the program.

SB 942

On February 8, 2022, Senator Josh Newman (D-Fullerton) introduced SB 942. This bill would allow transit agencies to access LCTOP funds to subsidize free or reduced fare programs on an ongoing basis. Furthermore, if an LCTOP-funded pilot meets the program's requirements in its initial application, the transit agency would not be required to demonstrate such requirements in

subsequent years, thereby exempting a transit agency from duplicative reporting requirements. Additionally, SB 942 would create additional flexibility for transit agencies that qualify for LCTOP by allowing funding to be used continuously to maintain such programs without any prescribed time limit.

SB 942 was referred to the Senate Environmental Quality Committee and the Senate Transportation Committee where it was heard on March 22, 2022, and passed with a 16-0-1 vote. This bill is cosponsored by OCTA and the California Transit Association, of which SCAG and the county transportation commissions are members. SB 942 is also supported by the Ventura County Transportation Commission, Mobility 21, California Association for Coordinated Transportation (CALACT), Monterey-Salinas Transit, San Mateo County Transit District, and San Diego Metropolitan Transit System. There is no registered opposition.

Prior Committee Action

SB 942 was presented to the LCMC via consent calendar at its meeting, on March 15, 2022, with a recommended support position. Subsequently, the LCMC unanimously voted to forward a “support” recommendation to the Regional Council.

SB 942 is consistent with Regional Council-adopted policy and legislative priorities that support:

- Dedicated funding for Transportation Demand Management (TDM) programs and strategies;
- Legislation that would develop new strategies for reducing congestion caused by school trips, such as expanding access to free or reduced student transit passes; and
- Funding mechanisms that employ innovative transportation strategies that reduce congestion and improve mobility, while promoting equity measures.

SB 942 would provide a tool for the region’s transportation agencies to create and sustain free youth ridership programs that expand access to public transit, create lifelong riders, reduces congestion on our streets and roads, and offers an avenue for economic improvement to families who have been negatively impacted by the effects of the COVID-19 pandemic over the past two years.

FISCAL IMPACT:

Work associated with the staff report on SB 942 is contained in the Indirect Cost budget, Legislation 810-0120.10.



AGENDA ITEM 16
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Regional Council (RC)
From: Sarah Patterson, Manager of Regional Affairs
(213) 236-1904, patterson@scag.ca.gov
Subject: Proposed Final Public Participation Plan

**EXECUTIVE DIRECTOR'S
APPROVAL**

RECOMMENDED ACTION:

Adopt SCAG’s 2022 Proposed Final Public Participation Plan.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

EXECUTIVE SUMMARY:

SCAG has developed an update to its Public Participation Plan to ensure that the agency’s approach to public engagement is current, effective, and inclusive. The proposed final Public Participation Plan is designed to make the plan accessible to a general audience and adaptable in anticipation of evolving technologies and practices.

A draft Public Participation Plan was released for a 45-day period of public review and comment from November 2021 through December 2021s year. Staff reviewed and responded to all comments, incorporating feedback as appropriate, and has produced a proposed final Public Participation Plan. On March 15th, 2022, the Legislative/Communications & Memberships Committee (LCMC) voted to approve the proposed edits to the draft Public Participation Plan and recommend that the resulting proposed final Public Participation Plan be submitted to the Regional Council for adoption.

BACKGROUND:

Since its inception, SCAG has engaged in a public involvement process in developing its regional transportation plans and programs. SCAG’s Public Participation Plan serves as a guide for SCAG’s public involvement process as well as the continuing, comprehensive, and coordinated planning process among stakeholders to ensure the ongoing opportunity for broad-based participation by as many affected and interested parties as possible in the development and review of regional plans and programs.

Strategies and best practices for public engagement, as well as the ways people consume information, have shifted dramatically in the past few years. Periodic updates to the Public Participation Plan allow SCAG to better reflect those changes as well as ensure compliance with state and federal regulations. SCAG's Public Participation Plan was last updated in September 2018, and, in preparation for the development of the 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), SCAG seeks to ensure that the agency's approach to public engagement is current, effective, and inclusive.

The proposed draft Public Participation Plan explains how SCAG operates, establishes core values for public participation, and sets forth goals and strategies for increasing public information and engagement. The changes made for the 2018 update were designed to make the plan more accessible to a general audience and more adaptable in anticipation of evolving technologies and practices. The organization of the document is has been updated. To make it less formal and easier to navigate, the content is structured as answers to a series of questions. The dense technical and legal language has been moved to the appendices so that the body of the plan is accessible to a general audience and those who are specifically looking for details about statutory requirements and official processes can find them. The updated plan includes more context, explaining SCAG's key operations and guiding principles for public participation. The draft plan also includes and adapts to public feedback on current strategies and methods for public engagement.

FISCAL IMPACT:

Funding to support the Public Participation Plan is identified in the agency's Overall Work Program (OWP) in 090-0148.01, Public Education and Participation.

ATTACHMENT(S):

1. PF-2022-Public-Participation-Plan



2022 PUBLIC PARTICIPATION PLAN

PROPOSED FINAL



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THE SCAG REGION

Adelanto	Cathedral City	Grand Terrace	Lake Forest	Palmdale	Santa Paula
Agoura Hills	Cerritos	Hawaiian Gardens	Lakewood	Palos Verdes Estates	Seal Beach
Alhambra	Chino	Hawthorne	Lancaster	Paramount	Sierra Madre
Aliso Viejo	Chino Hills	Hemet	Lawndale	Pasadena	Signal Hill
Anaheim	Claremont	Hermosa Beach	Loma Linda	Perris	Simi Valley
Apple Valley	Coachella	Hesperia	Lomita	Pico Rivera	South El Monte
Arcadia	Colton	Hidden Hills	Long Beach	Placentia	South Gate
Artesia	Commerce	Highland	Los Alamitos	Pomona	South Pasadena
Avalon	Compton	Holtville	Los Angeles	Port Hueneme	Stanton
Azusa	Corona	Huntington Beach	Lynwood	Rancho Cucamonga	Temecula
Baldwin Park	Costa Mesa	Huntington Park	Malibu	Rancho Mirage	Temple City
Banning	Covina	Imperial	Manhattan Beach	Rancho Palos Verdes	Thousand Oaks
Barstow	Cudahy	Indian Wells	Maywood	Redlands	Torrance
Beaumont	Culver City	Indio	Menifee	Redondo Beach	Tustin
Bell	Cypress	Industry	Mission Viejo	Rialto	Twentynine Palms
Bell Gardens	Dana Point	Inglewood	Monrovia	Riverside	Upland
Bellflower	Desert Hot Springs	Irvine	Montclair	Rolling Hills	Vernon
Beverly Hills	Diamond Bar	Irwindale	Montebello	Rolling Hills Estates	Victorville
Big Bear Lake	Downey	Jurupa Valley	Monterey Park	Rosemead	Villa Park
Blythe	Duarte	La Cañada Flintridge	Moorpark	San Bernardino	Walnut
Bradbury	Eastvale	La Habra	Moreno Valley	San Buenaventura	West Covina
Brawley	El Centro	La Habra Heights	Murrieta	San Clemente	West Hollywood
Brea	El Monte	La Mirada	Needles	San Dimas	Westlake Village
Buena Park	El Segundo	La Palma	Newport Beach	San Fernando	Westminster
Burbank	Fillmore	La Puente	Norco	San Gabriel	Westmorland
Calabasas	Fontana	La Quinta	Norwalk	San Jacinto	Whittier
Calexico	Fountain Valley	La Verne	Ojai	San Juan Capistrano	Wildomar
Calimesa	Fullerton	Laguna Beach	Ontario	San Marino	Yorba Linda
Calipatria	Garden Grove	Laguna Hills	Orange	Santa Ana	Yucaipa
Camarillo	Gardena	Laguna Niguel	Oxnard	Santa Clarita	Yucca Valley
Canyon Lake	Glendale	Laguna Woods	Palm Desert	Santa Fe Springs	
Carson	Glendora	Lake Elsinore	Palm Springs	Santa Monica	



WHAT IS SCAG?

The Southern California Association of Governments (SCAG) is the metropolitan planning organization (MPO) for the six-county Southern California region, including the counties of Imperial, Los Angeles, Orange, San Bernardino, Riverside and Ventura. From the beaches to the high desert, the six-county region that encompasses Southern California spans 38,000 square miles, 191 cities and a population of over 19 million. The SCAG region is among the largest and most diverse in the world, with a unique combination of languages, ethnicities and cultures.

SCAG is a Joint Powers Authority under California state law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. SCAG has several key planning responsibilities including conducting the Regional Housing Needs Assessment (RHNA) every eight years and preparing the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) every four years.

In addition, SCAG serves as the foremost data clearinghouse and information hub for the region, conducting research and analysis in pursuit of regional planning goals.

WHY DOES SCAG HAVE A PUBLIC PARTICIPATION PLAN?

Planning for such a large and diverse region requires substantial input from across Southern California. The people who live, work and play here have varying, and sometimes conflicting, needs and priorities. Their voices must be heard if we are to develop planning policies that truly meet the needs of the region. While many of the land use plans and transportation projects that feed into SCAG's work products undergo their own robust local public participation process, it is important that regional plans and policies also allow for a public participation process. To that end, SCAG is committed to conducting robust public outreach and engagement and has outlined that commitment in this Public Participation Plan (PPP) and informed the PPP by the agency's Racial Equity Early Action Plan. The purpose of the PPP is to provide a baseline policy and standards to guide outreach and engagement activities. Each individual project or program can use the PPP to build upon their unique needs, requirements, geography and more. This will allow projects and programs to be adaptive, while still keeping a commitment to the important values outlined here.

To make this document less formal and easier to navigate, we've structured the content as answers to a series of questions. We have also separated out the dense technical and legal language—if you are looking for details about statutory requirements and particulars about processes, you can find them in the appendices. This updated plan includes more context, explaining SCAG's key operations and guiding principles for public participation. We also include (and adapt to) public feedback on our current strategies and methods for public engagement. Two of the significant considerations and influences for this PPP update are the commitments from the Racial Equity Early Action Plan and the influence of the ongoing COVID-19 pandemic on outreach activities.

RACIAL EQUITY EARLY ACTION PLAN

On May 6, 2021, SCAG’s Regional Council adopted the [Racial Equity Early Action Plan \(Early Action Plan\)](#), which will guide and sustain SCAG’s regional leadership in service of equity and social justice over the years to come. The Early Action Plan provides a definition of equity and establishes goals, strategies, and a set of “early actions” to advance racial equity through SCAG’s policies, practices and activities.

To that end, the Public Participation Plan reflects the relevant goals, strategies and early actions of the Early Action Plan.

COVID-19 AND PUBLIC PARTICIPATION

As the pandemic continues, SCAG has adapted and shifted public participation strategies to adhere to public health guidelines and will continue to do so as the pandemic evolves. SCAG has adopted [COVID-19 Operations](#) and continues to support public participation in a manner that is context-sensitive and adheres to COVID-19 protocols.

This plan details SCAG’s goals, strategies and processes for providing the public and stakeholders with opportunities to be involved in the regional planning process. When we discuss “the public,” we are referring to any person who lives, works or plays in the region. When we use the word “stakeholder,” we are describing someone affiliated with an entity that has an official role in the regional transportation planning process. SCAG also benefits from the sustained participation of “interested parties” who may not have an official role or responsibility in the regional transportation planning process but who provide valuable input and feedback on SCAG’s projects and programs. This can include representatives of the private sector such as a chamber of commerce or representatives of an environmental advocacy organization.

SCAG programs with a public input component will refer to this plan in developing individualized engagement plans.

SCAG’s PPP will help ensure that SCAG effectively seeks early and ongoing input from people and organizations throughout the region and effectively addresses the evolving transportation, land-use, and environmental needs of Southern Californians now and for generations to come.

WHAT DOES SCAG HOPE TO ACHIEVE FROM PUBLIC ENGAGEMENT?

WHAT PRINCIPLES GUIDE SCAG’S OUTREACH?

Meaningful public participation is a cornerstone of regional planning and one of SCAG’s key priorities. In all outreach work, the agency holds itself to high standards according to SCAG’s core values of transparency, leading by example and creating positive impacts in the region. Regardless of how communication technologies and specific tools for engagement continue to evolve, SCAG is committed to following these outreach principles:

- Include and engage impacted communities early and often, aligning with the recommendations in the [Racial Equity Early Action Plan](#)
- Administer a transparent and clearly communicated process for public participation
- Ensure that opportunities for public involvement are accessible to all communities
- Provide information that is clear, concise and current, making use of visualization and other techniques to enhance understanding
- Respect and consider all feedback received from members of the public, interested parties and stakeholders

- Adapt new communications strategies and technologies for public outreach
- Provide engagement opportunities that meet and exceed statutory requirements to ensure broad participation in SCAG’s planning activities
- Demonstrate how public input is incorporated in SCAG plans, programs and policies
- Move toward community ownership of projects where public participation moves toward engagement and engagement moves toward community ownership of planning processes, aligning with the Racial Equity Early Action Plan, [International Association for Public Participation \(IAP2\) spectrum](#) and [Community Commons spectrum](#) for public participation and community engagement.

WHAT LAWS GUIDE SCAG’S PUBLIC PARTICIPATION PROCESS?

SCAG, as a public agency and MPO, is subject to federal and state requirements which emphasize providing continuous and equitable opportunities for public involvement. Below is an overview of the major requirements for SCAG’s public outreach; a detailed description of each is available in Appendix A (PAGE 26).

FEDERAL REQUIREMENTS

- **Federal Metropolitan Planning Law and Regulations**, 23 USC 134 et seq. and 23 CFR Part 450 et seq.
- **Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)**, signed into law in 2005 as Public Law 109-59, authorized funds for Federal-aid highways, highway safety programs, transit program and other purposes and established federal metropolitan transportation planning requirements.
- **Americans with Disabilities Act of 1990**, 42 USC 126 and 49 CFR 27.19.
- **Executive Order 12372** — Intergovernmental Review of Federal Programs, signed July 14, 1982, by President Ronald Reagan.
- **Executive Order 12898** — Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Signed February 11, 1994, by President William J. Clinton.
- **Executive Order 13166** — Improving Access to Services for Persons with Limited English Proficiency. Signed August 11, 2000, by President William J. Clinton.
- **Federal Clean Air Act of 1970**, 42 USC 85 and 40 CFR Parts 50-99.
- **Fixing America’s Surface Transportation Act (FAST Act)**, Public Law as passed by Congress and signed by President Barack Obama on December 4, 2015.
- **Moving Ahead for Progress in the 21st Century Act (MAP-21)** signed into law in 2012, requires metropolitan planning organizations to provide opportunities for public involvement.
- **Public Works and Economic Development Act of 1965**, 42 USC 38 and 13 CFR 305.
- **Title VI of the Civil Rights Act of 1964**, prohibits discrimination on the basis of race, color or national origin in carrying out planning and programming activities.

STATE REQUIREMENTS

- **California Public Records Act**, adopted in 1968, requires disclosure of records to the public upon request unless otherwise exempt.
- **Ralph M. Brown Act**, passed in 1953, guarantees the public’s right to attend and participate in meetings of local legislative bodies.
- **Senate Bill 375**, enacted in 2008, requires SCAG to develop a Sustainable Communities Strategy as part of the Regional Transportation Plan.

WHO PARTICIPATES IN SCAG'S PLANNING PROCESS?

SCAG represents the whole six-county region in all its geographic and demographic diversity. SCAG is committed to engaging and utilizing input from a range of constituents and stakeholders.

This commitment includes tailoring communications and information-sharing to a range of different levels of experience with, and understanding of, the principles of metropolitan planning.

PUBLIC

- **General Public** – SCAG plans for all residents of the region with particular consideration to the accessibility needs of underserved groups such as minority and low-income populations, elderly and retired persons, children, Limited English proficiency (LEP) populations, and people with disabilities.

STAKEHOLDERS

- **Community Organizations** – SCAG seeks to engage community groups such as environmental advocates, special interest nonprofit agencies, neighborhood groups, homeowner associations and charitable organizations.
- **Public Agencies** – SCAG solicits input from, and often collaborates closely with, public organizations like local transportation providers, air quality management districts, public health agencies, water districts, county transportation commissions, the region's ports, educational institutions, and agencies at the state and federal level.
- **Business Community** – SCAG actively engages many private-sector entities whose work intersects with transportation and land use planning, including private transportation providers, freight shippers, consulting firms, technology developers and business associations.
- **Elected Officials** – SCAG seeks engagement with elected representatives at all levels, from neighborhood councils to mayoral offices and city councils, to county supervisor boards, to state and federal legislators.
- **Tribal Governments** – SCAG engages in consultation with the region's tribal governments, sustaining effective government-to-government collaboration on transportation planning and ensuring that tribal sovereignty is observed and protected.

(A full list of our stakeholders and interested parties is included in Appendix A)

HOW DO WE ENGAGE THE PUBLIC?

SCAG is committed to providing equitable access to accurate, accessible, pertinent, and timely policy, program and technical information to facilitate effective public participation in the agency's decision-making process.

There are numerous opportunities for continuing involvement in the work of SCAG through the following methods. SCAG aims to increase early, equitable and meaningful participation through targeted outreach strategies in order to meaningfully integrate feedback, aligning with the [Racial Equity Early Action Plan](#).

GENERAL PUBLIC PARTICIPATION APPROACH

Programs that have a public outreach component will use these methods as a guide in developing individual, project-specific public participation plans tailored according to scope and audience. While SCAG has employed remote and virtual engagement tactics for several years, these approaches have been increasingly relied on during the COVID-19 pandemic. SCAG will continue to adjust public participation approaches as needed to accommodate public health or other safety concerns while still affording robust public outreach and accommodation consistent with legal requirements.

PUBLIC MEETINGS AND EVENTS

- Customized presentations offered to existing groups and organizations
- Workshops co-hosted with community groups, business associations and other partners
- Contracts with community-based organizations that serve historically disinvested, underserved, or excluded populations such as low-income, communities of color, people with disabilities, and/or Limited English Proficient populations
- Sponsorship of topical forums or summits with partner agencies or universities, with the media or other community organizations (e.g., Demographic Workshop, Economic Summit)
- Opportunities for public input directly to policy board members
- Outreach at locations, destinations or events where people are already congregating (e.g., transit hubs, farmers markets, community festivals, universities)

PUBLIC MEETINGS AND EVENTS - METHODS

- Open houses and/or Teletownhalls
- Public Hearings
- Listening Sessions
- Themed workshops (to help avoid information overload)
- Question-and-answer sessions with planners and/or policy committee members
- Break-out sessions for smaller group discussions on multiple topics
- Interactive exercises, including digital collaboration and whiteboarding tools
- Customized presentations with designated opportunities for feedback
- Varying time of day (day/evening) and days of week (weekday, weekend) for workshops
- Conduct meetings entirely in community's primary language
- Provide videoconferencing or virtual meeting options
- Demonstration events to showcase project components

VISUALIZATION METHODS

- Maps
- Charts, illustrations, infographics, photographs, photograph simulations
- Artist renderings and drawings
- Table-top interactive displays and models
- Website content and interactive tools and/or games or opportunities for gamification
- PowerPoint slide shows
- Scientific and data-driven visualizations

PUBLIC SURVEY METHODS

- Electronic surveys via web (accessed remotely or at public workshops via tablets or laptops)
- Intercept interviews where people congregate, such as at transit hubs (e.g., Orange County's ARTIC, Los Angeles Union Station, etc.) or farmers markets
- Printed surveys distributed at meetings, transit hubs, on-board transit vehicles, etc.

COMMENTING METHODS

- Polls/surveys (electronic or paper)
- Paper comment cards
- Online comment cards
- Post-it notes or stickers
- Marking up maps or language
- Phone calls or voicemails directly to staff or to a dedicated hotline
- Email sent to SCAG staff or via our online contact form
- Physically mailed letters

METHODS FOR COMMUNICATING AND MEANINGFULLY INTEGRATING PUBLIC AND STAKEHOLDER INPUT

- Summarize key themes of public comments in staff reports to SCAG's standing policy committees, working groups and SCAG's main governing board, the Regional Council
- Newsletters and other emails to participants to report final outcomes
- Updated and interactive web and accessible social content
- Report back publicly and in an accessible manner on actions and steps based on public feedback that SCAG agrees to perform moving forward.

PUBLIC PARTICIPATION OPPORTUNITIES

SCAG regularly holds meetings and events, open to the public, where people are welcome to make comments. A comprehensive calendar of upcoming opportunities for public involvement is available on SCAG's website at scag.ca.gov.

To provide opportunities for people to participate or comment from locations throughout the region, SCAG's main office in Los Angeles and each regional office are equipped with state-of-the-art videoconferencing systems. SCAG provides additional videoconferencing sites in Coachella Valley, Palmdale and South Bay to provide additional opportunities for participation in SCAG meetings and workshops. SCAG also utilizes web and audio conferencing and often connects to videoconferencing locations throughout the state.

During the ongoing COVID-19 pandemic, opportunities to participate in in-person meetings either at SCAG's main office or regional offices have been temporarily suspended. Instead, participants are encouraged to join remotely. Information on how to do so is available on SCAG's website, as part of each meeting agenda.

REGULAR MEETINGS

Most of SCAG's regular meetings are held during weekday working hours, Monday – Friday between 9:00 a.m. and 5:00 p.m. For those unable to participate during those times, opportunities to provide advance public comments to SCAG's Regional Council or Policy Committee Meetings are outlined in those agendas. There is also opportunity to provide real-time remote comment using the web or telephonic comment platform. These meetings are also recorded and available for viewing following the meeting.

SCAG's Regional Council

All of SCAG's plans and programs are led by decision making by its Regional Council, an 86-member governing board of elected officials, including city representatives from throughout the region, at least one representative from each county Board of Supervisors, a Transportation Commission member and a representative of the Southern California Native American Tribal Governments. The region is divided into districts of roughly equal population in order to provide diverse, broad-based representation. The Regional Council meets once a month and meetings are open to the public. Regional Council meetings are typically held on the first Thursday of the month at or around 12:30 p.m. Specific meeting dates and times can be found on SCAG's website, as well as agenda materials which are posted 72 hours in advance for regularly scheduled meetings. Members of the public are welcome to attend and provide input, either by submitting a comment on an individual agenda item or making general comments by submitting a comment card at the start of the meeting.

SCAG's Policy Committees

SCAG's policy-making process is guided by the work of three Policy Committees: Transportation Committee (TC); Community, Economic and Human Development (CEHD) Committee; and Energy and Environment Committee (EEC). Members of the Regional Council are appointed to one of the policy committees for two-year terms. Most of the discussion and debate on the "nuts and bolts" of a policy issue occurs in the committees. Issues to be considered by the Regional Council must come through one or more of the committees. As opposed to Regional Council members, members of policy committees do not have to be elected officials. The policy committee meetings typically occur in the morning on the same day as the Regional Council meetings. Members of the public are welcome to attend and provide input, either by submitting a comment on an individual agenda item or making general comments by submitting a comment card at the start of the meeting. The posted agenda for regular meetings is available at least 72 hours before the meeting.

Technical Advisory Committees and Working Groups

These are focused groups convened to work on specific topic areas and provide input to SCAG staff before items are brought to SCAG's Policy Committees or Regional Council. These meetings fall along a spectrum of more technical to more policy-focused agenda items with some groups covering items from both categories. A few examples of the technical groups include the Modeling Task Force, Transportation Conformity Working Group and the Technical Working Group. SCAG also hosts a series of Regional Planning Working Groups which function as a forum for SCAG staff to engage stakeholders in the development and implementation of the agency's plans and policies. These policy groups focus on areas such as Safe and Active Streets; Equity; Natural and Farm lands Conservation; Housing; and Sustainable and Resilient Communities. The frequency of meetings varies per group, but most meet on at least a quarterly basis.

Special Public Meetings, Conferences and Forums

Public meetings on specific issues are held as needed. If statutorily required, formal public hearings are conducted and publicly noticed. SCAG typically provides notice through posting information on SCAG's website and, if appropriate, through email notices and news releases to local media outlets. Materials to be considered at SCAG public hearings are posted on SCAG's website and are made available to interested persons upon request.

Workshops, Community Forums and Other Events

SCAG conducts workshops, community forums and other events to keep the public informed and involved in various high-profile transportation projects, and plans and to elicit feedback from the public, interested parties and stakeholders. SCAG holds meetings throughout the six-county region to solicit comments on major plans and programs, such as the RTP/SCS. Meetings are located and scheduled to maximize public participation (including evening meetings). For major initiatives and events, SCAG typically provides notice through the public outreach channels noted in the next section. At least once every year, SCAG convenes its General Assembly to bring together the official representatives of SCAG's membership and help set the agency's course for the coming year.

Targeted Communications

SCAG maintains a database of local government officials and staff, other public agency staff, and interested persons. The database allows SCAG to send targeted mailings (largely via email) to ensure the public, partners and stakeholders are kept up to date on specific issues of interest. The public can join SCAG's database by subscribing at scag.ca.gov/subscribe-updates.

Local Jurisdiction Public Comments

While SCAG is committed to conducting robust public outreach and engagement and has outlined that commitment in this Public Participation Plan, many of the land use plans and transportation projects that are incorporated in SCAG's bottom-up approach have gone through their own vigorous public participation process. SCAG's Public Participation Plan is important to allow the public to participate at the regional level.

HOW DO WE REACH OUT TO THE PUBLIC?

PUBLIC OUTREACH CHANNELS

DIGITAL CHANNELS

Website

SCAG maintains its website, scag.ca.gov, to ensure that the public, partners and stakeholders are kept informed about SCAG’s plans and programs and upcoming meetings. SCAG aims to ensure that its website is user-friendly and provides clear information. The website offers the public the opportunity to sign up for further information and updates via email. It also provides SCAG staff contact information.

Email

SCAG Spotlight, the official newsletter of the Regional Council, and SCAG Update, the agency’s regular newsletter offering details on current agency programs and events. (Newsletters are archived online at scag.ca.gov/newsletters.) SCAG also sends target communications about projects and programs on an as-needed basis.

Social media

SCAG maintains an active social media presence on Twitter (@SCAGnews), Facebook (@scagmpo) and LinkedIn (Southern California Association of Governments). These accounts are regularly updated to share agency announcements, upcoming event details and new developments in SCAG’s plans and programs.

TARGETED MAILINGS/FLYERS

- Work with community-based organizations to distribute flyers
- Email to targeted database lists
- Place notices on-board transit vehicles and at transit hubs

LOCAL MEDIA

- Press releases
- Invite reporters to news briefings
- Meet with editorial staff
- Opinion pieces/commentaries
- Explore advertising opportunities in local newspapers
- Localized advertising messaging and strategy
- Visit minority media outlets to encourage use of SCAG press releases
- Place speakers on radio/TV talk shows
- Public Service Announcements on radio and TV
- Written notices published in local newspapers

INTERNET/ELECTRONIC ACCESS TO INFORMATION

- Dynamic websites with updated content
- Videos explaining plans, programs or concepts
- Maintain regular presence on social media outlets
- Podcast interviews
- Live broadcasts and archived recordings of public events
- Electronic duplication of open house/workshop materials
- Interactive website with surveys, commenting areas
- Access to planning data (such as maps, charts, background on travel models, forecasts, census data, research reports)
- Provide information in advance of public meetings

TARGETED NOTIFICATIONS

- Blast emails
- SMS / text messages
- Notices widely disseminated through partnerships with local government and community-based organizations
- Electronic newsletters
- Social media such as Twitter, Facebook and LinkedIn
- Local media
- Notices placed on-board transit vehicles and at transit hubs
- Submit articles for publication in community/professional/corporate newsletters

METHODS FOR INVOLVING TRADITIONALLY UNDERSERVED/UNDERREPRESENTED COMMUNITIES

- Grants to community-based organizations to co-host meetings and remove barriers to participation by offering such assistance as childcare or translation services
- Flyers on transit vehicles and at transit hubs
- Outreach in the community (e.g., at churches, health centers, schools etc.)
- Use of community and minority media outlets to announce participation opportunities

METHODS FOR INVOLVING LIMITED-ENGLISH PROFICIENT POPULATIONS

- Translate select documents into the four largest Limited English Proficiency (LEP) languages – Spanish, Chinese, Korean and Vietnamese, making these documents available for download on the agency's website.
- Provide interpreters-to be available for public meetings and workshops as needed, with 72-hour advance notice
- Partner with community-based organizations who serve these populations
- Survey LEP participants at public hearings to assess the effectiveness of the agency's language services and whether alternate services may need to be employed
- Disseminating notices of availability and press releases to print, radio and broadcast media serving minority communities

WHICH PROGRAMS HAVE ESTABLISHED PUBLIC PARTICIPATION PROCEDURES?

REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

The Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) represents the vision for Southern California's future, including policies, strategies, and projects for advancing the region's mobility, economy and sustainability. The RTP/SCS details how the region will address its transportation and land use challenges and opportunities in order to meet its air quality emissions caps and greenhouse gas reduction targets. An update of an existing RTP/SCS is required every four years, and SCAG is currently undertaking the development of the 2024 RTP/SCS to provide Southern California with a comprehensive vision for its transportation future to the year 2050.

Developing the long-range plan for the SCAG region takes between two and three years to complete and involves working with six county transportation commissions, 191 cities, and numerous other stakeholder organizations and the public. The 2024 RTP/SCS involves goal setting, target setting, growth forecasting, financial projections and a significant data-driven approach to exploring the issues and potential solutions in the region.

Throughout the 2024 RTP/SCS development, SCAG’s Regional Council; Community, Economic and Human Development Committee; Energy and Environment Committee; and Transportation Committee will consider the challenges and opportunities facing our region and how to best address them, while considering public input.

The process will need to be flexible and subject to change, as needed, to reflect and respond to the input received as SCAG moves through the steps of updating the plan. SCAG will update its details regularly to help direct interested SCAG residents and organizations to participate in key actions or decisions being taken. Details will be on the plan website at scag.ca.gov/connect-socal.

(For additional information on the RTP/SCS public participation procedures, see Appendix B.)

PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE RTP/SCS

Pursuant to the California Environmental Quality Act (CEQA), SCAG is obligated to prepare an environmental document that consists of a prepare a Program Environmental Impact Report (PEIR) to evaluate the potential environmental impacts associated with the implementation of the 2024 RTP/SCS. The PEIR will focus on a region-wide assessment of existing conditions and potential impacts as a result of the 2024 RTP/SCS, as well as broad policy alternatives and program-wide mitigation measures.

The PEIR will serve as an informational document to inform decision-makers and the public of the potential environmental consequences of approving the proposed plan by analyzing the projects and programs on a broad regional scale, not at a site-specific level of analysis. Site-specific analysis will occur as each project is defined and goes through individual project-level environmental review.

SCAG will hold various scoping meetings, workshops and public hearings throughout the PEIR development process to solicit input from SCAG stakeholders and the public. SCAG will ensure the PEIR is accessible to the public for review and comment following CEQA Guideline requirements for noticing and document availability.

(For additional information on the PEIR public participation procedures, see Appendix B.)

ENVIRONMENTAL JUSTICE PROGRAM

Pursuant to regulatory compliance, SCAG is required to ensure environmental justice principles are an integral part of the transportation and land use planning process, including the RTP/SCS. SCAG’s environmental justice program has two main elements: technical analysis and public outreach and policy coordination. The two main elements of the program contribute to the development of the Connect SoCal Environmental Justice (EJ) Technical Report, which conducts technical analysis of EJ issue areas in the region and discusses outreach strategies, and SCAG’s role as a resource for local jurisdictions that are required to develop an EJ Element or incorporate EJ policies, goals, and objectives into their General Plans per Senate Bill 1000 requirements.

The overall environmental justice outreach process encourages SCAG stakeholders and the public, with many opportunities to be involved, to discuss and address environmental justice issues and shape SCAG’s environmental justice program.

(For additional information on the Environmental Justice public participation procedures, see Appendix B.)

REGIONAL HOUSING NEEDS ASSESSMENT

SCAG is required to make updates to the eight-year Regional Housing Needs Assessment (RHNA). The RHNA quantifies the need for housing within each jurisdiction. Communities use the RHNA in land use planning, prioritizing local resource allocation, and in deciding how to address identified existing and future housing needs resulting from population, employment and household growth.

Both the RTP/SCS and RHNA use the local input process as the basis for future demographic projections, including household growth. The 6th cycle RHNA allocation, which covers the planning period October 2021 through October 2029, was adopted in March 2021. The department of Housing and Community Development approves SCAG's RHNA allocations to the cities. Cities and counties are required to update their Housing Elements to demonstrate how they will meet their RHNA allocation through development and/or rezoning strategies.

As part of its public outreach for the RHNA process, SCAG held public meetings, workshops and public hearings at different points in the RHNA process to receive verbal and written input. More than 500 verbal and written comments were submitted during the 6th RHNA cycle, which were all reviewed by SCAG staff and shared with the decision-making bodies, as appropriate. All submitted written comments were posted on the RHNA webpage and recordings of all RHNA Subcommittee meetings and RHNA public hearings were accessible through SCAG's website. SCAG staff also coordinated with subregional councils of governments (COGs) and other groups to update local jurisdictions and other stakeholders on the RHNA process and allocation. While the 6th RHNA cycle process has concluded, SCAG will continue to engage stakeholders in housing element assistance and accelerating housing production in the region. Announcements of public workshops, meetings and milestones are announced through the housing email list. To submit a written comment or question, or to be added to the housing mailing list, send an email to housing@scag.ca.gov. Additional resources on RHNA and housing can be found at scag.ca.gov/housing.

FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM

SCAG's Federal Transportation Improvement Program (FTIP) is the short-term, capital listing of all transportation projects proposed over a six-year period. The listing identifies specific funding sources and funding amounts for each project. The proposed transportation projects are funded through a variety of federal, state and local sources. Projects consist of improvements such as highway improvements, transit, high occupancy vehicle lanes, signal synchronization, intersection improvements, bikeways, and freeway ramps to name a few. The FTIP must include all transportation projects that are federally funded and/or regionally significant regardless of funding source or whether subject to any federal action.

Projects in the FTIP are submitted to SCAG by the six county transportation commissions. SCAG analyzes the projects to ensure that they are consistent with state and federal requirements. Federal law requires the FTIP to be consistent with the RTP.

SCAG works with transit operators and county transportation commissions on developing the FTIP. The public participation process and coordination is a tiered process within the SCAG region, beginning at the county level with each transportation commission developing their own transportation improvement program (TIP). There are several opportunities for the public to review and comment on projects and programs during the development of each county TIP and approval of the SCAG FTIP. Additional information about the FTIP can be found at scag.ca.gov/ftip.

(For additional information on the FTIP public participation procedures, see Appendix B.)

OVERALL WORK PROGRAM

Funding for SCAG's metropolitan planning activities is documented in an annual Overall Work Program, or OWP, pursuant to federal requirements. The OWP is developed each fiscal year and details the agency's planning and budgetary priorities for the following fiscal year. SCAG's federal and state funding partners (Federal Highway Administration, Federal Transit Authority and Caltrans) must approve SCAG's OWP each year before it takes effect.

(For additional information on the OWP public participation procedures, see Appendix B.)

WHY DOES SCAG EVALUATE PUBLIC PARTICIPATION ACTIVITIES?

SCAG regularly monitors its communication and outreach activities to ensure that public and stakeholder concerns and input are directly addressed in its policies and programs, as well as to find areas for improvement. Additionally, these measurements are used to ensure public outreach outcomes are in compliance with state and federal requirements.

In developing this updated Public Participation Plan, SCAG staff sought feedback from stakeholders, interested parties and the public on our current outreach and engagement practices. In a survey distributed digitally in August and September 2021, we asked respondents to let us know which of our public participation activities are most effective and how we can improve our efforts.

Major survey results include:

- The overall top three resources used according to the survey were:
 - ▶ Factsheets
 - ▶ Meetings or In-person Presentations
 - ▶ Reports/White Papers
- Business Entities reported the least satisfaction with SCAG's responsiveness (22% somewhat/very unsatisfied) and SCAG's overall outreach (32% somewhat/very unsatisfied)
- Local Jurisdictions, Non-Profits and Businesses Entities stated that they encountered the most barriers to participating in SCAG's programs or meetings
 - ▶ Including common responses such as:
 - Time/Day, difficult to schedule around workdays
 - Not always virtual, difficult to access
 - Too short notice
- Local Jurisdictions represented 33.7% of responses
- Local Jurisdictions ranked Frequently Asked Questions in their top three resources
- The general public responded that GIS Maps/StoryMaps and Reports/White Papers tied in their top three resources
- The general public also uses social media and email communication channels the most
- Overall, the general public's responses in the survey:
 - ▶ 64% prefer daytime meetings
 - ▶ 48.5% feel they don't have adequate access to comment on SCAG's plans
 - ▶ 67% are very/somewhat satisfied with SCAG's responsiveness
 - ▶ 58% are very/somewhat satisfied with SCAG's overall outreach

SCAG will continue to periodically survey the public and stakeholders to assess the effectiveness of the procedures and strategies contained in the Public Participation Plan to ensure a full and open participation process.

WHAT DOES SCAG MEASURE?

SCAG measures the outcomes of a diverse array of public participation activities with context-sensitive evaluation methods that tailor goals to each project.

Benchmarks used to gauge success in public outreach include but are not limited to:

- Number of meetings or events held
- Number of meeting/event attendees
- Amount spent on outreach elements
- Media coverage
- Type and quantity of materials presented
- Email distribution numbers, including open and click-through rates
- Digital metrics including web traffic and social media engagement
- Impressions (estimates of digital and print exposure)
- Geographic diversity of outreach and input/feedback

The following chart shows the measurements activities that correspond with previously stated public participation goals.

GOAL	EXAMPLE METRICS
Ensure that a wide range of perspectives are heard so that planning outcomes reflect the interests and values of the region’s diverse communities. To that end, SCAG will engage and consider the needs of traditionally underrepresented and/or underserved populations, such as low-income, communities of color, people with disabilities and Limited English Proficiency populations.	Number of meetings held in traditionally underrepresented communities; availability of translation services and materials; availability of accommodations for seeing and hearing impaired; location accessibility.
Provide opportunities for the public and stakeholders across the region to engage in meaningful dialogue during the decision-making process and clearly define the purpose of each type of outreach at each stage and how feedback will be used to shape the plan and/or program.	Number of meetings held in each county; how outreach methods are tailored to meet the needs of specific projects and/or communities; type and quality of materials presented; recurring surveys and opportunities for public evaluation of SCAG’s outreach efforts.
Motivate more feedback from stakeholders, partners and the public by making commenting on plans and programs convenient and accessible.	Number and scope of media advertisements for public comment opportunities; response rate to email blasts and other digital communication methods; SCAG website hits; and number of comments collected at meetings, online and through the mail.
Evaluate and incorporate public and stakeholder viewpoints and preferences into final decisions where appropriate and possible, communicate the decisions made and how the received input affected those decisions.	Documentation of how public and stakeholder comments were addressed in final decisions, policies and plans; communication with commenting stakeholders informing them of how their input was addressed.
Encourage stakeholders and members of the public to remain engaged through the decision-making process, the implementation phase and beyond.	Recurring surveys and opportunities for public comment on public participation plans and publish yearly public outreach report measuring success and ways of improvement for the next year.

HOW DOES SCAG DEFINE SUCCESS?

SCAG uses qualitative and quantitative methods to evaluate the success of its public participation strategies. Depending on the scope and location of the project or activity, SCAG measures feedback through:

- Setting clear, measurable outcomes
- Establishing benchmarks to gauge success (i.e., 75% of respondents rated a workshop at four or higher on a six-point scale)
- Reviewing past processes, activities and evaluations to see what actions the agency took as a result, noting lessons learned
- Identifying and simplifying public involvement techniques that produce more cost-effective decisions
- Evaluating public participation plans with surveys and opportunity for public comment
- Highlight yearly public outreach successes and areas for improvement in annual accomplishments report
- Measuring impact of digital outreach strategies by documenting number of hits on website, social media (Twitter, Facebook and LinkedIn), and number of followers, shares retweets, tweets, direct tweets, mentions etc.
- Measuring requests to join and overall growth of distribution lists
- Counting number of attendees, comments received and press mentions for project specific open houses, meetings, and workshops
- Counting number of registrations compared to actual attendance at events
- Counting registrations and logins for webinars
- Documenting the distribution, press mentions, number of calls and comments for physical outreach materials such as direct mailings and flyers
- Documenting press mentions, number of calls and comments related to press releases
- Tracking how often SCAG is mentioned in media such as news articles, blog posts, TV news etc. Other aspects to document are circulation/popularity of news outlet; whether reference is positive or negative; content and number of comments on article/blogpost; number of times article/blog post has been shared; and what projects/programs are being mentioned
- Scientific polling to obtain metrics regarding the effectiveness of its outreach
- Reporting to agency leadership on level of success with respect to public participation using these methods

WHAT SHOULD YOU DO NOW?

FIND INFORMATION

WEB AND VIDEO – SCAG’s website, scag.ca.gov, serves as the comprehensive resource for SCAG’s programs and policy initiatives, agendas for Regional Council and Policy Committee meetings, fact sheets and calendar of SCAG events. Live and archived video of Regional Council meetings and other SCAG-related video productions are available in the [SCAG-TV](#) section.

DATA LIBRARY – SCAG has a wide range of data and web tools to help access regional planning data, statistics and research information. We also have an extensive [GIS library](#), which provides free access to a diverse collection of geographic and spatial data. SCAG’s data have been used by interested parties for a variety of purposes including data and communication resources for elected officials; businesses and residents; community planning and outreach; economic development; visioning initiatives; and grant application support.

GROUP PRESENTATIONS – SCAG’s planning staff are available to conduct presentations to community and stakeholder groups. Presentations can be tailored to address a specific topic, area of concern, or provide a general overview of how SCAG works on many different issues. Request a SCAG presentation to your organization or community through our online contact form at scag.ca.gov/contact-us.

STAY CONNECTED

NEWSLETTERS – SCAG Spotlight is the official newsletter of the Regional Council. It includes information on recent Regional Council actions, an update from SCAG’s Executive Director and news on upcoming events. SCAG Update is the agency’s regular newsletter, which offers updates on agency programs and events. To view or subscribe to SCAG’s newsletters, visit scag.ca.gov.

SOCIAL MEDIA – SCAG is active on several social networking sites to help expand awareness of SCAG and broaden interest in its regional planning work. Engage with SCAG and stay current with news and events by following the agency on Twitter (@SCAGnews), Facebook (@scagmpo) and LinkedIn (Southern California Association of Governments).

MULTILINGUAL ACCESS – SCAG seeks to ensure that diverse populations are involved in the regional planning process. With a minimum advance notice of 72 hours, SCAG makes available translation assistance at its workshop and public meetings. SCAG translates key outreach materials into several languages and makes them available on the SCAG website, scag.ca.gov.

SHARE INPUT

SCAG welcomes the public to address the Regional Council and Policy Committees at every monthly meeting. Meetings for special subcommittees also include time for public comments. Visit the Public Participation Form on the SCAG website at scag.ca.gov/contact-us to weigh in on important issues in Southern California. Due to the COVID-19 pandemic, at the time of the release of the draft Public Participation Plan these locations for SCAG’s offices had emergency closures in place following local health regulations, as documented here, opportunities to connect with staff were made available in response to the pandemic. Locations for SCAG’s main office and regional offices are listed below:

- **Main Office:** 900 Wilshire Blvd., Suite 1700, Los Angeles, CA 90017
- **Imperial County Office:** 1503 N. Imperial Avenue, Suite 104, El Centro, CA 92243
- **Orange County Office:** 600 South Main Street, Suite 741, Orange, CA 92868
- **Riverside County Office:** 3403 10th Street, Suite 805, Riverside, CA 92501
- **San Bernardino County Office:** 1170 West 3rd Street, Suite 140, San Bernardino, CA 92410
- **Ventura County Office:** 4001 Mission Oaks Blvd., Suite L, Camarillo, CA 93012

If you have general comments or questions, please feel free to email us at contactus@scag.ca.gov.

Regional Affairs Staff and Offices

To address the challenges of coordinating participation activities and events across 38,000 square miles of the region, SCAG established regional offices in the counties of Imperial, Orange, Riverside, San Bernardino and Ventura. Each office is staffed by a Regional Affairs Officer who coordinates SCAG activities for each county.

LEGAL PUBLIC PARTICIPATION REQUIREMENTS

FEDERAL PLANNING REQUIREMENTS

As the MPO designated for the six-county metropolitan planning area (MPA), SCAG is responsible under federal and state transportation planning law, to develop a metropolitan transportation plan, referred to by SCAG as the Regional Transportation Plan (RTP) and a transportation improvement program (TIP), referred to as the Federal Transportation Improvement Program (TIP).

The 2005 “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” (SAFETEA-LU) set forth public participation requirements for MPOs in developing these transportation plans. Specifically, SAFETEA-LU required MPOs to develop, in collaboration with interested parties, a Public Participation Plan that would provide reasonable opportunities for all parties to participate and comment on regional transportation plans. The transportation reauthorization bill “Moving Ahead for Progress in the 21st Century” (MAP-21) continues an emphasis on providing early and continuous opportunities for public involvement.

In carrying out its planning work, SCAG must comply with federal metropolitan planning law and regulations (23 U.S.C. Section 134 et seq. and 23 CFR Part 450 et seq.) and state transportation planning law (Cal Gov. Code Section 65080 et seq.) which incorporates the requirements of California Senate Bill 375 (Steinberg 2008). SCAG is further committed to developing and updating its regional transportation plans in accordance with the following requirements, including but not limited to: CEQA and Guidelines; Federal Clean Air; American with Disabilities Act of 1990 (ADA); Title VI of the Civil Rights Act; Executive Order 12898 regarding Environmental Justice; Executive Order 13166 regarding Improving Access to Services for Persons with Limited English Proficiency; Executive Order 13175 regarding Consultation and Coordination with Indian Tribes.

SCAG’s Public Participation Plan procedures will follow and must comply with the following federal planning regulations set forth under 23 C.F.R. Section 450.316:

1. The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:
 - a. (1) The MPO shall develop the participation plan in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

- i. Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;
 - ii. Providing timely notice and reasonable access to information about transportation issues and processes;
 - iii. Employing visualization techniques to describe metropolitan transportation plans and TIPs;
 - iv. Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;
 - v. Holding any public meetings at convenient and accessible locations and times;
 - vi. Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;
 - vii. Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
 - viii. Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;
 - ix. Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and
 - x. Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.
- b. When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations (40 CFR part 93, subpart A), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.
 - c. A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.

CONSULTATION REQUIREMENTS & ACTIVITIES

SCAG must consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the RTP. The consultation shall involve, as appropriate:

1. Comparison of transportation plans with State conservation plans or maps, if available; or
2. Comparison of transportation plans to inventories of natural or historic resources, if available.

SCAG's consultation requirements under federal planning regulations are set forth under 23 C.F.R. Section 450.316(b)-(e) as follows:

- (b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process

(to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop the metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

- (1) Recipients of assistance under title 49 U.S.C. Chapter 53;
 - (2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and
 - (3) Recipients of assistance under 23 U.S.C. 201-204.
- (c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.
- (d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.
- (e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under § 450.314.

Consultation activities are accomplished primarily through our policy committees, other committees, subcommittees, task forces, and working groups. Policy committees are primarily made up of local elected officials. There are several issue-specific as well as mode-specific committees, subcommittees, task forces and working groups that are on-going as well as some that are created for a specific purpose and specific timeframe. All of these groups provide input to SCAG who thereafter forwards their recommendations to the policy committees. Examples include the Aviation Technical Advisory Committee, Transit Technical Advisory Committee, Modeling Task Force, and Transportation Conformity Working Group (TCWG).

SCAG conducts meetings with all 191-member city managers and provides individual city council briefings when requested. Also, SCAG conducts several workshops prior to releasing the Draft RTP/SCS involving stakeholders to ensure that their input on major issues is addressed in the plan. In addition, SCAG meets with State and local agencies responsible for land use management, natural resources, environmental protection, and others.

SCAG also utilizes the subregional council of governments (COG) structure to distribute information and solicit input on the content as well as the planning and programming process from local stakeholders.

SCAG mails out a notice of the Draft RTP and FTIP availability to the stakeholders at the local, state and federal level to solicit their comment and input to the final RTP and FTIP. Comments as well as responses are fully documented and reflected in the final RTP.

SCAG engages Tribal Governments in the RTP and FTIP processes through Tribal Government representation on SCAG's governing board and policy committees. SCAG also conducts a separate Tribal Government Consultation process. Please see the Tribal Government and Federal Land Management Agency Consultation Process for more information.

TITLE VI AND ENVIRONMENTAL JUSTICE

Consideration of Environmental Justice in the transportation planning process stems from Title VI of the Civil Rights Act of 1964 (Title VI). Title VI establishes the need for transportation agencies to disclose to the public the benefits and burdens of proposed projects on minority populations. Title VI states that "No person in the

United States shall, on the ground of race, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Additionally, Title VI not only bars intentional discrimination, but also unjustified disparate impact discrimination. Disparate impacts result from policies and practices that are neutral on their face (i.e., there is no evidence of intentional discrimination), but have the effect of discrimination on protected groups. The understanding of civil rights has expanded to include low-income communities, as further described below.

In the 1990s, the federal executive branch issued orders on Environmental Justice that amplified Title VI, in part by providing protections on the basis of income as well as race. These directives, which included President Clinton's Executive Order 12898 (1994) and subsequent U.S. Department of Transportation (DOT) and Federal Highway Administration (FHWA) orders (1997 and 1998, respectively), along with a 1999 DOT guidance memorandum, ordered every federal agency to make Environmental Justice part of its mission by identifying and addressing the effects of all programs, policies and activities on underrepresented groups and low-income populations. Reinforcing Title VI, these measures ensure that every federally funded project nationwide considers the human environment when undertaking the planning and decision-making process.

On August 4, 2011, seventeen federal agencies signed the "Memorandum of Understanding on Environmental Justice and Executive Order 12898." The signatories, including the U.S. Department of Transportation (DOT), agreed to develop Environmental Justice strategies to protect the health of people living in communities overburdened by pollution and to provide the public with annual progress reports on their efforts. The MOU advances agency responsibilities outlined in the 1994 Executive Order 12898 and directs each of the Federal agencies to make Environmental Justice part of its mission and to work with other agencies on Environmental Justice issues as members of the Interagency Working Group on Environmental Justice.

In response to this MOU, DOT revised its Environmental Justice Strategy. The revisions reinforce the DOT's programs and policies related to Environmental Justice and strengthen its efforts to outreach to minority and low-income populations. In addition, in July 2012 the Federal Transit Authority (FTA) issued two Circulars on Title VI and Environmental Justice to clarify the requirements and offer guidance. FTA Circular 4702.1A, Title VI Requirements and Guidelines for Federal Transit Administration Recipients provides information required in the Title VI Program, changes the reporting requirement from every four years to every three years, and adds a requirement for mapping and charts to analyze the impacts of the distribution of State and Federal public transportation funds. The FTA Circular 4703.1, Environmental Justice Policy Guidance for Federal Transit Administration Recipients (Docket number FTA-2011-0055) provides recommendations to MPOs (and other recipients of FTA funds) on how to fully engage Environmental Justice populations in the public transportation decision-making process; how to determine whether Environmental Justice populations would be subjected to disproportionately high and adverse human health or environmental effects as a result of a transportation plan, project, or activity; and how to avoid, minimize, or mitigate these effects. The Circular does not contain any new requirements, policies or directives. Nonetheless, SCAG complies with the framework provided to integrate the principles of Environmental Justice into its decision-making processes.

Under federal policy, all federally funded agencies must make Environmental Justice part of their mission and adhere to three fundamental Title VI/Environmental Justice principles:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

In addition to Federal requirements, SCAG must comply with California Government Code Section 11135, which states in relevant part that, “no person in the State of California shall, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, or disability, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency that is funded directly by the state, or receives any financial assistance from the state.”

The State of California also provides guidance for those involved in transportation decision-making to address Environmental Justice. In 2003, the California Department of Transportation (Caltrans) published the Desk Guide on Environmental Justice in Transportation Planning and Investments to provide information and examples of ways to promote Environmental Justice. The Desk Guide identified requirements for public agencies, guidance on impact analyses, recommendations for public involvement, and mitigation.

Finally, SCAG has in place a Title VI Program which was approved by FTA on February 22, 2012. The Title VI Program includes a process for investigating Title VI complaints as well as a copy of the agency’s Limited English Proficiency (LEP) Outreach Plan. The key elements of the LEP Plan include: (1) Spanish speaking translators available upon request for meeting and workshops; (2) selected RTP materials available in English, Spanish, Chinese and Korean languages; and (3) utilization of a specialty outreach consultant to engage with the LEP and minority communities. SCAG will continue these efforts for future RTP/SCS cycles. SCAG also updated the Title VI Program and LEP Plan in October 2018 as requested by the State Department of Transportation. More information about the agency’s Title VI Program and LEP Plan is available on the SCAG website at scag.ca.gov/title-vi-civil-rights-act-1964.

STATE PLANNING REQUIREMENTS

California requires that each metropolitan planning organization adopt a public participation plan, for development of the sustainable communities strategy (SCS) and an alternative planning strategy (APS) (if one is developed), that includes all of the following:

1. Outreach efforts to encourage the active participation of a broad range of stakeholder groups in the planning process, consistent with SCAG’s adopted Public Participation Plan.
2. Consultation with congestion management agencies, transportation agencies, and transportation commissions.
3. Workshops throughout the region (a minimum of three public workshops in each county with a population of 500,000 or more) to provide the public with the information and tools necessary to provide a clear understanding of the issues and policy choices.
4. Preparation and circulation of a draft SCS and APS, if one is prepared, not less than 55 days before adoption of a final RTP.
5. At least three public hearings on the draft SCS in the RTP and APS, if one is prepared, held in different parts of the region, if feasible.
6. A process for enabling members of the public to provide a single request to receive notices, information and updates.

Further, Senate Bill 375 requires that SCAG conduct at least two informational meetings in each county within the region for members of the board of supervisors and city councils on the SCS and APS, if any. The purpose of the meeting shall be to present a draft of the SCS to the members of the board of supervisors and city council members in that county and to solicit and consider their input and recommendations.

Interested Parties

SCAG intends to encourage involvement of a broad range of people and organizations in the RTP/SCS planning process by reaching out to a wide variety of potential participants.

Per state law, SCAG has included an expanded list of stakeholder groups, or “interested parties.”

The following list is an example of target audiences SCAG aims to reach in the region:

- affordable housing advocates
- broad-based business organizations
- city managers
- community development representatives
- commercial property interests
- community-based organizations
- educational community and institutions
- elderly and retired persons
- elected officials
- environmental advocates
- freight shippers
- general public
- governmental agencies and non-profit organizations that receive Federal assistance from a source other than the Department of Transportation (DOT) to provide non-emergency transportation services and recipients of assistance under section 204 of Title 23 U.S.C.
- health and wellness representatives
- home builder representatives
- homeowner associations
- landowners
- limited English proficiency populations
- minority and low-income populations
- neighborhood and community groups
- neighborhood councils
- organizations serving rural area residents
- planners
- private providers of transportation
- private sector
- providers of freight transportation services
- public agencies
- public health and wellness representatives
- public sector
- representatives of the disabled
- transportation agency employees
- representatives of users of pedestrian walkways and bicycle transportation facilities
- representatives of users of public transit

- special interest non-profit agencies
- subregional organizations
- transit operators
- transportation advocates
- Tribal Governments
- women’s organizations

REGIONAL COORDINATION AND INTERAGENCY CONSULTATION

SCAG’s three Policy Committees (Transportation Committee, Energy & Environment Committee and Community, Economic & Human Development Committee) include members appointed to represent the 15 subregional organizations in the SCAG region. The committees now also include the newly adopted Communities of Concern appointments made by the County Representatives and appointed by the Regional Council President. Further, the numerous subcommittees, technical advisory committees, working groups, and the AB 1246 process facilitate SCAG’s ability to provide a framework for bottom-up planning and more frequent and ongoing participation by interested parties at all stages of the process.

As set forth in the Public Utilities Code Section 130000 et-seq. (otherwise known as the “AB 1246 Process”), the multi-county designated transportation planning agency shall convene at least two meetings annually of representatives from each of the six transportation commissions, the agency, and the Department of Transportation for the purposes below. The region-wide Transportation Agencies CEOs Group is currently fulfilling the function of the AB 1246 process.

1. To review and discuss the near-term transportation improvement programs prior to adoption by the county transportation commissions.
2. To review and discuss the Regional Transportation Plan prior to adoption by SCAG pursuant to Chapter 2.5 (commencing with Section 65080) of Title 7 of the Government Code.
3. To consider progress in the development of a region-wide and unified public transit system.
4. To review and discuss any other matter of mutual concern.

SCAG has a memorandum of understanding (MOU) with the South Coast Air Quality Management District (SCAQMD) on transportation and air quality conformity consultation procedures for the South Coast Air Basin and for the Riverside County portions of the Salton Sea Air Basin and the Mojave Desert Air Basin. Parties to the MOU include SCAQMD, Los Angeles County Metropolitan Transportation Authority, Orange County Transportation Authority, Riverside County Transportation Commission, San Bernardino County Transportation Authority, California Department of Transportation (Caltrans) Districts 7/8/11/12, California Air Resource Board (ARB), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).

Likewise, SCAG has an MOU for transportation and air quality conformity consultation procedures with the Ventura County Air Pollution Control District (VCAPCD) for the Ventura County portion of the South-Central Coast Air Basin (SCCAB). Parties to the MOU include VCAPCD, Ventura County Transportation Commission, Caltrans District 7, ARB, FHWA and FTA.

To support interagency coordination and fulfill the interagency consultation requirements of the Federal Transportation Conformity Rule, SCAG hosts and participates in the Transportation Conformity Working Group (TCWG). The group meets on a monthly basis to address and resolve regional issues pertaining to transportation conformity for the RTP and FTIP; RTP and FTIP amendments; and the region's air quality management plans. TCWG also is the forum for interagency consultation on project-level PM hot-spot analysis. SCAG serves as the regional PM hot spot analysis clearinghouse and maintains records on all projects on the TCWG website.

The TCWG consists of staff representatives from federal, state, regional and sub-regional transportation and air agencies including the United States Environmental Protection Agency, Federal Highway Administration, Federal Transit Administration, California Air Resources Board, California Department of Transportation, Air Quality Management Districts, County Transportation Commissions, Transit operators, and SCAG. Other public agencies (including sub-regional agencies), as well as environmental and business groups and the general public, may also attend, make comments at, and otherwise participate in TCWG meetings.

PROGRAMS WITH ESTABLISHED PUBLIC PARTICIPATION PROCEDURES

REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

The Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) represents the vision for Southern California’s future, including policies, strategies, and projects for advancing the region’s mobility, economy, and sustainability. The RTP/SCS details how the region will address its transportation and land use challenges and opportunities in order to meet its air quality emissions caps and greenhouse gas reduction targets. SCAG updates the RTP/SCS every four years, as required by law, and SCAG is currently undertaking the development of the 2024 RTP/SCS to provide Southern California with a comprehensive vision for its transportation future to the year 2050.

California Senate Bill 375 (Steinberg, Chapter 728, 2008 Statutes) requires SCAG and other MPOs to engage the region in the development process of the SCS or an Alternative Planning Strategy (APS) through outreach efforts and a series of workshops and public hearings. For the SCAG region, these workshops and public hearings include workshops for local elected officials and workshops in each county in the region (at least 16 public workshops.) SCAG will also conduct public hearings on the Draft RTP/SCS in distinct parts of the region.

SCAG prepares several technical companion documents for RTP/SCS updates. These include a Program Environmental Impact Report on the RTP/SCS per CEQA guidelines, and transportation air quality conformity analyses (to ensure clean air mandates are met) per federal Clean Air Act requirements. Certain revisions to the RTP/SCS may warrant a revision or update to these technical documents.

SCAG also prepares an equity analysis of RTP/SCS updates to determine whether minority and low-income communities in the region share equitably in the benefits of the regional transportation plan without bearing a disproportionate share of the burdens. As an assessment of the region’s long-range transportation investment strategy, this analysis is conducted at a regional, program-level scale. This assessment of the long-range plan is intended to satisfy federal requirements under Title VI of the Civil Rights Act and federal policies and guidance on environmental justice. For each update of the RTP/SCS, SCAG prepares a public participation plan that provides more information on how the equity analysis will be conducted throughout that update of the RTP/SCS. For additional information on the Environmental Justice public participation procedures, see Appendix B.)

UPDATING AND REVISING THE RTP/SCS

A complete update of an existing RTP/SCS is required at least once every four years. The RTP/SCS also may be revised in between major updates under certain circumstances, as described below.

RTP/SCS Update

This is a complete update of the most current RTP/SCS, which is prepared pursuant

to state and federal requirements. RTP/SCS updates include extensive public consultation and participation involving hundreds of SCAG residents, public agency officials, and stakeholder groups over many months. SCAG's Regional Council and policy committees and other members of the public play key roles in providing feedback on the policy and investment strategies identified in the plan. Local and Tribal governments, transit operators and other federal, state and regional agencies also actively participate in the development of an RTP/SCS update via existing working groups and ad hoc forums.

RTP/SCS Amendment

An amendment is a major revision to the RTP/SCS, including adding or deleting a project, major changes in project costs, completion year dates, and/or design concept and scope (e.g., changing project locations or the number of through traffic lanes). An amendment requires public review and comment and is ultimately presented to SCAG's Regional Council for final approval. An amendment must demonstrate financial constraint and a finding that the change is consistent with federal transportation conformity mandates.

RTP/SCS Administrative Modification

This is a minor revision to the RTP/SCS for minor changes to project/project phase costs, funding sources, and/or initiation dates. An administrative modification does not require public review and comment, demonstration that the project can be completed based on expected funding, or a finding that the change is consistent with federal transportation conformity requirements. As with an RTP/SCS amendment, changes to projects that are included in the RTP/SCS's financially unconstrained strategic plan may be changed without going through this process.

2024 RTP/SCS Update Process and Schedule

Developing the long-range plan for the SCAG region takes between two and three years to complete and involves working with six county transportation commissions, 191 cities, six counties, and countless other stakeholder organizations and the public. The 2024 RTP/SCS involves goal setting, target setting, growth forecasting, financial projections, and significant issues exploration. Considered at a high level, the 2024 RTP/SCS update will be completed in four phases: 1) Foundations and Frameworks; 2) Data Collection and Policy Development; 3) Outreach and Analysis; 4) Draft Plan and Adoption. Throughout the process, SCAG staff will engage the public and local, regional, and state partners to develop the 2024 RTP/SCS to meet current and future transportation needs over the next 25 years. Development of the 2024 RTP/SCS will be guided by an existing federal, state, and regional policy framework consisting of FAST Act/MAP-21, the California Transportation Plan and other relevant statewide plans, and the existing 2020 RTP/SCS.

Throughout the 2024 RTP/SCS development, SCAG's Regional Council; Community, Economic, and Human Development Committee; Energy and Environment Committee; and Transportation Committee will consider the challenges and opportunities facing the region and how to best address them, while considering public input.

The process will need to be flexible and is subject to change, as needed, to reflect and respond to the input received as SCAG moves through the steps of updating the plan. To help direct interested SCAG residents and organizations to participate in key actions or decisions being taken, any changes, as well as additional detail, will be posted on the scag.ca.gov/connect-socal.

CONGESTION MANAGEMENT PROCESS

SCAG is required by federal regulations to prepare a congestion management process (CMP) for the SCAG region that includes strategies for managing travel demand, traffic operational improvements, public transportation improvement and others. SCAG adopts a CMP approximately every two years, with the results

of this technical evaluation used to inform SCAG decisions on program and investment priorities, including the RTP/SCS.

PROGRAM ENVIRONMENTAL IMPACT REPORT

SCAG will prepare a Program Environmental Impact Report (PEIR) beginning in the fall of 2022 through April 2024. The PEIR will evaluate the potential environmental impacts associated with the implementation of the 2024 RTP/SCS.

The 2024 PEIR will focus on a region-wide assessment of existing conditions and potential impacts as well as broad policy alternatives and program-wide mitigation measures. Given its programmatic nature, potential or probable environmental effects of individual projects included in the 2024 RTP/SCS Project List will not be specifically analyzed in the PEIR. The PEIR will serve as a first-tier document for later CEQA review of individual projects included in the program. For large scale planning approvals (such as the RTP/SCS), where project-level environmental analyses will subsequently be prepared for specific projects broadly identified within a PEIR, the site-specific analysis can be deferred until the project-level environmental document is prepared, provided deferral does not prevent adequate identification of significant effects of the planning approval at hand.

SCAG, as the lead agency of the 2024 RTP/SCS, is required to file all CEQA notices related to the PEIR (i.e., Notice of Preparation [NOP], Notice of Availability [NOA], Notice of Determination [NOD]) to the Office of Planning and Research and with each county clerk in the project boundaries (which includes Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties) for public review for 30-60 days. All CEQA notices are also emailed out to SCAG stakeholders through SCAG's emailing list and posted at SCAG's main office in Los Angeles and regional satellite offices in each of the other five counties for the full comment period to solicit public comments. SCAG will also hold multiple outreach meetings throughout the PEIR process, including two scoping meetings at the NOP stage (the first stage in developing an environmental document of the CEQA process), and a public hearing/workshop at the NOA stage (the second stage) to obtain oral public comments. Public comments received during the NOP stage will be incorporated into the Draft PEIR and public comments received during the NOA stage will be responded to in the Final PEIR. This process ensures public comments are collected and addressed per CEQA requirements.

In summary, the PEIR will serve as an informational document to inform decision-makers and the public of the potential environmental consequences of approving the proposed plan by analyzing the projects and programs on a broad regional scale, not at a site-specific level of analysis. Site-specific analysis will occur as each project is defined and goes through individual project-level environmental review.

REGIONAL HOUSING NEEDS ASSESSMENT

In addition to the tasks to develop the RTP/SCS, SCAG is required to update the eight-year Regional Housing Needs Assessment (RHNA). The RTP/SCS must demonstrate on a regional level, areas sufficient to house all the population of the region, including the eight-year projection of the RHNA.

Both the RTP/SCS and RHNA use the local data exchange process as the basis for future demographic projections, including household growth. The 6th cycle RHNA allocation, which will cover the planning period October 2021 through October 2029, was adopted in March 2021.

FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM

SCAG's Federal Transportation Improvement Program (FTIP) is a capital listing of all transportation projects proposed over a six-year period. The listing identifies specific funding sources and funding amounts for each project. The FTIP must include all transportation projects that are federally funded, and/or regionally

significant regardless of funding source or whether subject to any federal action.

The FTIP includes improvements to projects on the state highway, local arterial, bridge, public transit, rail, bicycle, pedestrian, safety, maintenance, operational and planning projects to name a few. The projects are submitted to SCAG by the six county transportation commissions. SCAG analyzes the projects to ensure that they are consistent with state and federal requirements. Federal law requires the FTIP be consistent with the RTP.

The following outlines SCAG's strategies, procedures and techniques for public participation on the FTIP. SCAG intends to update this section of the Appendix as needed prior to commencing each FTIP cycle to reflect appropriate changes.

1. FTIP Public Participation Process in the SCAG Region

SCAG has a Memorandum of Understanding (MOU) with transit operators and each of the County Transportation Commissions (CTCs) within the SCAG Region. These MOUs specify the role of the transit operators and CTCs with respect to approval of transportation projects utilizing federal, state highway, and transit funds within their respective jurisdiction. The CTCs are also responsible for transportation programming and short-range planning in their respective counties. The CTCs transmit their approved County TIP to SCAG. The public participation process and coordination is a tiered process within the SCAG region. This tiered process initiates the public participation process at the CTC's County TIP development stage, which occurs long before the development of the SCAG FTIP.

There are several opportunities for the public to review and comment on projects and programs during the development of each county TIP and approval of the SCAG FTIP. These public participation opportunities are described below.

a. Project Identification

Public participation begins at the local agency level by identifying projects and associated work scopes based on local and regional transportation needs. Newly identified projects are commonly placed on funding needs lists, funding plans or capital improvement program plans and programs that identify projects to be funded. These lists, plans and programs are adopted by local agency boards (mostly elected officials) in meetings open to the general public. Stakeholders, interest groups and the general public have the opportunity to review and comment on these projects and local plans prior to local agency board approvals.

b. Project Funding

The general public, interested parties and stakeholders have an opportunity to review and comment on projects and programs during the allocation of funds by local agencies including cities, counties, special districts, and county transportation commissions (CTCs).

The process of assigning specific funding sources to projects normally occurs in meetings open to the general public by public policy boards. For example, the CTCs in the SCAG region conducts a "call for projects" when funding under their control (federal, state and/or local) is available for programming. Local agencies apply and compete for available funding based on adopted eligibility guidelines consistent with federal, state and local county requirements. Candidate projects usually have gone through an initial public review process and are included in a local agency capital improvement

needs programs or plans. The CTCs work through their respective committee review process to develop a list of projects recommended for funding and adoption by each respective policy board. CTCs review committees are comprised of local agency staff (stakeholders and interested parties), and in some cases include public elected officials. Review committee meetings are publicly noticed. The recommended project lists approved by the committees are forwarded to the respective policy boards for approval. Projects proposed for funding are made available for review by the general public, stakeholders and interested parties in advance of adoption by the CTCs policy boards. All allocation of funds by the policy boards occurs in publicly noticed meetings open to the general public.

The allocation of public funds to projects by other entities meet the public review requirements that are consistent with the federal, state and/or local laws that govern the allocation of the funds.

c. County Transportation Improvement Program (TIP) Development

The CTCs develop their respective TIPs based on FTIP Guidelines prepared by SCAG in consultation with the CTCs, SCAG's TCWG, federal and state agencies staff, with approval by SCAG's Regional Council. The FTIP is the implementing document of the RTP/SCS. The CTCs' submittal of their county TIP to SCAG is their county implementation plan which is incorporated in its entirety into the SCAG FTIP. All projects programmed in County TIPs have been previously approved for funding by the entity responsible for allocating the project funds. When submitting County TIPs to SCAG, each CTC is required to adopt a financial resolution that certifies that it has the resources to fund the projects in the TIP and affirms its commitment to implement all projects. The financial resolution is approved by each policy board in publicly noticed meetings open to the general public.

d. SCAG FTIP Development

SCAG develops the FTIP for the six-county region based on the County TIPs prepared and submitted by the CTCs described above in Section iii. The Draft SCAG FTIP is noticed for a minimum 30-day public review, and public hearings are held at the SCAG office and where possible these public hearings will be available via video, teleconference and via virtual platforms. SCAG also conducts public outreach efforts through social media outlets. The Draft SCAG FTIP documents are made available for review and comment by stakeholders, interested parties and the general public through the SCAG internet website at scag.ca.gov/ftip and at public libraries throughout the six-county region prior to the public hearing.

In addition to the public hearings, SCAG committees and working groups also review and discuss the draft FTIP. These SCAG groups include the Executive Administration Committee, the Transportation Committee (TC), the Transportation Conformity Working Group (TCWG), and the Energy and Environment Committee (EEC). The SCAG Regional Council takes final action when they adopt the FTIP.

e. FTA Program of Projects

The designated recipient of FTA Section 5307 funds must develop a Program of Projects (POP). The POP is a list of proposed FTA-funded projects that must undergo a public review process. Guidance provided by FTA allows the FTIP to function as the POP as long as the public is notified through SCAG's public notice that the FTIP public review process satisfies the public participation requirements of the POP. Once the FTIP is approved, the document will function as the POP for recipients of FTA funds in the SCAG region. SCAG's public participation process for the FTIP is intended to satisfy FTA Section 5307 funding recipients' public participation process for the POP.

f. SCAG FTIP Updates

The FTIP is a dynamic document that is amended frequently to reflect updates to funding, schedules, and program priority changes. This process is similar to developing the formal FTIP. Proposed amendments to the adopted FTIP are submitted by the CTCs to SCAG. After SCAG has completed its analysis of the proposed change(s) to the FTIP ensuring consistency with the various programming rules and regulations, SCAG electronically posts the proposed change(s) submitted via a category 3 amendment for a 10-day public review and comment period on the SCAG website at scag.ca.gov/ftip. In addition to posting the amendment information on the web, a notice is sent to the TCWG as part of the FTIP amendment public review process.

2. Other FTIP Public Participation strategies, procedures and techniques

a. Enhance Website Capabilities:

- i. Utilize SCAG’s website to provide information, announce draft and final program releases, encourage feedback and comments from the public, make draft and final programs and corresponding documents available, provide contact information, inform of upcoming events and meetings, post meeting agendas and minutes
- ii. Ensure that the information available is timely, easy-to-understand and accessible and that the website is compliant with the 1990 Americans with Disabilities Act.

b. Update Contact Databases and Advisory Groups:

- i. Review and update mailing lists for outreach efforts.
- ii. Expand contact databases to include all Interested Parties identified in the Plan.

c. Coordinate Outreach Efforts with other Stakeholder Organizations:

- i. Support interagency coordination by continuing to host and participate in the monthly TCWG meetings.
- ii. Mail Notice of Draft FTIP availability to the stakeholders at the local, state and federal level to solicit their comment and input to the final FTIP. Ensure that the public comment period for the program is at least 30 days.
- iii. Participate in regular meetings with the county transportation commissions in the coordination of the draft and final FTIP.

d. Conduct Public Hearings:

- i. Announce public hearings in printed materials, on SCAG’s website, and social media channels.
- ii. Hold public meetings at convenient and accessible locations and times and remotely when and if possible.
- iii. Conduct at least two public hearings on the draft FTIP.
- iv. Explore new opportunities using state-of-the-art communications and information technology for reaching remote audiences.

e. Maintain a Log of Outreach Efforts:

- i. Maintain a log of all agency-wide outreach presentations.
- ii. Review and consider all public comments in the regional transportation planning process.

- iii. Record, track and maintain a log of comments and SCAG's response to the comments
- iv. Respond to all comments received in a timely manner.

3. Annual Listing of Projects

Federal regulations require SCAG to develop an annual listing of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which federal funds were obligated in the preceding program year. SCAG, in consultation and coordination with the State, county transportation commissions, and public transportation operators throughout the SCAG region, compiles the information and produces the annual listing of projects. The annual listing of obligated projects may be found on the SCAG website at scag.ca.gov/ftip.

4. FTIP Amendments

For the FTIP, the following summarizes the categories of amendments identified by FHWA for the FTIP and the public participation requirements for each amendment type.

a. Category 1. Administrative Modification

An administrative modification includes minor changes to project cost, schedule, and project description changes without affecting the scope, and/or funding sources. Please see the Federal Statewide Transportation Improvement Program (FSTIP) and Federal Transportation Improvement program (FTIP) Amendment and Administrative Modification Procedures for a complete definition of an administrative modification and eligibility.

b. Category 2. Amendment – Changes that do not impact the existing conformity determination.

The Amendment category may include changes that are not eligible under an administrative modification.

c. Category 3. Amendment – Relying on the existing Conformity Determination.

This amendment may include adding a project or a project phase to the program. This amendment category consists of projects that are modeled and are included in the regional emissions analysis.

d. Category 4. Formal Amendment – New Conformity Determination.

This amendment may include adding or deleting projects that are not currently included in the regional emissions analysis or part of the existing conformity determination. This amendment may involve adding or deleting projects that must be modeled for their air quality impacts significantly changing the design concept, scope, or schedule of an existing project.

e. Category 5. Technical Amendment – Changes to project information not required to be included in the FTIP per federal requirements.

Changes are not subject to an administrative modification or an amendment such as changes to project codes, and changes to correct typographical errors. These technical corrections do not impact project scope or cost.

PUBLIC HEARING - PUBLIC REVIEW & COMMENT PERIOD REQUIREMENT		
AMENDMENT CATEGORY	PUBLIC HEARING REQUIREMENTS	PUBLIC REVIEW PERIOD (# OF DAYS)
Category 1 - Administrative	n/a	n/a
Category 2 - Amendment Changes that do not impact existing conformity determination	No	1
Category 3 - Amendment relying on existing conformity determination	No	10
Category 4 - Formal Requires a new conformity determination	Yes	30
Category 5 - Technical Correction Not subject to funding agency approval for public review	No	n/a

FTIP AMENDMENT AND ADMINISTRATIVE MODIFICATION APPROVAL PROCEDURES – SCAG EXECUTIVE DIRECTOR AUTHORITY

FTIP AMENDMENT PROCEDURES

As part of the TIP approval process, the SCAG Regional Council granted authority to SCAG’s Executive Director or designee to approve Federal Transportation Improvement Program (FTIP) amendments and associated conformity determination and to transmit to the state and federal agencies amendments to the most currently approved FTIP. These amendments must meet the following criteria:

- Changes that do not affect the regional emissions analysis
- Changes that do not affect the timely implementation of the Transportation Control Measures
- Changes that do not adversely impact financial constraint
- Changes consistent with the adopted Regional Transportation Plan

FTIP amendments triggered by an RTP amendment must be approved by the Regional Council.

FTIP ADMINISTRATIVE MODIFICATION PROCEDURE

SCAG’s Regional Council has the discretion to delegate authority to SCAG’s Executive Director to approve FTIP Administrative Modifications to the Federal State Transportation Improvement Program (FSTIP) consistent with approved FSTIP/FTIP Administrative Modification and Amendment Procedures and as may be amended. Administrative Modifications are minor project changes that qualify under the FSTIP/FTIP Administrative Modification and Amendment Procedures. Because FTIP Administrative Modifications are considered minor changes, public review is not required.

The following procedures apply to this delegation of authority:

- SCAG will send copies of the approved administrative modification to Caltrans, FHWA and FTA.
- Once the administrative modification is approved by SCAG, the administrative modification will be deemed part of the Federal State Transportation Improvement Program (FSTIP).
- SCAG will demonstrate in a subsequent amendment that the net financial change from each administrative modification has been accounted for.
- Caltrans will conduct periodic reviews of SCAG's administrative modification process to confirm adherence to the procedures. Noncompliance with the procedures will result in revocation of the MPO's delegation

ENVIRONMENTAL JUSTICE PROGRAM

In 1994, Executive Order 12898 directed every federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on minority and low-income populations. Reinforcing Title IV of the Civil Rights Act of 1964, which addresses minority populations, this executive order ensures that every federally funded project nationwide considers the human environment when undertaking the planning and decision-making process.

As the Metropolitan Planning Organization for six Southern California counties, SCAG is required to ensure that environmental justice principles are an integral part of the transportation planning process, including the Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). Additionally, as a government agency that receives federal funding, SCAG is required to conduct an environmental justice analysis for its RTP/SCS. SCAG's environmental justice program has two main elements: technical analysis and public outreach and policy coordination. As part of SCAG's environmental justice program, the agency also:

- Provides early and meaningful public access to decision-making processes for all interested parties, including minority and low-income populations.
- Seeks out and considers the input of traditionally underrepresented groups, such as minority and low-income populations, in the regional transportation planning process.
- Takes steps to propose mitigation measures or consider alternative approaches for the SCAG region when disproportionately high and adverse impacts on minority or low-income populations are identified; and
- Continues to evaluate and respond to environmental justice issues that arise during and after the implementation of SCAG's regional plans.

SCAG also prepares additional companion documents, or technical reports, to help support or add value to the RTP/SCS. The environmental justice technical analysis, public outreach methodology and accompanying EJ Toolbox are included in the RTP/SCS Environmental Justice (EJ) Technical Report.

Early and continuous public outreach and input from SCAG's environmental justice stakeholders help SCAG prioritize and address needs in the region. Public outreach for environmental justice issues will be conducted concurrently with Connect SoCal public outreach and development process. SCAG will hold various kick-off meetings, outreach workshops, and targeted outreach throughout the RTP/SCS development process. Specifically, SCAG will hold:

- At least one (1) kick-off meeting at the beginning of the RTP/SCS development at the SCAG Headquarters located at Downtown Los Angeles (DTLA) and provide opportunities for virtual attendance.
- At least quarterly Equity Working Group meetings will be held during the RTP/SCS development and EJ Technical Report development process. Meetings will be made available for in-person and virtual attendance.

- At least one (1) in-person or virtual meeting/workshop in each county for targeted outreach purposes will be conducted during the development of the EJ Technical Report. Special consideration will be made for meeting times and locations to maximize accessibility for the general public; and
- Additional targeted outreach will be conducted for SCAG stakeholders that cannot attend the opportunities listed above to discuss EJ topics and concerns and the development of the EJ Technical Report.

All public meetings and workshops aim to be accessible to all groups and individuals interested or concerned with environmental justice. In efforts to make these meetings and workshops more accessible, meeting and workshop materials can be provided in different languages to engage individuals who are not proficient in English. Meeting details will be available to the public approximately 30 days before the meeting date to allow for adequate planning. Virtual opportunities will be made available to ensure all populations within the SCAG region can be reached.

Comments and input gathered during the public outreach process will be incorporated into the Environmental Justice Technical Report. There will also be another round of public review and comment when Connect SoCal and its associated technical reports, including the Environmental Justice Technical Report, are released.

The overall environmental justice outreach process encourages the public, with many opportunities to voice out and be involved, to discuss and address environmental justice issue areas and shape SCAG's environmental justice program.

OVERALL WORK PROGRAM

Funding for SCAG's metropolitan planning activities are documented in an annual Overall Work Program (OWP) (also known as a Unified Planning Work Program), pursuant to federal requirements, 23 CFR 450.308(b)-(c), and Caltrans guidance.

The OWP is developed each fiscal year and details the agency's planning and budgetary priorities for the following fiscal year. SCAG's federal and state funding partners (FHWA, FTA and Caltrans) must approve SCAG's OWP each year before it takes effect.

The following describes SCAG's strategies, procedures and techniques with respect to public participation on the OWP.

1. Adopt OWP Preparation Schedule and Work Programs Outcomes: (September-October)
 - a. Regional Council adopts the OWP preparation schedule and work program outcomes for the coming fiscal year.
2. Conduct a Budget Workshop: (February).
 - a. SCAG staff conducts a Budget Workshop for the Regional Council and members of the public.
3. Distribute Draft OWP: (March).
 - a. The Regional Council approves the Comprehensive Budget which includes the draft OWP. The draft OWP is distributed to all Regional Council members and the Regional Council approves the release of the document for a minimum 45-day public comment and review period. The draft OWP is also placed on SCAG's website.

4. Distribute the Draft OWP for Public Comments: (March).
 - a. Staff mails letters to over 300 City Planners, Planning Directors and other Planning representatives within the SCAG region, including subregional coordinators, CTCs and transit operators, encourages their feedback on the draft OWP, and notifies them of the availability of the draft document on SCAG's website.

5. Review and Consider Comments Received in the Final OWP Deliberations: (April).
 - a. Staff reviews and considers all public comments in the OWP planning process.
 - b. Staff records, tracks and maintains a log of comments and SCAG's response to the comments.

6. Adopt the Final Comprehensive Budget and Resolution Authorizing the Submittal to Funding Partners: (April).
 - a. The Regional Council adopts the Final Comprehensive Budget and Resolution authorizing the submittal of the Final OWP to Caltrans and other funding agencies as necessary for approval. Caltrans must submit the recommended Final OWP to FHWA/FTA by June 1 of each year.





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AGENDA ITEM 17
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

From: Megan Dearing, Pincipal Management Analyst
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Subject: REAP 2 Program Development Framework and Process

**EXECUTIVE DIRECTOR'S
APPROVAL**

RECOMMENDED ACTION:

Receive and File

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy. 4: Provide innovative information and value-added services to enhance member agencies’ planning and operations and promote regional collaboration.

EXECUTIVE SUMMARY:

The Regional Early Action Planning Grant Program for 2021 (REAP 2.0) was established as a part of AB 140 for the FY 21-22 budget to support transformative and innovative projects that implement a region’s sustainable communities strategy and help achieve goals of more housing and transportation options that reduce reliance on cars. REAP 2021 will provide grants to regional entities, primarily metropolitan planning organizations (MPOs), through a combination of formula and competitive-based programs. The SCAG region’s formula share is \$246,024,084. To support outreach, program development and development of a full program application, the State has made advance funds of up to 10% of the total allocation (\$24,602,408) available starting in January 2022. This report is to inform the Executive/Administration Committee (EAC) and Regional Council members about the requirements and limitations on usage of the advance funding and share the outreach plan developed to support development of the full REAP 2 application.

BACKGROUND:

REAP 2021

REAP 2021 was established through AB 140 (July 2021) as part of the mid-year budget revise for the State’s FY 21-22 budget. Approximately \$600 million is available statewide to support transformative and innovative projects that implement a region’s Sustainable Communities Strategy and help achieve goals of more housing and transportation options that reduce reliance on cars. Approximately \$500 million of these funds are from Federal American Recovery Act funding and the

balance is State General Funds. These new funds will be provided as grants to regional entities, primarily MPOs such as SCAG. The SCAG region's formula share is \$246,024,084, of which an initial allocation of 10 percent of funds are available now, pending approval of SCAG's early application. All REAP 2021 funds are to be obligated by June of 2024 and expended by June 2026, with a final closeout report due June 2026.

The California Housing and Community Development Department (HCD) is the lead for the program and will work collaboratively with the Strategic Growth Council (SGC), Governor's Office of Planning and Research (OPR), and State Air Resources Board (CARB, and with the HCD, SGC and OPR, the "State Partners"), to develop detailed guidelines for implementation.

At the time of this drafting, the REAP program development process is as follows:

- November 22, 2021 – HCD released the REAP 2021 Framework Paper, to solicit stakeholder feedback on their approach to program guidelines. SCAG staff provided comprehensive feedback by the due date of December 8, 2021
- January 3, 2022 – HCD released the Advance Application which allows eligible entities to seek up to 10 percent (10%) of their REAP 2021 allocations, in support of regional engagement in the development of the full application and of an education and outreach strategy, along with other activities determined consistent with program goals and objectives in consultation with the state collaborative partners (CARB, HCD, OPR and SGC)
- March 24, 2022 – State Partners released full draft program guidelines. While applications for the remaining 90 percent (90%) of REAP 2021 funds can be submitted on a rolling basis through December 2022, the State expects robust engagement efforts to drive the proposed programming, thus it is anticipated that a full application will be submitted later in the application window.
- Spring 2022 – State Partners have stated that the final program guidelines will be released in Spring 2022
- December 31, 2022 – Deadline to submit SCAG's full application to the State Partners

Draft REAP 2021 Program Guidelines (March 24, 2022)

The State Partners administering REAP 2021 released the draft guidelines on March 24, 2022. SCAG Staff is evaluating the guidelines to determine their impact on our proposed program areas. At the State/MPO Working Group meeting held March 18, 2022, state staff indicated that there are new impacts to the REAP 2021 Guidelines due to funding restrictions. The majority (\$500 million) of REAP 2021 funding will come from State and Local Fiscal Recovery Funds (SLFRF), and the Final Rule outlining the requirements for use of these funds was issued in January 2022. Some activities outlined in the legislature containing the REAP 2021 program have been disqualified under the funding rules, and further restrictions have been placed on the program. As SCAG Staff evaluate the guidelines, potential areas of concern regarding funding will be identified, and plans to address these concerns within the SCAG REAP 2021 program will be developed.

A portion of the REAP 2021 funding (\$100 million) will be allocated from State General Funds, which allows for greater flexibility. The State Partners have indicated that the allocation of these less restrictive funds will follow the formula approach used to initially determine the MPO allocations within the program. Using the REAP 2021 Draft Program Framework (described below), SCAG staff are working to identify the best use for these general funds, which have different requirements and eligible uses from the SLFRF funds.

Draft REAP 2021 Program Framework

SCAG staff presented the Draft REAP 2021 Program Development Framework to all three SCAG Policy Committees in October 2021. The Draft Framework was developed based on the language in the Trailer Bill that established REAP 2021 and includes a set of core objectives that are aligned with the REAP 2021 priorities, the Connect SoCal Implementation Strategy and the EAC Strategic Work Plan. The core objectives are:

- Support transformative planning and implementation activities that realize Connect SoCal objectives
- Leverage and augment the Connect SoCal Implementation Strategy to support activities that can be implemented quickly and in line with community-driven, pandemic recovery priorities
- Build regional capacity to deliver housing that realizes 6th cycle RHNA goals
- Represent best practices in vehicle miles traveled reduction
- Demonstrate consistency with Equity Early Action Plan
- Promote infill development in Connect SoCal identified Priority Growth Areas

Subsequent to the presentation of the Draft Framework to the policy committees, further refinement on the document has been made, and the revised Draft Framework is attached to this report as Attachment 1. The Framework will be posted to the program website in late March/early April, and will hold two virtual information session to share information on the REAP 2.0 program and the draft Framework. SCAG is holding an open comment period at the time the framework is posted and throughout May.

The comments received during the public comment period will be compiled, summarized and made available on the program website. SCAG will host a workshop to share what we heard from the comments and how they will be incorporated. This workshop will also include an opportunity for stakeholders to participate in an open discussion on the projects within the program areas and how to prioritize these projects. The Draft Framework will be finalized in June, based on the feedback received from stakeholders, and brought to SCAG's policy committees for approval in July.

Outreach Plan

Requirements for outreach and engagement for the program have been outlined in the REAP 2021 Draft Guidelines. Those requirements (summarized) are:

- *Eligible entities **must** conduct outreach as part of the development of their application for funds.*
- ***Use outreach to set priorities and develop proposed uses and amounts and various other program components such as the amount retained by the eligible entity versus suballocations, and the blend of planning and implementation uses.***
- *Outreach should proactively **employ a variety of methods** and must make specific efforts to reach disadvantaged and historically underserved communities.*
- *Eligible entities are encouraged to **provide responses to stakeholder** and public input to provide for transparency and **demonstrate how input was incorporated** into planning and implementation activities.*

What this means for SCAG

- SCAG staff **must** include the results of outreach and engagement to develop the full application. The early actions presented to the policy committees as anticipated projects to be included in the advance application were the result of outreach and engagement efforts within the SCS/RTP development process. State partners have not yet indicated if these efforts will be allowed as part of advance funding efforts, or if more outreach and engagement will be required.
- SCAG **may not** decide on **suballocations, priorities, and proposed uses** outside of the outreach process. The framework and advance application objectives shared with the policy committees have been developed to shape the direction and scale of the use of funding by SCAG but **must** be refined and finalized utilizing the results of outreach and engagement efforts.
- SCAG staff will continue to update the policy committees and other stakeholders throughout the application development process.

The proposed programming of the ten percent (10%) funds is designed to allow for staff to move swiftly into stakeholder engagement, building on the draft REAP Program Framework attached to this report.

The full REAP 2021 Outreach Plan is attached to this report as Attachment 2, and features program-wide outreach coupled with program area specific outreach for the main programmatic areas.

NEXT STEPS

In July 2022, SCAG staff will share the finalized Framework document with the Regional Council and request a recommendation for adoption. Outreach and engagement will continue through the summer and fall, informing the development of the full application for funding, which will be submitted to the State Partners in December 2022.

A timeline for the initial work is included in the attached Draft Framework (Attachment 1).

FISCAL IMPACT:

Work associated with this item will be included in the FY22-23 OWP, once funding is received, with no fiscal impact to the existing budget.

ATTACHMENT(S):

1. Attachment 1: REAP 2021 DRAFT Framework
2. Attachment 2: REAP 2021 Outreach Plan

Draft - REAP 2021 Program Development Framework

Overview & Purpose

The REAP 2021 Program Development Framework, or “Framework,” outlines the core objectives, guiding principles, programmatic areas, major milestones and schedule for allocating funds available to SCAG through the Regional Early Action planning Grant Program for 2021 (REAP 2021) or REAP 2.0. Approximately \$600 million is available statewide to support transformative and innovative projects that implement a region’s Sustainable Communities Strategy (SCS) and help achieve goals of more housing and transportation options that reduce reliance on cars. The SCAG region’s formula share is estimated to be \$246 million, of which an initial allocation of 10 percent (10%) of funds are available for outreach to support program development and the full program funding application. REAP 2.0 draft program guidelines are anticipated from HCD in March 2022, with full program guidelines and the application released in Spring 2022. With the full program guidelines and after an extensive engagement effort, SCAG will develop a comprehensive REAP 2.0 Program Application in the latter part of 2022.

The Framework provides the policy direction to support the stakeholder engagement process and resultant development of the full REAP 2.0 Program application, to ensure SCAG’s REAP 2 program aligns with agency goals and policies. It is based on several guiding and adopted policies, including:

- State plans and directives
 - AB140 Trailer Bill Language (July 2021)
 - REAP 2.0 Draft Framework Paper (Nov 2021)
- SCAG adopted plans
 - Connect SoCal Implementation Strategy (2020)
 - Executive Administration Committee Strategic Action Plan (2021)
 - Racial Equity Early Action Plan (2021)
 - Inclusive Economic Recovery Strategy (2021)
- SCAG 2021 Housing Production Study

Early versions of SCAG’s Framework were presented to the SCAG Policy Committees, Executive Administration Committee (EAC) and the Regional Council. SCAG also got feedback on the Framework from the subregional COG directors and presented the draft to the Regional Housing Working Group and County Transportation Commission (CTC) Planning Directors. This Framework reflects early feedback from these stakeholders and is a draft to guide a more extensive stakeholder engagement process. The Framework may be amended based on feedback and will be presented to the SCAG Regional Council for approval in Summer 2022.

SCAG will apply its advanced funding to implement a comprehensive outreach and engagement strategy in support of development its REAP 2.0 program and the full program application. If allowed by the State ahead of the full program application, SCAG will apply for some its advanced funding to support the Early Action Initiatives further described below and that are part of SCAG’s adopted SCS Implementation Strategy.

Draft - REAP 2021 Program Development Framework

Core Program Objectives

- Support transformative planning and implementation activities that realize Connect SoCal objectives
- Leverage and augment the Connect SoCal Implementation Strategy to support activities that can be implemented quickly and in line with community-driven, pandemic recovery priorities
- Build regional capacity to deliver housing that realizes 6th cycle RHNA goals
- Represent best practices in vehicle miles traveled reduction
- Demonstrate consistency with Equity Early Action Plan
- Promote infill development in Connect SoCal identified Priority Growth Areas

Guiding Principles

In developing a program to address these core objectives, SCAG work shall be directed by the following guiding principles:

- Funding shall be allocated to three programmatic areas focused on Early Action to implement Connect SoCal 2020, Housing Supportive Infrastructure and a County Transportation Commission Partnership Program.
- Funding opportunities within each program area will balance formula allocations with competitive programs to ensure funding supports critical planning and implementation activities across the region while also prioritizing the most regional impactful projects.
- Early Action Initiatives shall seek to provide immediate benefit to the region through support for transformative *planning* activities that can be implemented quickly to advance strategies in Connect SoCal 2020 and inform the 2024 plan update. Early Action Initiatives shall comprise no more than 10% of the full program budget.
- The Housing Supportive Infrastructure Program and the County Transportation Commission Partnership Program shall serve as the primary vehicle for awarding REAP 2.0 funds and be focused on Connect SoCal 2020 implementation either through the deployment of pilot projects or support for the creation and/or expansion of new funding programs that directly support housing and mobility solutions. The Programs shall include regional initiatives and technical assistance led by SCAG to advance regionally coordinated and significant solutions as well as county-specific or geographically targeted programs that advance best practices reflecting the unique opportunities in the region.
- The Housing Supportive Infrastructure Program and the County Transportation Commission Partnership Program shall include SCAG-led projects as well as the sub-allocation of resources to implementing agencies.
- Funding guidelines will be developed specific to the Housing Supportive Infrastructure Program and County Transportation Commission Partnership Program or for any sub-programs for which SCAG would competitively award resources to a partner agency and will seek approval by the SCAG Regional Council. Funds available to each program shall be specified in the program guidelines for approval by the Regional Council.
- At least 80% of the REAP 2.0 funding in the full application will be directed to suballocated or partner-led projects, both formula-based and competitive, across all three programmatic areas to ensure efficient and effective delivery of REAP 2.0 and limit administrative costs to SCAG.

Draft - REAP 2021 Program Development Framework

- SCAG will work to balance funding allocation according to a number of equity considerations; ensuring that under-resourced jurisdictions are not left out due to lack of capacity and that geographic balance is a consideration in the suballocation of funding.
- No resources beyond those approved to support outreach and program development shall be expended until the Program Development Framework has been approved (after stakeholder engagement) and funding eligibility has been confirmed through the release of REAP 2 Program Guidelines by HCD.

Program Areas:

The Framework proposes that SCAG's REAP 2.0 funds will be administered across three (3) programmatic areas. Further development of programs and guidelines within each program area would occur once the State has provided complete program guidelines (anticipated Spring 2022) and through the stakeholder engagement process:

1. **Early Action Initiatives:** SCAG will expand some existing programs in the Connect SoCal Implementation Strategy to support cities in implementing Connect SoCal.
 - **Sustainable Communities Program (SCP):** The Call for Projects provides resources to local jurisdictions to conduct GHG/VMT reducing planning activities and demonstration projects throughout the SCAG region. SCAG is seeking to implement Call #4, the Call for Equity, Civic Engagement and Environmental Justice focused on under-resourced communities.
 - **Go Human:** SCAG is seeking to expand local resources and toolkits to help cities, counties and communities-based organizations promote safe walking and biking
 - **Regional Data Platform:** Local general plans provide the legal underpinning for land use decisions and set the vision about how a community will grow, reflecting community priorities and values while shaping the future. SCAG's RDP provides data and planning templates and tools to help local jurisdictions update and align various elements of their general plans to advance sustainable planning at the local and regional level. SCAG seeks to partner with subregional agencies and other partners to expand support and training for local jurisdictions to use the RDP as well as provide additional features and functions to help further align local efforts with regional goals through performance dashboarding features.
 - **Sub-regional plans or studies:** Support a number of partnerships and studies centered on core SCS implementation strategies.
2. **Housing Supportive Infrastructure Program** - The Housing Supportive Infrastructure program builds on the concepts put forward in the *Key Connections* in Connect SoCal 2020, as well as current work funded through the REAP 1 program, as well as LEAP and SB2. This program would have 4 main priority areas:
 - **Utilities to support housing development:** Identify transformative programs to invest in the utilities (sewer, gas, electric, broadband) needed to environmentally clear, entitle and ultimately build the housing needed to meet the region's 6th cycle RHNA goals, and in the Priority Growth areas identified in Connect SoCal.

Draft - REAP 2021 Program Development Framework

- **Housing Trust Funds:** Invest in subregional housing trust funds to leverage efforts to deliver affordable housing
 - **Preservation of expiring covenants and naturally occurring affordable housing:** Target existing affordable housing with expiring covenants and/or housing that is naturally affordable without covenants and develop programs to extend covenants and preserve these units as affordable.
 - **Technical Assistance:** Through the outreach process, SCAG will identify additional technical assistance needs for cities, counties and other partners. These may include programs to:
 - i. Help public agencies use their surplus land for affordable housing development
 - ii. Continue land use planning efforts that will support implementation of 6th cycle Housing Elements
 - iii. Ensure that the region can secure grant funding in support of affordable housing development.
3. **County Transportation Commission (CTC) Partnership Program:** SCAG will develop a new partnership program with the region's six County Transportation Commissions, to fund the development of plans, programs, pilot projects, and even some signature GHG/VMT reducing capital projects. Regional guidelines will be developed upon the release of the State's guidelines in February of 2022 with the intent to align with Key Connection strategies included in Connect SoCal and advance new concepts for reducing VMT. Key Connections focus on advancing expanded mobility ecosystems and management strategies using innovative policy and/or technology to realize regional planning goals, and account for 30% of the GHG reduction needed to meet SCAG's SB 375 requirements. Examples include shared mobility, congestion pricing studies and pilots, universal basic mobility pilots, transit recovery and integration pilot projects, dedicated lanes and other tactical transit solutions to improve transit travel time and reliability, micro-transit and other mobility-on-demand services providing first/last mile connections, or VMT Mitigation Bank. Staff has initiated some early outreach with CTC staff to gauge opportunities for partnerships and anticipates continued dialogue in developing a regional program. Some early concepts identified to date by CTC staff include extending or expanding student transit pass programs, deployment of mobility hubs, electric carshare programs, seed funding to support VMT mitigation banking and credit programs, etc.

Major Milestones and Schedule:

Based on the latest information from the State, the table below shows the REAP 2021 program development process and associated schedule:

Draft - REAP 2021 Program Development Framework

	2021			2022											
	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July	Aug	Sep	Oct	Nov	Dec
Grant Program Deadlines and Milestones		Framework Document from State Released		Advance Application Released		Draft Guidelines to be Released by State	State Review of SCAG's Advance Application	State Approval of Advance Application/Full Guidelines to be Released by State							Full Application Deadline: 12/31/22
Outreach & Engagement	COG Listening Sessions, Subregional Surveys, Development of Advance Application					Outreach & Engagement work: Consultant and staff						Full Application Developed Using Outreach Results			
Program Development	Staff Present Draft Framework to Policy Committees					Advance Application to be Submitted to State	Revised Draft Framework Provided to EAC/RC	Framework Developed Further and Refined Based on Stakeholder Feedback Engagement Process	Final Framework to be Presented to EAC/RC for Approval and Adoption Updates to be Provided to Policy Committees				Staff reports on Outcome of Outreach and Engagement and presents recommendations to Policy Committees and RC		Full Application to be Submitted to State
CTC Partnership Program						CTC Partnership Working Group Formed: Draft Guidelines, Establish Formal Process for Execution of CTC Program			Final Guideline Approval, Issue Call for Projects and Select CTC Partnership Projects. TC/RC Approvals						
Housing Supportive Infrastructure Program							Housing Policy Forum	One-on-One Sessions with Housing Trust Funds Open City/County Listening Sessions Focus Groups	Report on preliminary findings, potential calls for projects (CEHD/RC)	Utilities Industry Forum + issue RFI Call for Projects Based on Listening Sessions		Staff to Report Findings from Industry Forum (CEHD/RC)		Initial Program Guidelines (CEHD/RC)	

REAP 2021 Outreach Plan

Background

REAP 2021 was established through AB 140 (July 2021) as part of the mid-year budget revise for the State's FY 21-22 budget. Approximately \$600 million is available statewide to support transformative and innovative projects that implement a region's Sustainable Communities Strategy and help achieve goals of more housing and transportation options that reduce reliance on cars. With funds from the American Rescue Plan Act (ARPA), the State will allocate \$246 million to SCAG, of which an initial allocation of 10 percent of funds are available now, pending approval of SCAG's early application. SCAG will develop programs to disperse these funds throughout the region in support of transformative planning that promotes the core program objectives of REAP 2.0: (1) implementation of the Sustainable Communities Strategies (SCS) portion of Connect SoCal; (2) housing development that realizes 6th cycle housing element goals; (3) reduction of Vehicle Miles Travelled (VMT); and (4) Affirmatively Furthering Fair Housing (AFFH). Note that while the program continues with the REAP name, REAP 2021 has a broader focus of eligible programs and activities than REAP 2019. The REAP 2021 funds have a broader set of objectives and can be spent on both planning and capital projects. SCAG also refers to REAP 2019 as REAP 1.0 and REAP 2021 as REAP 2.0. REAP 2021 funds must be obligated by June 2024 and expended by June 2026.

HCD has stated that draft program guidelines will be released by February 2022 and final program guidelines will be available by Spring 2022. Throughout 2022 SCAG will be conducting outreach to a broad array of stakeholders to identify programs and partners and develop the complete REAP 2021 application, due to the State by December 2022.

While the program guidelines for REAP 2021 have not yet been released, SCAG has developed a draft framework to guide its program development activities and stakeholder engagement.

Goals and Objectives

SCAG will develop and implement the REAP 2.0 program through a comprehensive outreach program that will support both program development and continue through implementation. Feedback from stakeholders will be incorporated in the final REAP program application, will help identify partnership opportunities and will establish priorities for transformative planning and implementation activities that reflect a balance of regional needs and geographical equity. The outreach program will employ a variety of methods to reach a wide range of SCAG stakeholders and ensure that SCAG includes disadvantaged and underserved communities. SCAG will work in concert with other MPOs, public agencies, subregional COGs and community-based partners to consider the potential for joint activities and coordination.

All of this work will be developed in line with SCAG's May 2021 adopted Racial Equity Action Plan, with strategies to ensure that our efforts, materials and programs reference and actualize our commitment to equity and equitable participation. SCAG is committed to ensuring that we have broad representation in our various efforts to solicit information and feedback, particularly from communities that are harder to reach, may be under-resourced and/or represent SCAG's Communities of Concern, EJ and disadvantaged communities, and tribal communities. The outreach will also follow SCAG's adopted [Public Participation Plan](#), which outlines in depth SCAG's various strategies and engagement tools.

Roles & Responsibilities

REAP 2021 Outreach Plan

SCAG's Planning and Government and Public Affairs (GPA) Divisions will work in concert to maximize stakeholder outreach and incorporate feedback into the final REAP 2.0 application and program implementation. SCAG has identified two Community Engagement Specialists to lead the outreach and engagement activities at the program-wide level, as well as support department staff in the program-specific level engagement and program development. The Community Engagement Specialists will serve as the point of contact to the public and will manage all consultant contracts with REAP 2.0 outreach related scopes of work. The Community Engagement Specialists will regularly communicate with regional partners and stakeholders on the outreach programs progress and manage the activities identified in this plan.

Target Stakeholders

The community engagement efforts will both inform and engage a range of constituents and stakeholders throughout the six-county region, as identified in SCAG's Public Participation Plan.

SCAG seeks to ensure that diverse populations are involved in the regional planning process. Equity will serve as a guiding principle; we will ensure that members of disadvantaged and underserved communities are reached by employing traditional and innovative outreach methods. To ensure effective and meaningful communication, the outreach team will need to develop an understanding of the target audience's commonly spoken languages, cultural sensitivities, access to technology, and preferred communications.

Target stakeholders for the REAP 2021 program include:

- Advocacy groups (environmental, housing & transportation)
- City managers
- Community development representatives
- Community-based organizations
- Educational community and institutions
- Elected officials
- Financial sector representatives
- General public
- Governmental and public agencies
- Health and wellness representatives
- Housing trust funds
- Housing developers (non-profit and for-profit)
- Land use experts
- Minority and low-income populations
- Neighborhood and community groups
- Non-profit organizations
- Organizations serving rural area residents
- Philanthropy
- Planners
- Public and private transportation operators

REAP 2021 Outreach Plan

- Subregional organizations
- Technology vendors
- Transportation planning agencies
- Tribal Governments
- Utility providers

Applying Past Outreach to Program Development

In recent years, SCAG has completed several projects related to the core program objectives of REAP 2.0. SCAG will build on past work by pairing the past program outreach outcomes with new and innovative outreach activities outlined throughout this plan. SCAG will apply outreach from the following programs to our REAP 2.0 program development: SCS/RTP development and implementation strategy (adopted 2020), Housing Production Study (completed in 2021), Inclusive Economic Recovery Strategy (adopted in 2021), the Racial Equity Action Plan (Adopted in 2021) and the REAP 1.0 program (developed 2020-21, ongoing implementation). These programs have allowed for feedback on how SCAG engages with the public, identification of priority projects, and identification of existing efforts across the region.

Outreach Materials & Website

Visual and written content that convey key information about the REAP 2.0 program and SCAG's approach to development of the program will be developed for online engagement, newsletters, social media, and websites. These materials may include fact sheets, FAQs, PowerPoint presentations, comment cards, maps, charts, infographics, timelines, surveys and other related resources. To build relationships and trust, the complexity of the information and materials presented to the community should be presented in language that is easy to understand. Materials will be translated upon request.

A dedicated website will be developed for the REAP 2.0 program. The above-referenced program materials will be included on the website, along with links to Staff Reports and other policy committee materials.

Ongoing program updates will also be issued by regular email blasts. SCAG will ensure that all interested parties receive these updates.

Early-Stage Framework Development Outreach

Based on the REAP 2021 Trailer Bill language, SCAG staff drafted a program framework as a starting place to guide conversations with stakeholders and overall program development. Early outreach to targeted stakeholders on the draft framework took place from October 2021 through February 2022. During this time SCAG coordinated with internal staff and regional partners to solicit feedback and update the framework as new REAP 2.0 program information was released from the State. Some notable outreach activities and accomplishments during this time include:

REAP 2021 Outreach Plan

- SCAG issued a survey to Subregional COGs and hosted two listening sessions to learn more about Subregional COG priorities and begin identifying potential opportunities for partnership. Based on feedback, SCAG is requesting funding in its advance application to support outreach and engagement partnership opportunities for the Subregional COGs and will schedule one-on-one meetings to further discuss staffing support, as appropriate.
- SCAG staff presented the draft programmatic areas to SCAG Policy Committees in October 2021 and incorporated feedback in the draft framework.
- SCAG conducted informal meetings with utility providers and other trade associations to identify Housing Supportive Infrastructure Program initiatives and partnership opportunities. These meetings helped SCAG identify the concept of an Industry Forum and soliciting a Request for Information (RFI) as the best approach to program development.
- SCAG staff presented a program overview and outreach update to the Regional Housing Working Group.
- SCAG staff conducted several informal meetings with each of the region's county transportation commissions (CTCs), assessing potential projects in the pipeline as well as new developments that could be fostered with new REAP 2.0 funding. Further discussions were held during formally scheduled CTC planning director meetings to better gauge potential project types and associated costs.
- SCAG staff conducted numerous informal industry briefings to better understand the technology landscape specific to the potential for development and implementation of various transformative transportation strategies. More formally, SCAG issued an RFI in August of 2021 to solicit information about technology requirements to support a Mobility Wallet Pilot Program. SCAG staff will be using the responses to help formulate the initial groundwork necessary to support REAP 2021 funded pilot initiatives.

Program Development Outreach Plan

Using the draft framework as a starting place for discussion, throughout April - June 2022, SCAG will plan and host REAP 2.0 program wide outreach to capture stakeholder feedback and further refine the program specific areas that will drive the full program application.

Virtual Information Sessions

SCAG will host two virtual information sessions in early April for SCAG staff to present a PowerPoint presentation of the draft framework and host a question-and-answer segment. During the virtual sessions, participants will be encouraged to submit a comment card, which will be made available during the session, through the project website, and by email. Through the comment cards we hope to gather stakeholder input on priority program areas, suggested changes and framework aspects that they would like to remain the same.

Framework Workshop

SCAG will post the draft framework to the program website in late March. There will be an open-comment period at the time the framework is posted and throughout late April.

REAP 2021 Outreach Plan

The comments received during the public comment period will be compiled, summarized and made available on the program website. SCAG will host a workshop to share what we heard from the comments and how they will be incorporated. This workshop will also include an opportunity for stakeholders to participate in an open discussion on the projects within the program areas and how to prioritize these projects.

SCAG Policy Committee Engagement

SCAG staff will bring the final framework and the public comment period summary to SCAG's policy committees. Before moving forward to program area specific outreach, SCAG staff will recommend that the policy committees adopt the framework.

COG One-On-One Meetings

SCAG will conduct one-on-one meetings with Subregional COGs in March and April 2022 to identify COG needs, partnership opportunities and the level of participation desired by each COG for development of the REAP 2021 program. These meetings build upon surveys and listening sessions with the COGs issued early in the year.

Tribal Engagement

SCAG will facilitate informal one-on-one meetings and up to two virtual convenings to provide early-on engagement with tribal leaders to gather input and facilitate the determination of an ongoing tribal engagement program. These meetings and convenings will serve to share the draft framework and get feedback on tribal program methods of engagement, format of engagement and topic areas.

Framework Core Objectives & Program Development

Following SCAG's Policy Committees' adoption of the REAP 2021 Program framework, from June to October 2022, SCAG will conduct various program-wide and program-area specific outreach and engagement activities to get stakeholder feedback on program development. These engagement activities include presentations, surveys, virtual convenings, focus groups, and listening sessions.

SCAG Policy Committee Engagement

SCAG staff will engage SCAG's Policy Committee's on the core objectives and projects that will be included in the proposed final application. SCAG will share feedback received during stakeholder engagement and will seek their approval on the work program to include in the final REAP 2021 application.

Presentations and Special Events

SCAG will provide presentations and feedback at regularly scheduled meetings and special events of stakeholders. This may include providing presentations, hosting roundtables, providing event speakers and participating in panels. Thus far, SCAG has committed to hosting a roundtable to share proposed REAP 2.0 programs and seek feedback from attendees at ULI-LA's annual Urban Marketplace entitled "Advancing Equity Through Infrastructure". This is a unique event where attendees can meet with industry and civic leaders to learn about the latest housing and real estate trends, and opportunities essential to successful development projects.

REAP 2021 Outreach Plan

Public Opinion Survey

SCAG will advise and facilitate activities to assess public opinions on SCAG's REAP 2021 projects, initiatives, and messages. This could be done via surveys, polling, focus groups or other methods. This research would allow SCAG to get feedback from the public on a range of REAP 2021 related issues and to monitor change in attitudes and public confidence in political and civic leadership over time, and importantly to ensure support for the transformative planning and implementation activities funded by the REAP 2021 program.

Tribal Engagement – Leadership Summit

Based on the tribal feedback provided during the early one-on-one meetings and virtual convenings, SCAG will host a tribal leadership summit to learn about ongoing efforts across the region and identify priorities and areas where SCAG can provide technical assistance and, where applicable, direct programmatic support. Based on the feedback provided during the outreach process, SCAG will develop a Regional Tribal Action Plan that outlines an ongoing tribal engagement program, with a summary and recommendations to help prioritize SCAG's work program and identify transformative planning and implementation activities related to tribal needs, to include in the final REAP 2.0 application. Activities will also follow SCAG's Tribal Engagement Consultation Policy.

Program Specific Outreach

In addition to the program wide outreach, staff will pursue additional engagement to develop the programs within the specific program areas identified in the REAP 2.0 Program Framework.

Housing Supportive Infrastructure Program – Targeted Outreach

Virtual Focus Groups

SCAG will host fully interactive virtual focus groups of stakeholders to share information on the REAP 2.0 program and seek feedback on core programmatic concepts driving the development of the housing supportive infrastructure program. These focus groups will be organized to seek feedback from targeted cohorts that reflect a particular stakeholder group, with effort to ensure broad participation and representation from organizations that represent disadvantaged communities. The focus groups can also identify opportunities for coordination and collaboration. The focus group sessions will include short presentations from SCAG providing an overview of the program and will allow participants to provide feedback structured by discussion questions.

Potential Stakeholder Groups:

- Cities and Counties
- Community Based Organizations (with an emphasis on organizations working in DACs)
- Developers (Housing – both non-profit and for-profit)

REAP 2021 Outreach Plan

- Housing Financing Sector (including traditional lending/equity as well as CDFIs and other intermediaries)
- Utility providers
- Land Use Experts
- Housing Trust Funds
- Philanthropy

City/County Listening Sessions

SCAG will host a series of listening sessions open to staff of SCAG's member cities and counties, with a focus on those working on land use planning, housing and related departments such as public works. This will be an opportunity for planning staff to learn more about the REAP 2021 program and provide feedback on core objectives and prioritization of projects. The listening sessions will be organized geographically and will allow for open dialogue. SCAG will make extended efforts to ensure that staff from cities and counties with a larger proportion of Disadvantaged Communities participate.

One on One Meetings

As part of developing the housing supportive infrastructure program core objectives, SCAG will conduct limited one-on-one meetings with utility providers, subregional COGs and housing trust funds. The focus of these meetings is to understand efforts across the region that fall within key identified program areas and to figure out how to align program guidelines to facilitate and expand these efforts. To prepare for these meetings, SCAG staff will generate summaries of the targeted sectors. For example, SCAG will develop an inventory of utility providers in the area along with a summary of any existing programs or investments that support housing development. SCAG will also generate a list of housing trust funds in the region and their current status.

Industry Forum and Request for Information and Proposals

To support development of the utility infrastructure program, SCAG will hold an Industry Forum and follow it with a Request for Information (RFI) or a Request for Information and Proposals (RFIP) to solicit concepts, partnerships and potentially proposals for transformative projects that address sustainable utility infrastructure, infill housing development and reduction of VMT. Based on the responses to the RFI/RFIP, SCAG will either craft program guidelines for a second phase solicitation or enter negotiations to fund proposals that were solicited.

Housing Forum (Convening 2 Leadership Academy)

Under the REAP 2019 contract with consultant, LeSar Development, SCAG is offering 8 cohorts of Housing Policy Leadership Academy trainings across the SCAG region. As a part of this program, SCAG and LeSar are holding four convenings, in the form of Housing Forums. The first forum focused on new

REAP 2021 Outreach Plan

legislation at the State and Federal level. The second Forum will focus on new funding sources for housing. SCAG will organize at least one panel and/or breakout session to focus on the proposed REAP 2.0 framework and offer opportunities for feedback on priorities and programs that are most effective at transformative planning and accelerating housing production.

Regional/County Transportation Commission (CTC) Partnership Program – Targeted Outreach

In addition to the program wide outreach, additional activities to develop regional initiatives and the CTC Partnership Program will include the following.

Working Group

SCAG will continue to engage each of the CTCs in the development of the CTC Partnership Program, including convening a formal CTC Partnership Working Group, anticipated to launch in late March. Upon HCD's release of state program guidelines for REAP 2.0, the Working Group will focus on development of regional program guidelines and establish a formal process for executing the CTC Partnership program, including soliciting, screening, and selection of projects that advance key Connect SoCal policies and strategies.

Market Sounding and Request for Information and Qualifications/Proposals (RFIQ/RFIP)

Supplemental industry engagement efforts and/or RFI or RFIQ/RFIP may be issued to solicit new concepts or to build upon some existing program development efforts specific to transformative transportation strategies. Responses to the RFI/RFIP are anticipated to support SCAG's efforts to develop broader regional transportation strategies to augment CTC partnership initiatives.

Market Research Groundwork Studies

SCAG will also facilitate studies and surveys to monitor travel of targeted populations, including but not limited to public opinion surveys, stated preference surveys, and focus groups. Work to date, in collaboration with UC Davis, has focused on a longitudinal survey of travel behavior, particularly examining COVID-19 related impacts throughout the SCAG region. Recognizing the challenges associated with capturing travel behavioral changes and trends of disadvantaged populations in broader survey work, SCAG plans to focus further research work on disadvantaged populations, exploring alternative recruitment strategies. Findings from continued research will support the development of SCAG's work program, including the prioritization of transformative initiatives.

Early Program Initiatives – Targeted Outreach

SCAG will expand some existing programs in the Connect SoCal Implementation Strategy to support cities in implementing Connect SoCal. Early Program Initiatives will seek to provide immediate benefit to the region through developing transformative planning activities that can be implemented quickly to advance the Core Vision or Key Connections in Connect SoCal 2020 and refinement of these strategies in the 2024 plan update. Many of these initiatives were developed with extensive stakeholder engagement, but further development and/expansion of these programs will include additional stakeholder engagement.

REAP 2021 Outreach Plan

Regional Data Platform

Local general plans provide the legal underpinning for land use decisions and set the vision about how a community will grow, reflecting community priorities and values while shaping the future. Per Government Code section 65302, local general plans must include the following mandatory elements: land use, circulation, housing, conservation, open space, noise, and safety. SCAG's Regional Data Platform (RDP) provides data, planning templates and tools to help local jurisdictions update and align various elements of their general plans to advance sustainable planning at the local and regional level.

SCAG will host two information sessions to get input from local jurisdictions on SCAG's RDP successes and identify ways to make the tool a more valuable resource to support local planning. These sessions will allow SCAG to gain insight on how stakeholders can engage with the tool for a more participatory planning process. SCAG will explore new features and identify needs for additional training or technical support.

Through the Local Information Services Team (LIST), SCAG will continue to engage with subregional COGs, local jurisdictions, and key stakeholders to provide personalized one-on-one technical assistance to familiarize them with the tools and resources in the RDP. This service intends to build consensus, deliver useful information, and obtain feedback from local jurisdictions on SCAG's products like the Housing Element Parcel (HELPR) Tool and the Local Data Exchange (LDX) system.

SCP Call #4 Civic Engagement, Equity & Environmental Justice

SCAG's Sustainable Communities Program (SCP) provides resources to local agencies for local planning and is a key implementation tool of Connect SoCal. The SCP strengthens partnerships to promote healthy, connected, and equitable communities. This Call for Applications is focused on Civic Engagement, Equity & Environmental Justice and prioritizes funding in communities of concern (COCs) and SB 535 disadvantaged communities (DACs) in priority counties.

To support program development, SCAG held two listening sessions in July 2021 with over 53 attendees. Partners were invited to share feedback on the program and provide input on the Call development. Following the listening sessions, SCAG conducted targeted one-to-one meetings with CBOs and other partners in priority areas to further engage partners. SCAG is continuing engagement with various efforts planned for spring and summer 2022, including two listening sessions planned for June, additional one-to-one meetings with partners in priority areas, and a robust communications plan to promote the feedback opportunities. SCAG also plans to present at various Regional Planning Working Groups to promote the Call and receive further input from partners. SCAG will apply the findings to develop program guidelines and identify eligible projects. Stakeholder feedback may also help identify a new call for projects that support infill housing development, reduction of VMT and support multi-mobility goals.

Go Human: Active Transportation, Safety Planning & Community Engagement Expansion

REAP 2021 Outreach Plan

SCAG continues to expand its strategic community engagement strategies through its award-winning Go Human program. Initially launched in 2015, Go Human aims to reduce VMT by encouraging more people to walk and bike in Southern California and directly addresses the high rates of collisions involving people walking and biking, by promoting a regional approach to community-driven pedestrian and bicyclist safety efforts. The original program was developed with extensive stakeholder engagement and through a co-creative process and every strategy continues to be informed by public feedback.

New outreach will be conducted in Spring and Summer of 2022 to explore expansion of Go Human to leverage the program's current strengths of supporting equity, tactical on-the-ground projects, inclusive & participatory engagement, community-based partnerships, and creative strategies to support broader local planning and community engagement strategies. The results of the outreach will drive the final recommended program expansion and will be reflected in full REAP 2.0 application.

Other Programs and Initiatives

SCAG may seek to develop new programs and initiatives, and would use REAP 2.0 advance funding to conduct planning studies, support the identification of transformative planning activities and test concepts for further implementation. SCAG will facilitate such studies, foundational data collection, and pilot programs, with a goal of incorporating findings into the final REAP program application. Each study or initiative will include targeted stakeholder engagement to ensure that core issues are

Reporting and Program Implementation

The feedback from stakeholders will be incorporated in the final REAP program application; feedback will help identify partnership opportunities, establish priorities for transformative planning and implementation activities that reflect a balance of regional needs and geographical equity. SCAG will ensure all outreach and engagement efforts are incorporated in a final report to be shared publicly. Metrics for success will include the number of stakeholders we reached, the number of comments received and potentially through findings of related public opinion polls. The success of the outreach will be evaluated to determine what worked well and additional outreach activities for program implementation. Post-program-development activities will be determined and implemented later.



AGENDA ITEM 18
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

From: Debbie Dillon, Chief Strategy Officer
(213) 236-1870, Dillon@scag.ca.gov

Subject: Executive/Administration Committee Strategic Work Plan Progress
Report Quarter Ending March 31, 2022

**EXECUTIVE DIRECTOR'S
APPROVAL**

RECOMMENDED ACTION:

Receive and File

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians. 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

EXECUTIVE SUMMARY:

This is a quarterly status report on progress made on the Executive Committee’s Work Plan since December 2021.

BACKGROUND:

This is a progress report following up on the EAC Work Plan developed through an interactive EAC and Executive Staff retreat held in June 2021 and adopted by the EAC and RC at the October 2021 meeting.

Following the Special EAC meeting held June 24, 2021, the EAC established clear direction and focus for the executive staff related to its goals and priorities and further communicated its desire for staff to blend the results into the future update to SCAG’s Strategic Plan and related work planning. This work plan will remain a fluid and evolving document to be revisited at regular intervals for progress and re-shifting of priorities, as needed.

Staff expects to start the wholistic update to the Strategic Plan in 2022. A consultant has been selected and staff is working through the final stages of developing the first task order. This process will be discussed further with the EAC at a future meeting.

Priority Area 1: Regional Policy Development—Regional Plan Update

Connect SoCal, SCAG's Regional Transportation Plan/Sustainable Communities Strategy, provides a regional vision for Southern California's future and establishes the overarching policies and strategies that guide SCAG's regional plans and programs. As staff initiates the process of updating the plan in FY 22, the following goals will be prioritized through the specific actions outlined below.

Goals

- To build collaborative relationships with stakeholders on policy issues
- To advance clean transportation across Southern California
- To be visionaries for infrastructure and the environment for the next generations
- To find connectivity in modes of transportation and to be the center of collaboration
- To help make local leaders better – leadership development

Actions

1. *Elevate & Expand Policy Leadership*

To develop visionary policies to advance the EAC's goals, staff will pursue process improvements that enable elected leaders to more actively engage with each other and staff to set policy direction and lead policy discussions for Connect SoCal. This will include:

- a. Changing the process for agenda development and staffing of Policy Chairs to give policy makers a greater role in agenda setting. Create an opportunity for report-outs from Policy Committees for greater awareness and coordination across committees (October 2021)

Ongoing. Meetings held with Executive Director, Chair and Vice-Chair of each committee in October to establish annual priorities. A Planning Executive and Regional Affairs Officer have been assigned to support each Chair, align agenda development with established priorities, and hold monthly briefings to identify any emerging issues to be brought forward to the committees. A process for Chairs to report-out on the work of the committee is under-development and will be finalized when a regular format and schedule of the legislative body, post COVID-19 pandemic a public health emergency, has been determined.

- b. Creating opportunities for leadership development and mentorship among Chairs and Vice Chairs (Ongoing)

Ongoing. SCAG has developed a series of trainings that will support elected officials and interested stakeholders better understand how to advance policy solutions to increase the supply and availability of affordable housing. The SCAG Housing Policy Leadership Academy (SCAG-HPLA) will offer a 10-session online training starting in February 2022 and ending

November 2022. A number of Regional Council Members throughout the region recently participated in the SwissCal conference, sponsored by SCAG, Caltrans, and Metro, and led by Seamless Bay Area. The conference featured expert testimony, through facilitated interactive workshops, from Swiss transportation officials on their integrated public transportation ecosystem. This conference supports SCAG's Connect SoCal transit strategy, including its "key connection" for shared mobility and mobility as a service (MaaS). Together with SCAG's MaaS Feasibility White Paper, the lessons learned from the Swiss experience will inform forthcoming Transportation Committee policy discussions as part of the 2024 Connect SoCal update.

- c. Working with the Executive Board Officers and the Policy Committee Chairs and Vice Chairs to develop a Policy Development Framework for 2024 Connect SoCal that identifies priority policy issues for deeper discussion and establishes a sub-committee structure for policy education, engagement, and consensus building to guide visionary policy development (March 2022)

On-track. A draft framework was presented to the EAC in March and will be discussed at the Policy Committees in April. A revised version of the framework will be considered for adoption by the EAC and RC in June 2022.

2. Strengthen Stakeholder Engagement

To build collaborative relationships and strengthen stakeholder engagement in regional policy development, staff will:

- a. Provide opportunities to highlight SCAG's work and best practices throughout the region through Board Officer site visits and briefings, including collaboration with existing and new stakeholders and policy makers (Ongoing)

Ongoing. President Lorimore, along with Board Officers, Regional Councilmembers, and SCAG staff continue to lead site tours across our 6-county region in partnership with member cities to highlight SCAG programs and projects. These included at eighteen visits to cities such as Anaheim, Brea, Long Beach, Murrieta, Placentia, Imperial, and Yorba Linda; a number of organizations such as BizFed, Greater Ontario Business Council, Milken Institute, Ontario Airport, Orange County Council of Governments (OCCOG), Los Angeles and Long Beach Ports, and Western Riverside County Council of Governments (WRCOG); and others. During these visits, President Lorimore met with local elected officials, visited SCAG Go Human demonstrations, toured SCAG funded projects, and more.

SCAG also met with neighboring Metropolitan Planning Organizations as part of ongoing partnership opportunities to discuss areas of cooperation, potential joint projects, and transportation planning efforts, as well as activities that impact both sides of their shared county lines. SCAG Board Officers, Regional Councilmembers, and representatives from partner agencies met with members from Kern Council of Governments (Kern COG) and Santa Barbara Association of Governments (SBAG)

- b. Develop a Stakeholder Engagement Strategy for the 2024 Connect SoCal Plan based on SCAG's updated Public Participation Plan currently under development, including latest technologies, emphasis on equity and increased participation from tribal governments (Due Spring 2022)

On-track. A request for proposals is under-development to procure a consultant by Spring 2022 to develop a comprehensive strategy that aligns with the Public Participation Plan. Update to be provided to the Regional Council as part of the February Joint Policy Committee on Connect SoCal 2024. SCAG's PPP was updated and released for public comment in November 2021 and scheduled to be adopted by the Regional Council in April.

- c. Enhance strategic partnerships with members of the business community, including members of SCAG's Global Land-Use & Economic Council (GLUE). Leverage existing and potential SCAG memberships and sponsorships to promote and share SCAG's mission and work (Ongoing)

Ongoing. SCAG President Clint Lorimore recently appointed Lucy Dunn, Orange County Business Council CEO Emeritus, as Business Representative to the Regional Council.

- d. Host bi-monthly meetings and improve communications with the Executive Directors of the sub-regional councils of governments to improve the flow of information to local jurisdictions and increase local engagement in the plan development process. SCAG also developed a monthly written report specifically tailored to the subregional COGs to better communicate issues of common interest (Ongoing).

Ongoing. SCAG sends out monthly written reports to the Executive Directors to ensure consistent communication and collaboration throughout the region.

- e. Host bi-annual meetings with City Managers to increase engagement in SCAG's planning process and improve awareness of member benefits (Ongoing)

Work underway to plan outreach event Spring 2022 to align with the "kick-off" of the Connect SoCal 2024 local data exchange process and to promote resources available

through the Regional Data Platform. Briefings and visits to SCAG's subregional council of governments have begun, and city managers are invited to attend the Annual Conference and General Assembly in May 2022 free of charge.

Priority Area #2: Leadership in Resource Deployment—Connect SoCal Implementation

Build upon the framework established in the Connect SoCal Implementation Strategy to expand and develop new programs with federal and state resources, including REAP 2021, that advance the following goals:

Goals

- To be the leader in resource deployment and convenor of biggest challenges and best practices
- To support efforts to accelerate housing production across Southern California
- To be leaders in the roll out of technologies to communities
- To be good innovators in our region

Actions

1. Pursue REAP 2021 Resources (January 2022)

Established as a part of AB 140 for the FY 21-22 state budget, approximately \$600 million is available statewide for the Regional Early Action Planning Grant Program for 2021 (REAP 2021). The SCAG region's formula share is estimated to be \$246 million, of which an initial allocation of 10 percent of funds are available starting January 1, 2022. In October, staff will prepare a REAP 2021 Program Development Framework for review by the Policy Committees that is based upon the above Leadership in Resource Deployment goals, supports implementation of Connect SoCal, and can be delivered within the funding constraints of the program. Staff will then prepare an application for funding based on the Program Development Framework for EAC consideration in November and Regional Council approval in January 2022.

Staff presented a draft REAP 2021 Program Development Framework to the Board in October 2021 and continues to provide feedback to the California Department of Housing and Community Development (HCD) to ensure the funding guidelines align with the priorities identified in the framework. HCD's process for releasing program guidance and the application for initial funding allocations has been delayed. Assuming an application is released by HCD in early January 2022, SCAG staff anticipates returning to the EAC and Regional Council in February 2022 for authorization to pursue an initial allocation of REAP 2021 resources to support program development and pursue early action items, as authorized by HCD.

2. Accelerate deployment of general plan development tools. (Due Spring 2022)

Complete the first phase of the Regional Data Platform focused on the development and deployment of general plan development tools. Pursue additional resources including as part of REAP 2021 to leverage the capacity of RDP to advance the Leadership in Resource Deployment goals.

On-track. Work underway to roll-out the RDP to local agencies this Spring in coordination with the Connect SoCal 2024 local data exchange process. Enhancements are being discussed internally and with subregional agencies and stakeholders for consideration in the FY 22-23 budget development process and SCAG's REAP 2021 application.

Priority Area #3: Legislative Action

Develop more targeted legislative strategies focused on key policy initiatives. Augment and amplify SCAG's legislative advocacy program to include taking stronger positions on pending legislative bills and SCAG sponsored legislation.

Goals

- To lead in legislative advocacy

Under the leadership of the Legislative/Communications and Membership Committee (LCMC), and within the parameters of the Regional Council adopted Legislative Platform, be courageous in adopting formal positions that express the Southern California region's legislative concerns, identify legislative solutions to regional challenges that affect SCAG's member agencies and stakeholders, and sponsor legislation to secure the tools needed to achieve state and federal transportation and climate goals.

Areas of consideration for focus include, but are not limited to, the following:

State:

- Regional Housing Needs Assessment (RHNA) Reform – While incorporating the lessons learned from SCAG's 2021 RHNA process, participate in HCD's RHNA "Reform" Committee and identify legislative solutions that will improve future cycles of the RHNA.
- Senate Bill (SB) 375 Reform – Participate and heavily engage in legislative efforts that would update and modernize the state's SB 375 Program, which establishes the regional GHG reduction and SCS processes.
- Housing Production Incentives – In the prolonged absence of redevelopment, continue to advocate for state-supported tools that enable local agencies to implement their housing programs, according to their local visions.

- Brown Act Reform – Support the modernization of the Brown Act to increase public participation and support the wide-spread adoption of virtual meetings and other technologies.

Federal:

- Federal Reauthorization Implementation – Monitor, apply, and advocate for funding opportunities that support SCAG programs and regional projects that implement Connect SoCal.
- Southern California Freight-Goods Movements – Monitor, apply, and advocate for initiatives that maximize the Southern California region’s share of federal funding opportunities that support our region’s freight and goods movement sector.

Actions

1. Conducted targeted legislative advocacy with members of the State Assembly’s Housing Working Group in support of the Regional Council’s housing-related legislative priorities.
 - a. *Staff supported President Lorimore, board officers, and LCMC leadership on seven unique advocacy meetings with Assemblymembers from across the state to support a budget augmentation to the Infill Infrastructure Grant program, expanded use of tax increment financing tools, support for SB 15 (Portantino), and a special legislative hearing on the status of housing element updates in the SCAG region.*
2. Continued to advocate for flexibility for SCAG region cities and counties concerning the deadline for their Housing Element updates and the associated, pending re-zoning deadline
 - a. *With the help of SCAG lobbyists, staff arranged an advocacy meeting with Assemblymember Buffy Wicks within days of her appointment as the new Chair of the Assembly Committee on Housing and Community Development, to enlist her support for Housing Element flexibility and to call a special hearing on the status of Housing Elements in the SCAG region and the impact that non-compliance would have on access to funding to support the development of affordable housing.*
 - b. *Staff submitted a letter to the four SCAG-region members of the Assembly Housing and Community Development Committee requesting their support for Housing Element flexibility and a special hearing.*
3. Dedicated policy discussion on the LCMC agenda to discuss and develop potential legislative efforts, such as the RHNA Reform or Brown Act Reform policy framework
 - a. *After robust discussion and deliberation at the LCMC, the Regional Council voted on January 6, 2022, to support a major budgetary augmentation and expansion of the Infill Infrastructure Grant program as its principal legislative advocacy effort for the year.*

improvements to it would likely take the form of a budget or budget trailer bill rather than as a traditional policy bill.

- b. Ongoing*
 7. Develop strategy to engage SCAG members and broader stakeholders to create a robust coalition in support of SCAG's legislative ideas (April 2022)
 - a. SCAG staff is coordinating with the Sacramento Area Council of Governments and the California Association of Councils of Governments to identify shared priorities on an Infill Infrastructure Grant Program expansion with the goal of creating a statewide coalition to support the expansion of this program.*
 - b. Ongoing*
 8. SCAG staff representation in HCD's RHNA reform efforts (Ongoing)
 - a. Pursuant to AB101 (2019), HCD is obligated to make recommendations to the legislature regarding RHNA reform by December 2022, and these recommendations are to reflect a process that engages key stakeholders. Staff have checked in regularly with HCD to learn of any progress toward this effort, with no work started to date. Staff have raised this issue with CalCOG and other MPOs at monthly meetings and have expressed concern regarding the timeline for this process.*
 - b. As we await a timeline for the RHNA reform process, staff are developing a matrix of recent changes to both RHNA and Housing Element law that have proven challenging for cities and counties and are identifying issues and potential solutions to discuss once the RHNA reform process kicks off.*
 9. Convene regional partners to identify and pursue federal funding opportunities for regionally significant infrastructure projects (Monthly)
 - a. SCAG provided 13 letters of support to SCAG member jurisdictions and partners to support local applications for the cap-and-trade funded Transit and Intercity Rail Capital Program.*
 - b. SCAG provided 11 letters of support to SCAG member cities to support local applications for the state funded Clean California Grant Program.*
 - c. On January 28, 2022, SCAG submitted a public comment letter to the U.S. Department of Transportation and the Federal Highways Administration in response to their solicitation of feedback on the development of guidelines for the Electric Vehicle Charging Formula Program and the Charging and Fueling Infrastructure Grant Program.*
 - d. On January 5, 2022, SCAG, along with our sister metropolitan planning organization, the San Diego Association of Governments (SANDAG), submitted a joint advocacy letter to the National Telecommunications and Information Administration*
-

expressing three shared principles for the development of the programs will distribute \$65 billion for broadband related infrastructure.

- e. On February 7, 2022, SCAG, along with Metrolink and the region's six county transportation commissions, submitted a joint letter to state legislative leadership and the chairs of the Assembly and Senate budget committees in pursuit of budget surplus funding for SCAG region infrastructure priorities.*

10. Leverage membership organizations, such as Coalition for America's Gateways and Trade Corridors and the Regional Broadband Consortium, to influence guidance for funding opportunities (Ongoing)

- a. President Lorimore, LCMC Chair Wapner, and SCAG staff represented the agency at the annual "Conference of Regions" hosted by the National Association of Regional Councils, which included information sharing, workshops, and speeches on best practices and federal funding opportunities. SCAG arranged the content for the conference's "Political Outlook" breakout session. The conference was supplemented with advocacy meetings to support SCAG legislative priorities and a networking event joined by a representative from the San Diego Association of Governments.*
- b. Ongoing*

Priority Area #4: Technology/Innovation Leadership

Create environment for sharing of innovation to advance work in local and regional planning to address the pressing issues facing the region. By providing a forum for innovation sharing, SCAG leads the region in advancing the adoption of effective and efficient technologies for improving mobility, sustainability, and equity.

Goals

- To be leaders in the roll out of technologies to communities
- To be good innovators in our region

Actions

Work with Policy Committees and the Emerging Technologies Committee (ETC) to provide the best available information and tools to our member jurisdictions, including completing activities and promoting lessons learned from the Future Communities Initiative. SCAG must also lead by adopting and using the best available technology in areas of our work.

1. *Implement and Continue to Refine Broadband Work Plan (Ongoing)*

Continue work to implement Resolution No. 21-629-2, which pledges SCAG to assist in bridging the digital divide in underserved communities. The Transportation Committee and Regional Council will receive a report on progress in September and provide guidance on next steps.

SCAG staff continues to make progress on priorities for bridging the digital divide as outlined in Resolution No. 21-629-2. This included the release of a Joint Request for Qualifications for Prospective Partnerships with SANDAG to identify partners in the public, non-profit and private sectors interested in collaborating on federal and state funding proposals to implement projects that reach unserved and underserved communities. Additional resources to support the development and implementation of SCAG's Broadband Work Program were approved by the EAC on behalf of the RC in December as part of Budget Amendment #2. SCAG staff also received authorization from the EAC and RC in January 2022 to accept a \$250,000 grant from the California Emerging Technology Fund (CETF) to support regional broadband planning. In April 2022, staff will present to the Transportation Committee the findings from the study of vehicle miles traveled (VMT) impacts of broadband, a Caltrans grant-funded effort with CETF and the region's broadband consortia.

2. Regional Data Platform is Live (Launched February 2022)

The Regional Data Platform (RDP) provides a modern system for holistic planning across the region, fostering a more sustainable and equitable future for Southern California. The platform is providing a robust system for regional data sharing and collaboration in addition to providing long-range planning tools and resources to all member agencies to facilitate better planning at all levels.

RDP was launched on February 23, 2022. One of the major components in the RDP is a two-way data sharing and workflow, which has been designed to align with the local data exchange (LDX) process for Connect SoCal 2024. Outreach on the RDP has continued over the last quarter, including with SCAG's Technical Working Group (TWG), Subregional Executive Directors, and Subregional Technical Advisory Committee Members, to keep stakeholders engaged in the tool development and updated on the project schedule. SCAG's Local Information Services Team (LIST) has been providing one-on-one technical assistance to local jurisdictions and other stakeholders to promote the tools and resources of RDP, specifically the LDX system.

3. Share Best Practices from Future Communities Pilot Program (Due June 2022)

In 2018, SCAG and the Mobile Source Air Pollution Reduction Committee (MSRC) made available a new \$2.7 million grant opportunity that would allow local cities and counties to implement new technology and data solutions, while also reducing vehicle miles traveled (VMT) and implementing SCAG's 2016 Regional Transportation Plan/Sustainable Communities Strategy. As pilots will conclude in 2022, SCAG will develop a report and share best practices to support policy

development, improve processes for government service provision, and enhance innovative engagement practices with private sector mobility providers.

Delayed. The program experienced some setbacks due to the ongoing COVID-19 pandemic, particularly regarding pandemic commodity constraints, supply chain issues, and staff capacity, ultimately resulting in delayed implementation and a nine-month timeline extension granted by MSRC. Four pilots remain on-track for project completion by the end of the current fiscal year, but four will continue into SCAG's next fiscal year. The individual pilots are moving through implementation and data collection, and the program evaluation team continues to monitor, record, and analyze key performance indicators, focusing on the effectiveness of the pilots to reduce VMT and air pollution. When the pilots conclude, SCAG will disseminate project summaries, significant findings, and recommendations for replicability throughout the SCAG region, followed by the release of the final report in March 2023.

4. Agile IT Phase 2 (Due March 2022)

Continue work to upgrade and modernize SCAG information technology infrastructure, GIS tools, and internal systems to provide staff the most reliable, resilient, and productive technologies for work across the region.

Significant progress has been made implementing key deliverables of Agile IT Phase 2. Notable milestones include network circuit and equipment upgrades, secondary datacenter back-up installation and configuration underway, conference room upgrades complete, and acquisition of email protection gateway and security training software as key infrastructure modernization continues.

FISCAL IMPACT:

None identified at this time. The work included in the 2021/22 work plan is budgeted, however, during the year staff may bring back necessary amendments to the budget to address the needs related to the Priority Areas. Resources were added in Budget Amendment #2 to support Broadband planning and the \$250,000 CETF grant will be added in Budget Amendment #3. REAP 2021 resources will be allocated in a future budget amendment after approval by HCD.



AGENDA ITEM 19
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Javiera Cartagena, Director of Government and Public Affairs
(213) 236-1980, cartagena@scag.ca.gov

Subject: April 2022 State and Federal Legislative Update

RECOMMENDED ACTION:

Receive and File.

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

STATE

California State Legislative Calendar

Legislators have been busy at work. February and March are jam-packed with budget and policy committee hearings as legislators work to evaluate, shape, and improve the thousands of legislative measures that were introduced prior to the February 18, 2022 bill introduction deadline.

Legislators will break for Spring Recess on April 7, 2022 and reconvene on April 18, 2022. Upon reconvening from Spring Recess, the legislature will face various policy and fiscal bill committee deadlines, culminating with the deadline for bills to pass in their house of origin on May 27, 2022.

The table below highlights upcoming legislative deadlines:

Date	Deadline
February 18, 2022	Last day for bills to be introduced.
April 7, 2022	Spring Recess begins upon adjournment.
April 18, 2022	Legislature reconvenes from Spring Recess.
April 29, 2022	Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.
May 6, 2022	Last day for policy committees to hear and report to the

	floor nonfiscal bills introduced in their house.
May 13, 2022	Last day for policy committees to meet prior to May 31.
May 20, 2022	Last day for fiscal committees to hear and report to the floor bills introduced in their house. Last day for fiscal committees to meet prior to May 31.
May 23-May 27, 2022	Floor session only.
May 27, 2022	Last day for each house to pass bills introduced in that house.

New CalSTA Director Toks Omishakin Appointed and Sworn In

Former CalSTA Secretary David Kim announced he was stepping down from his role in early January. Governor Newsom appointed Toks Omishakin to fill the position, and he was sworn in as the new CalSTA Secretary in February 2022. He previously served as Director of the California Department of Transportation (Caltrans) since 2019, where he managed a \$15 billion budget and nearly 22,000 employees who oversee 50,000 lane miles of highway, maintain approximately 20,000 bridges, provide permitting of more than 400 public-use airports, fund three of Amtrak’s busiest intercity rail services and provide transit support to more than 200 local and regional transit agencies. Secretary Omishakin’s previous experience includes eight years with the Tennessee Department of Transportation (TDOT) and a stint in the Nashville Mayor’s Office as Director of Healthy Living Initiatives. Steven Keck, Caltrans’ former Chief Financial Officer, was appointed as Acting Director of Caltrans in March 2022.

FEDERAL

SCAG Secures Federal Earmark for the Highways to Boulevards Study

SCAG secured \$480,000 in Community Project Funding for the Highways to Boulevard Regional Study, consistent with the Regional Council’s adopted resolution declaring racism a public health crisis and vowing to work in partnership with others to meaningfully advance justice, equity, diversity, and inclusion. The study will identify and evaluate urban highways within the six-county SCAG region that could be converted to city streets that better fit the context of their surroundings, particularly within environmental justice areas and disadvantaged communities. A Highways to Boulevards Regional Study can offer a path for communities to reknit by replacing aging highways with city streets. Many of these communities experience higher than average transit ridership and lower than average vehicle ownership. Yet, the transportation system that serves the community is entirely focused on motor vehicle throughput. SCAG’s Community Project Funding request was sponsored by Senator Alex Padilla and Senator Dianne Feinstein. This funding was included in the Fiscal Year 2022 Omnibus Appropriations Act (H.R. 2471), which Congress approved with a bipartisan vote and signed by President Joe Biden on March 15, 2022.

Federal Grant NOFOs – RAISE, Low-No, Buses & Bus Facilities, and Multimodal Project Discretionary Grants

The United States Department of Transportation (USDOT) announced notice of funding opportunities (NOFOs) for several federal grant programs and are still soliciting applications. Currently, the Rebuilding American Infrastructure with Sustainability and Equity (RAISE), Buses and Bus Facilities, Low or No Emission (Low-No), and Multimodal Project Discretionary Grant programs are all accepting applications.

The RAISE grant program NOFO was announced in January and will provide \$1.5 billion in grant funding for communities across the nation to build projects with significant local or regional impact. The RAISE program, formerly known as TIGER or BUILD grants, offers flexible funding that can be used for repair and modernization projects such as dedicated bus lanes, highway and bridge repairs, dock replacements, trail projects, and more. To date, the RAISE program has awarded over \$9.9 billion for more than 700 projects. This year, the program will ensure that at least \$15 million is awarded to projects located in Areas of Persistent Poverty or Historically Disadvantaged Communities. The application deadline for RAISE is on April 14, 2022, and the DOT will announce awards by August 12, 2022. For more information, please visit the DOT's RAISE web page [here](#).

The Federal Transit Administration announced a joint NOFO for the Low-No and Buses and Bus Facilities Grant programs on March 7, 2022. The NOFO announced \$1.1 billion in grant funding under the Low-No program and \$372 million under the Buses and Bus Facilities program. The Low-No program provides funding to state and local governmental authorities to purchase or lease zero-emission and low-emission transit buses, including acquisition, construction, and leasing of required supporting facilities. The Buses and Bus Facilities program assists in financing buses and bus facilities capital projects, including replacing, rehabilitating, purchasing or leasing buses or related equipment, and rehabilitating, purchasing, constructing or leasing bus-related facilities. As this is a joint NOFO, applicants are encouraged to apply to one or both programs by the May 31, 2022, deadline. For more information, please visit the FTA's Low-No and Buses and Bus Facilities joint NOFO web page [here](#).

The USDOT announced the Multimodal Project Discretionary Grant (MPDG) opportunity on March 23, 2022. The MPDG is a combined NOFO and common application for three grant programs: (1) the Infrastructure for Rebuilding America (INFRA) program; (2) the National Infrastructure Project Assistance (MEGA) program; and (3) the Rural Surface Transportation Grant Program (RURAL). The MEGA and RURAL programs are new grant opportunities established by the IIJA. The USDOT will make \$1 billion available for the MEGA program, \$1.55 billion for the INFRA program, and \$300 million for the RURAL program. These programs will offer competitive grant funding for surface transportation infrastructure projects – including highway and bridge, intercity passenger rail, railway-highway grade crossing or separation, wildlife crossing, public transportation, marine highway, and freight projects, or groups of such projects – with significant national or regional

impact, or to improve and expand the surface transportation infrastructure in rural areas. While applicants can apply to one, two, or all three grants, this combined NOFO will allow applicants to do so by submitting only a single application. The application deadline is May 23, 2022, and more information can be found on the DOT's MPDG web page [here](#).

Federal Appropriations Update

Since the start of the fiscal year, which started on October 1, 2021, the federal government has operated under Continuing Resolutions (CR) that maintain funding levels authorized in the last weeks of the Trump Administration. To avoid a shutdown, Congress approved various CRs through March 15, 2022, including a last-minute four-day extension, while they finished negotiating the FY 2022 Omnibus Appropriations bill (H.R. 2471). H.R. 2471 originally contained funding for the remainder of the Fiscal Year (FY) 2022 through October, along with \$15.6 billion in COVID preparedness funding and \$13.6 billion in military and humanitarian aid to Ukraine. However, President Biden's requested COVID funding package to cover therapies, vaccines, and research was dropped after pushback from Democratic members and state governors because \$7 billion came from previously unallocated COVID relief funds from state governments.

The House voted to approve H.R. 2471 by a vote of 361-69 for the first part and 260-171-1 for the second part on March 9, 2022. The House split up the question of passing the omnibus into two parts. One was selected to garner more Republican votes with a few progressive Democratic defections, and the other was designed to garner almost all Democratic votes and a couple dozen Republican votes. On March 10, 2022, the U.S. Senate passed H.R. 2471 by a vote of 68 to 31, with all 50 Democrats and 18 Republicans voting "yes." Finally, President Biden signed the \$1.5 trillion FY 2022 Omnibus Appropriations bill on Tuesday, March 15, 2022. The omnibus makes significant investments in several areas. Highlights include:

- **Total:** approximately \$103 billion in total budgetary resources for USDOT, of which \$27 billion are discretionary appropriations.
- **RAISE/BUILD/TIGER grants:** \$775 million for FY22 – this is additional to the \$1.5 billion provided by the IIJA for FY22 RAISE grants. The FY22 RAISE NOFO, issued in early February, noted that it would incorporate any further funding made available by the FY22 appropriations act. The maximum award size under the omnibus for RAISE projects is \$45 million, whereas the FY22 NOFO set a maximum of \$25 million.
- **CRISI grants:** \$625 million in addition to the \$1 billion made available by the IIJA for FY22. Of this \$625 million, nearly \$121 million is set aside for earmarked projects. Additionally, \$150 million is reserved for the development of new intercity passenger rail service routes and \$25 million for trespassing prevention projects.
- **PIDP grants:** \$234 million in addition to the \$450 million provided by the IIJA. Of the amount made available by the omnibus, at least \$209 million must go toward coastal seaport or Great Lakes port projects.

- Bridges: \$1.1 billion in bridge formula funding to replace and rehabilitate bridges distributed based on a state's percentage of total deck area of bridges in poor condition. This distribution formula is different from the bride formula program under the IIJA, which provides funding according to a state's share of the cost to replace all U.S. bridges in poor condition and rehabilitate bridges in fair condition – this program received \$5.5 billion under the IIJA for FY22.

While approving the FY 22 Appropriations bill is a huge accomplishment, attention now turns to the rapidly approaching deadline to pass the FY 23 Appropriations bills in October 2022. At the time of writing this report, President Biden announced that he would submit the FY 23 budget request to Congress on March 28, 2022. More details on the FY 23 budget request will be available in the May 2022 State and Federal Legislative Update.

FISCAL IMPACT:

Work associated with the April 2022 State and Federal Legislative Update is contained in the Indirect Cost budget, Legislation 810-0120.10.



AGENDA ITEM 20
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Jenna Hornstock, Deputy Director of Planning, Land Use
(213) 630-1448, hornstock@scag.ca.gov

Subject: Review of Proposed Regulatory Changes to California Debt Limit
Allocation Committee (CDLAC) Tax Exempt Bond Allocation Criteria

RECOMMENDED ACTION:

Receive and File

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

EXECUTIVE SUMMARY:

At the March 3, 2022 Regional Council (RC) meeting, RC member Trevor O’Neil requested that staff review current proposed changes to the regulations for allocating tax exempt bonds through the California Debt Limit Allocation Committee (CDLAC), and further recommended that, if appropriate, staff write a comment letter opposing the proposed changes. Staff has researched the proposed changes and talked to local stakeholders in Orange County and does not recommend taking further action at this time. The memo below provides further background and discussion.

BACKGROUND:

The California Debt Limit Allocation Committee (CDLAC) is a state agency overseen by the State Treasurer (STO) which administers the federal tax-exempt private activity bond program for California for a variety of programs. It makes annual adjustments via its allocation system pursuant to federal Internal Revenue Service (IRS) guidelines. Tax-exempt bonds lower the interest rate paid by developers, supporting, for example, the affordability of acquisitions and construction of new units or purchase and rehabilitation of existing properties at below market rents. Developments qualifying for the tax credits through the Qualified Residential Rental Program (QRRP) are subject to affordability restrictions pursuant to federal law serving a range of extremely low to moderate income households.

On February 11, 2022 CDLAC issued a Notice proposing to adopt amended regulations for the bond allocation system adopted as emergency regulations pursuant to its authority for administering the unified ceiling for private activity bonds, with a comment period ending March 28, 2022. The regulations establish the authority and process for annual allocations, including qualifying income targeting provisions. The proposed amendments include three set-aside categories within the rental new construction pool: a Homeless set aside, an Extremely low/Very low Income (ELI/VLI) set aside, and a Mixed Income set aside.

Discussion

To address the housing crisis, State agencies have been working to increase the alignment and efficiency of their affordable housing funding program processes, including the income targeting of their respective programs. AB 101 (2019) appropriated five hundred million dollars (\$500 M) of additional state low-income housing tax credits for 4 percent credit new construction multifamily rental housing projects, which are administered by CDLAC. CDLAC, working with the California Tax Credit Allocation Committee (CTCAC), the California Housing Finance Agency (CalHFA), and the Department of Housing and Community Development (HCD), adopted emergency regulations to develop a competitive allocation system for 4 percent credits.

CDLAC, CTCAC and CalHFA partner in allocating tax credits. For example, two hundred million dollars (\$200 M) of the \$500 M has been allocated for housing financed by CalHFA's Mixed-Income Program (MIP). Rent levels are set following a demand survey. 30 percent of a project's units must be at or below 50 percent of area median income (AMI), with at least 10 percent of those units at or below 30 percent of AMI, affordable to extremely low-income households.

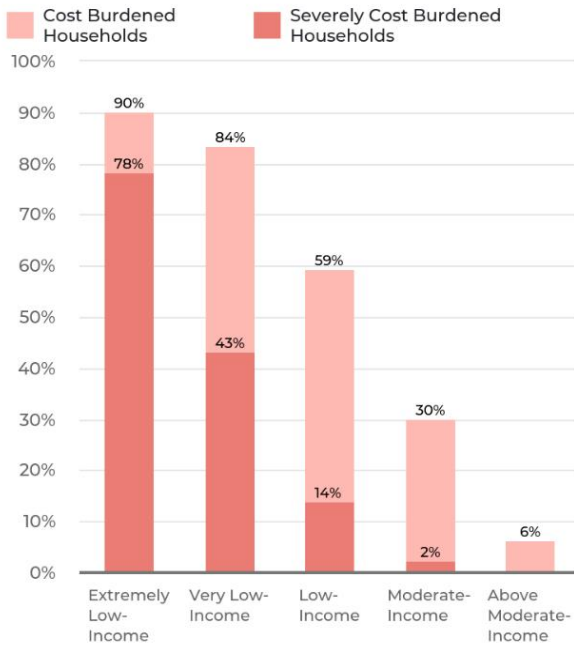
On the basis of housing need data (see for example, Figure I below and Attachment I), the State agencies have determined that the highest housing need categories are for homeless and extremely low income (ELI) households. Accordingly, the pending CDLAC regulations propose three set-aside categories within the rental new construction pool: a Homeless set aside, an Extremely low/Very low Income (ELI/VLI) set aside, and a Mixed Income set aside.

An example of a type of affordable housing serving ELI households is that being developed by the Orange County Housing Finance Trust (OCHFT). The OCHFT, Orange County, and participating cities are working to develop 2,700 permanent supportive rental housing units by June 30, 2025. The units are to be affordable to extremely low income (ELI) households and those experiencing homelessness, using State and County subsidies. Eligible ELI incomes are capped at 30 percent of AMI, adjusted by household size. OCHFT development activity is available [here](#). Staff from OCHFT are supportive of the proposed CDLAC amendments and have indicated they would reach out to RC member O'Neal to share further data and discuss his concerns with respect to the impacts for Orange County.

Figure I.

COST BURDENED RENTER HOUSEHOLDS BY INCOME

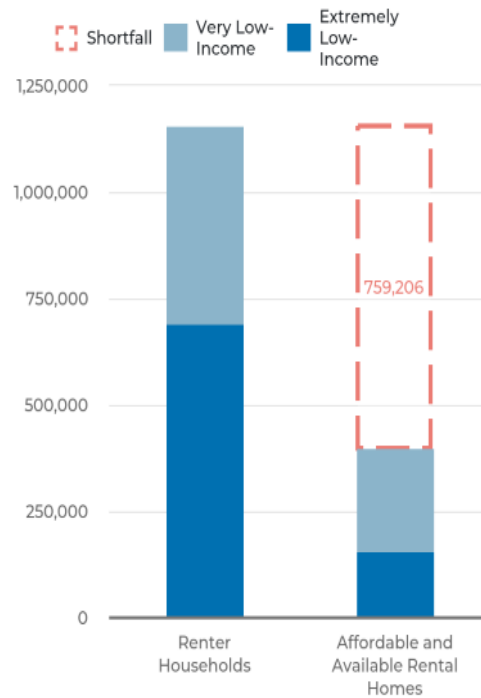
78% of ELI households in Southern California are paying more than half of their income on housing costs compared to just 2% of moderate-income households (2019).



California Housing Partnership | chpc.net/housingneeds

AFFORDABLE HOMES SHORTFALL

759,206 low-income renter households in Southern California do not have access to an affordable home (2019).



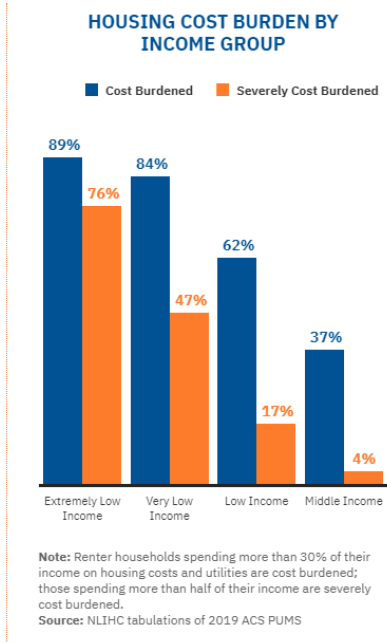
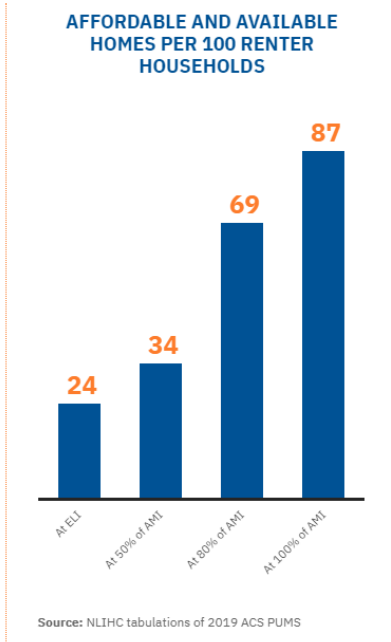
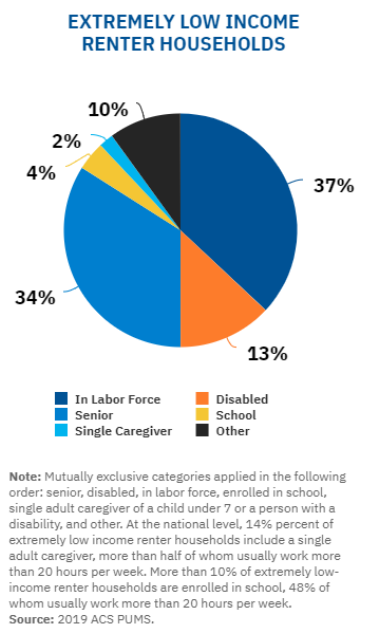
California Housing Partnership | chpc.net/housingneeds

For background purposes, further data on housing need is provided below.

California Housing Needs: Across California, there is a shortage of rental homes affordable and available to extremely low income households (ELI), whose incomes are at or below the poverty guideline or 30% of their area median income (AMI). Many of these households are severely cost burdened, spending more than half of their income on housing. Severely cost burdened poor households are more likely than other renters to sacrifice other necessities like healthy food and healthcare to pay the rent, and to experience unstable housing situations like evictions.

KEY FACTS

- 1,271,125** OR **21%** Renter households that are extremely low income
- \$27,330** Maximum income for 4-person extremely low income household (state level)
- 962,667** Shortage of rental homes affordable and available for extremely low income renters
- \$81,191** Annual household income needed to afford a two-bedroom rental home at HUD's Fair Market Rent.
- 76%** Percent of extremely low income renter households with severe cost burden



Source: *Housing Needs by State: California, National Low Income Housing Coalition, 2019 ACS PUMS*, <https://nlihc.org/housing-needs-by-state/california>.

FISCAL IMPACT:
None.



AGENDA ITEM 21
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Community Economic & Human Development Committee (CEHD)
Energy & Environment Committee (EEC)
Transportation Committee (TC)
Regional Council (RC)
From: Anita Au, Senior Regional Planner
(213) 236-1874, au@scag.ca.gov
Subject: Equity Analysis Approach (formerly Environmental Justice Analysis)

**EXECUTIVE DIRECTOR'S
APPROVAL**

RECOMMENDED ACTION FOR EEC:
Information Only – No Action Required

RECOMMENDED ACTION FOR CEHD, TC, and RC:
Receive and File

STRATEGIC PLAN:
This item supports the following Strategic Plan Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy.

EXECUTIVE SUMMARY:
In July 2020, SCAG’s Regional Council adopted Resolution 20-623-2, affirming its commitment to advancing justice, equity, diversity, and inclusion throughout Southern California and subsequently adopted the Racial Equity Early Action Plan (EAP) in May 2021, outlining goals, strategies, and actions to advance its commitments. SCAG’s Environmental Justice (EJ) Program focuses on public outreach, engagement, early and meaningful participation of EJ communities in the decision-making process, and equal and fair access to a healthy environment with the goal of protecting people of color and low-income communities from incurring disproportionately adverse environmental impacts as required by Title VI, EO 12898 and California Government Code Section 11135. The Energy and Environment Committee sets the policy direction for SCAG’s EJ Program and plays a central role in advancing two of the primary goals of the EAP which are to: 1) center racial equity in regional policy and planning and bring equity into SCAG’s regional planning functions, and 2) encourage racial equity in local planning practices by promoting racial equity in efforts involving local elected officials and planning professionals.

This staff report and presentation provide a preview of SCAG’s approach for Connect SoCal 2024’s Equity Analysis (formerly Environmental Justice Analysis). The proposed approach is grounded in best practices and aims to meaningfully evaluate inequities in the region and strategies for addressing the resulting issues.

BACKGROUND:

In July 2020, SCAG’s Regional Council adopted Resolution 20-623-2, affirming its commitment to advancing justice, equity, diversity, and inclusion throughout Southern California and subsequently adopted the Racial Equity Early Action Plan (EAP) in May 2021, outlining goals, strategies, and actions to advance its commitments. SCAG’s Environmental Justice (EJ) Program, which is guided by the policy direction of the Energy and Environment Committee, plays a central role in advancing two of the primary goals of the EAP which are to: 1) center racial equity in regional policy and planning and bring equity into SCAG’s regional planning functions, and 2) encourage racial equity in local planning practices by promoting racial equity in efforts involving local elected officials and planning professionals.

SCAG EJ Program focuses on public outreach, engagement, early and meaningful participation of EJ communities in the decision-making process, and equal and fair access to a healthy environment with the goal of protecting people of color and low-income communities from incurring disproportionately adverse environmental impacts. For background, the consideration of EJ in the transportation process stems from Title VI of the Civil Rights Act of 1964,¹ and was further enhanced by Executive Order 12898² (1994) which established the need for transportation agencies to disclose to the general public the benefits and burdens of proposed projects on people of color and low-income populations. Executive Order 12898 amplified Title VI by providing protections based on income in addition to race and ordered all federal agencies to consider environmental justice during the planning and decision-making process for all federally funded projects. As a Metropolitan Planning Organization (MPO) that receives federal funding, SCAG is required to conduct early and meaningful outreach to EJ communities and develop an EJ analysis for its regional transportation plans. In addition to federal requirements, SCAG must also comply with California Government Code Section 11135,³ which mandates fair treatment of all individuals for all state-funded programs and activities.

¹ Title VI states that “No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

² Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994. <https://www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf>

³ California Government Code Section 11135 states “no person in the State of California shall, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, or disability, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency that is funded directly by the state, or receives any financial assistance from the state.”

In an effort to further improve upon the next EJ analysis for Connect SoCal 2024, staff conducted a literature review of EJ methodologies from MPOs throughout the nation. Methodologies were reviewed and analyzed for potentially relevant performance metrics and innovative approaches. In addition to evaluating peer agency EJ methodologies, staff are also coordinating and communicating with stakeholders at the federal and state levels to ensure equity efforts are aligned. More specifically, staff are evaluating the Council on Environmental Quality's Climate and Economic Justice Screening Tool,⁴ which has been developed to support federal agencies in identifying communities that are marginalized, underserved, and overburdened by pollution. The current version is still undergoing refinement, but currently provides socioeconomic, environmental, and climate information to inform decisions that may affect these communities. Staff are also in communications with Caltrans staff regarding the agency's forthcoming tool, the Equity Index, which aims to identify communities that are underserved and/or burdened by transportation using environmental, accessibility, and socioeconomic indicators. Because these federal and state tools may be used for future funding programs to prioritize projects in underserved communities, staff want to ensure alignment with the region's approach. SCAG already considers California Environmental Protection Agency's SB 535 Disadvantaged Communities in its analyses. Ultimately SCAG's approach for Connect SoCal 2024 will be grounded in best practices from extensive research and continued communication with many stakeholders.

REFINED APPROACH:

As a planning organization, understanding the disparities that result from geography are central to SCAG's work to plan for a more equitable future. SCAG's long-range plan has long included an EJ analysis that evaluates current conditions and the consequences of the region's transportation projects on people of color and low-income households, as statutorily required. The analysis has also evaluated impacts on other vulnerable populations like older adults, young children, households without vehicles, people with disabilities, people with limited English proficiency, and more. Because SCAG's analysis encompasses more than just environmental justice, staff is recommending developing a more robust equity analysis for Connect SoCal 2024. This evolved approach is described in more detail below. It is important to note that the statutory requirements would continue to be addressed with this shift.

Revisiting Populations and Communities

Language and terms are intricately connected to equity and representation and are evolving. The tables below provide an overview of the proposed changes to the populations and communities considered for the equity analysis. SCAG has long utilized the names of indicators from existing terminology utilized in their original data sources. However, the terminology does not always represent current best practice, and in some cases, may be offensive, triggering, or erasing to some communities. Thus, within SCAG's equity analysis terminology will be updated to reflect current

⁴ Climate and Economic Justice Screening Tool: <https://screeningtool.geoplatform.gov/en/>



best practice, such as renaming minority populations to people of color and renaming Non-English Speakers to Individuals with Limited English Proficiency. Staff will also update the poverty threshold for low-income households. Finally, the previous three communities, Environmental Justice Areas, SB 535 Disadvantaged Communities, and Communities of Concern, will be incorporated into one community, Prioritized Equity Populations and Areas (PEPA). This adjusted approach is described in more detail below.

In summary, two populations groups, people of color and low-income households, and one community, PEPA, will be considered for the Connect SoCal 2024 Equity Analysis.

PROPOSED CHANGES FOR CONNECT SOCIAL 2024 EQUITY ANALYSIS	
Populations	
Minority Populations	Renamed to People of Color
Low-Income Households	Updated with base year poverty threshold and incorporating one income level analysis
Other Populations (Young Children, Older Adults, Disabled, Non-English Speakers, Households w/o High School Diploma, Foreign Born, Zero-Vehicle Households)	Incorporated in Prioritized Equity Populations and Areas (PEPA)
Communities	
Environmental Justice Areas	Incorporated in Prioritized Equity Populations and Areas (PEPA)
SB535 Disadvantaged Communities	
Communities of Concern	

Defining Prioritized Equity Populations and Areas (PEPA)

Staff are proposing that Prioritized Equity Populations and Areas, or PEPA, be comprised of 10 categories, including: groups that are statutorily required for the equity analysis like People of Color, Low-Income Households, groups that were previously used in EJ analyses like Older Adults, People with Disabilities, People with Limited English Proficiency, Zero-Vehicle Households, People without a High School Diploma, Disadvantaged Communities, and groups that have become increasingly relevant and important to SCAG initiatives like Female-Headed Households, and Rent-Burdened Households.

Staff are proposing that PEPAs be determined using two methods:

- (1) Census tracts that have an above average regional concentration of BOTH low-income households and people of color; and
- (2) Census tracts that have an above average regional concentration of low-income households or people of color AND have above average regional concentrations of four or more of the eight remaining categories listed above (Older Adults, People with Disabilities, People with

Limited English Proficiency, Zero-Vehicle Households, People without a High School Diploma, Disadvantaged Communities, Female-Headed Households, and Rent-Burdened Households).

Incorporating Equity into Analysis

In addition to streamlining and consolidating the populations and communities utilized for the equity analysis, staff are also considering other methods of incorporating equity into the analysis. Staff is proposing to add analysis of race and ethnicity where available to align with SCAG’s existing equity efforts. Staff also intend to expand on the demographic trends section and include more existing conditions data that align with SCAG’s Racial Equity Baseline Conditions Report to provide more context to the equity analysis. Young children, a population previously included in EJ analyses, but not included in PEPA, will be more fully incorporated into the expanded demographic trends section and certain equity performance indicators that tend to pose significant impacts like air quality. Young children are also considered in under the SB 535 Disadvantaged Communities criteria. Similarly, the foreign-born population was also previously included in EJ analyses and not included in PEPA but will be included in the expanded demographic trends section, because impacts of these individuals are addressed by considering individuals with limited English proficiency.

Next Steps

Staff is seeking input from the Energy and Environment Committee on this evolved approach and the shift to a more robust equity analysis. Staff has conducted extensive internal outreach with subject matter experts and will continue to seek input from external stakeholders to ensure the proposed methodology is inclusive of EJ and equity concerns and accurately reflect SCAG initiatives. Staff will return to the Energy and Environment Committee to present on the proposed Equity Performance Indicators and will continue to return to the Committee to provide updates on the Connect SoCal 2024 Equity Analysis. The table provided below provides a forecast of updates to the Committee.

Proposed Date	Topic	Description
June 2022	Equity Analysis Performance Indicators	Discuss proposed indicators (informed by the updated Equity Analysis)
July 2022	Racial Equity Baseline Conditions Update	Share updated baseline conditions information
September/ October 2022	Equity in Action Presentation	Seek dynamic and engaging speakers from agencies doing innovative work on equity to educate and inspire other jurisdictions
November 2022	Equity Analysis Update	Status update and highlight a major issue area (TBD)
March 2023	Equity Analysis Update	Status update and highlight a major issue area (TBD)

April/June 2023	Equity in Action Presentation	Seek dynamic and engaging speakers from agencies doing innovative work on equity to educate and inspire other jurisdictions
July/August 2023	Equity Analysis Update	Status update and highlight a major issue area (TBD)
October 2023	Equity Analysis Update: Report Release (Tentative)	

FISCAL IMPACT:

Work associated with this item is included in the Fiscal Year 2021-2022 Overall Work Program (020.0161.06: Environmental Justice Outreach and Policy Coordination).

ATTACHMENT(S):

1. PowerPoint Presentation - Equity Analysis Approach

Equity Analysis Approach (Formerly EJ Analysis)

Connect SoCal 2024

Anita Au, Senior Regional Planner
Energy & Environment Committee
April 7, 2022

www.scag.ca.gov



Statutory Requirement

Federal

Title VI of the Civil Rights Act of 1964

- "...race, color or national origin..."

Executive Order 12898 (1994)

- "...minority populations and low-income populations..."

State

California Government Code Section 11135

- "...race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, or disability..."



EJ Research

- **Conducted** extensive research
 - Reviewed 20 MPO EJ Methodologies

- **Grounded** in best practices



Federal and State Equity Efforts

- **Aligned** with Federal and State equity efforts



CEQ's Climate and Economic Justice Screening Tool



Caltrans Equity Index



OEHHA's CalEnviroScreen

2024 Equity Analysis



Environmental Justice
Analysis



Equity Analysis



Incorporate Equity in
Analysis



Enhance and Consolidate
Performance Indicators

Incorporate Equity into Analysis



EQUITY

Title VI

- Race
- Color
- National Origin

Environmental Justice

- Low Income
- Minority

Other FHWA & FTA Groups

- Sex/Gender
- Disability
- Age
- LEP

2020 EJ Analysis Populations and Communities

Minority Populations

- African American
- Hispanic
- Asian/Pacific Islander
- Native American and Alaskan Native
- Other

Low-Income Households

- Family of three earning less than \$19,105 in 2016
- By Poverty Levels
- By Quintiles

Other Populations

- Young Children
- Seniors
- Disabled/Mobility Limited
- Non-English Speakers
- w/o High School Diploma
- Foreign Born
- Zero-Vehicle Households

POPULATIONS

Environmental Justice Areas

- Transportation Analysis Zones (TAZs) (similar to census tract block groups) that have a higher concentration of minority population or low-income households than is seen in the region as a whole

SB 535 Disadvantaged Communities

- Census tracts that have been identified by the California Environmental Protection Agency (Cal/EPA) as DAC based on the requirements set forth in SB 535, which sought to identify areas disproportionately burdened by and vulnerable to multiple sources of pollution

Communities of Concern

- Census Designated Places (CDP) and the City of Los Angeles Community Planning Areas (CPA) that fall in the upper one-third of all communities in the SCAG region for having the highest concentration of minority population and low-income households

COMMUNITIES

2024 Equity Analysis Populations and Communities



Minority Populations

- African American
- Hispanic
- Asian/Pacific Islander
- Native American and Alaskan Native
- Other



Renamed to **People of Color**

Low-Income Households

- Family of three earning less than \$19,105 in 2016
- By Poverty Levels
- By Quintiles



Updated with **base year poverty threshold** and incorporating one **income level analysis**

Other Populations

- Young Children
- Seniors
- Disabled/Mobility Limited
- Non-English Speakers
- w/o High School Diploma
- Foreign Born
- Zero-Vehicle Households



Incorporated in **Prioritized Equity Populations and Areas (PEPA)**

POPULATIONS

2024 Equity Analysis Populations and Communities

Environmental Justice Areas

- Transportation Analysis Zones (TAZs) (similar to census tract block groups) that have a higher concentration of minority population or low-income households than is seen in the region as a whole



Incorporated in Prioritized Equity Populations and Areas (PEPA)

SB 535 Disadvantaged Communities

- Census tracts that have been identified by the California Environmental Protection Agency (Cal/EPA) as DAC based on the requirements set forth in SB 535, which sought to identify areas disproportionately burdened by and vulnerable to multiple sources of pollution



Incorporated in Prioritized Equity Populations and Areas (PEPA)

Communities of Concern

- Census Designated Places (CDP) and the City of Los Angeles Community Planning Areas (CPA) that fall in the upper one-third of all communities in the SCAG region for having the highest concentration of minority population and low-income households



Incorporated in Prioritized Equity Populations and Areas (PEPA)

COMMUNITIES

2024 Equity Analysis Populations and Communities

People of Color

- African American
- Hispanic
- Asian/Pacific Islander
- Native American and Alaskan Native
- Other

Low-Income Households

- Base Year Federal Poverty Level
- Analysis By Quintiles

Prioritized Equity Populations and Areas (PEPA)

- Census tracts that have a concentration of BOTH low-income households and people of color
- Census tracts that have a concentration of either low-income households or people of color AND 4 or more of the 8 additional criteria.

POPULATIONS

COMMUNITIES

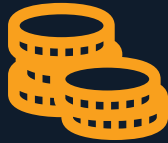
2024 Prioritized Equity Populations and Areas (PEPA)



STATUTORILY REQUIRED



People of Color



Low-Income Households

PREVIOUSLY ANALYZED



Older Adults
(Previously Seniors)



People with
Disabilities



People with
Limited English
Proficiency



Zero-Vehicle
Households



People without
a High School
Diploma



Disadvantaged
Communities

NEW



Female-Headed
Households

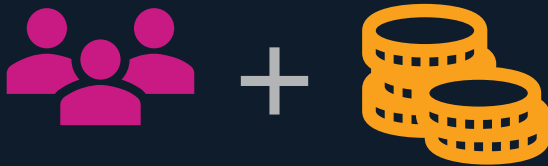


Rent-Burdened
Households

2024 Prioritized Equity Populations and Areas (PEPA)



Census tracts that have a concentration of **BOTH** low-income households and people of color



Census tracts that have a concentration of either low-income households or people of color **AND** 4 or more of the 8 additional criteria.



Incorporate Equity into Analysis



Add Analysis of Race/Ethnicity (when available)



Expand Demographic Trends (Baseline Conditions)



Add More Existing Conditions Data

Next Steps



Equity Analysis Performance Indicators

June 2022

Racial Equity Baseline Conditions Update

July 2022

Equity in Action Presentation

September/October 2022

Equity Analysis Update

November 2022

March 2023

Equity Analysis Update

April/June 2023

Equity in Action Presentation

July/August 2023

Equity Analysis Update

October 2023

Equity Analysis Update: Report Release

Thank you!

Anita Au, Senior Regional Planner

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AGENDA ITEM 22
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Community Economic & Human Development Committee (CEHD)
Energy & Environment Committee (EEC)
Transportation Committee (TC)
Regional Council (RC)
From: Rongsheng Luo, Program Manager II
(213) 236-1994, luo@scag.ca.gov
Subject: Draft 2022 South Coast Air Quality Management Plan (AQMP)

**EXECUTIVE DIRECTOR'S
APPROVAL**

RECOMMENDED ACTION FOR EEC:

Information Only – No Action Required

RECOMMENDED ACTION FOR CEHD, TC, AND RC:

Receive and File

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

EXECUTIVE SUMMARY:

Jointly prepared by the South Coast Air Quality Management District (AQMD), the lead agency, the California Air Resources Board (ARB), and SCAG, the Draft 2022 Air Quality Management Plan (AQMP) has been released for public review. Dr. Sarah Rees, South Coast AQMD Deputy Executive Officer, and Ariel Fidely, ARB South Coast Air Quality Planning Manager, will provide a joint presentation on the Draft 2022 AQMP including the respective major control measures of AQMD and ARB.

BACKGROUND:

Pursuant to the Federal Clean Air Act (CAA), the 2022 Air Quality Management Plan (AQMP) is being prepared to attain the federal 2015 8-hour ozone national ambient air quality standard in the South Coast Air Basin and the Coachella Valley respectively. The 2022 AQMP is being jointly prepared by three responsible agencies: the South Coast Air Quality Management District (AQMD), the lead agency, the California Air Resources Board (ARB), and SCAG. The 2022 AQMP is required to be submitted to the U.S. Environmental Protection Agency (EPA) by August 3, 2022.

As reported previously, SCAG's role in the 2022 AQMP development process includes providing the socio-economic growth forecast and regional transportation demand model output data to the South Coast AQMD for use in estimating and forecasting emission inventories and airshed modeling; and vehicle activity data to the ARB for use in developing on-road emissions. SCAG has provided this data to the respective agencies.

In addition to the technical data, SCAG is also responsible for writing a portion of the 2022 AQMP for the South Coast Air Basin on the region's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and Transportation Control Measures (TCMs) as they relate to air quality. The document, commonly referred to as "Appendix IV-C," primarily includes an overview of the adopted Connect SoCal (2020 RTP/SCS); a list of committed TCMs in the South Coast Air Basin that are federally enforceable and subject to timely implementation; and, pursuant to Clean Air Act requirements, an analysis of reasonably available TCMs. As recommended by the EEC in January 2022 and subsequently approved by the RC in February 2022, the Draft Appendix IV-C has been transmitted to the South Coast AQMD for inclusion in the Draft 2022 AQMP for public release in March 2022.

The 2022 AQMP will include an important component relative to regional transportation planning and federal transportation conformity requirements, the motor vehicle emissions budgets, which set an upper limit which on-road transportation activities are permitted to emit. The new emission budgets established as part of the 2022 AQMP process and approved in the final plan will become the functioning emission budgets for transportation conformity for future RTP/SCS, Federal Improvement Program (FTIP), and their amendments post the effectiveness date of the new emission budgets.

Note that additional air quality plans are also being developed by three of the other four local air districts within the SCAG region in collaboration with ARB. These air quality plans also include their respective new motor vehicle emissions budgets that will become the functioning emission budgets for transportation conformity for future RTP/SCS, FTIP, and their amendments post the effectiveness date of the new emission budgets. Staff has been closely participating in and monitoring the various air quality planning efforts throughout the SCAG region and will report on any significant issues to EEC as appropriate.

FISCAL IMPACT:

Work associated with this item is included in the current FY 2021-22 Overall Work Program (025.0164.01: Air Quality Planning and Conformity).

ATTACHMENT(S):

1. PowerPoint Presentation - Draft 2022 AQMP - 1. Overview and AQMD Strategy
2. PowerPoint Presentation - Draft 2022 AQMP - 2. ARB SIP Strategy



DRAFT 2022 AIR QUALITY MANAGEMENT PLAN

SCAG Energy & Environment Committee

April 7, 2022

Sarah Rees, Ph.D.
Deputy Executive Officer
South Coast Air Quality Management District

Background – Air Quality Management Plans

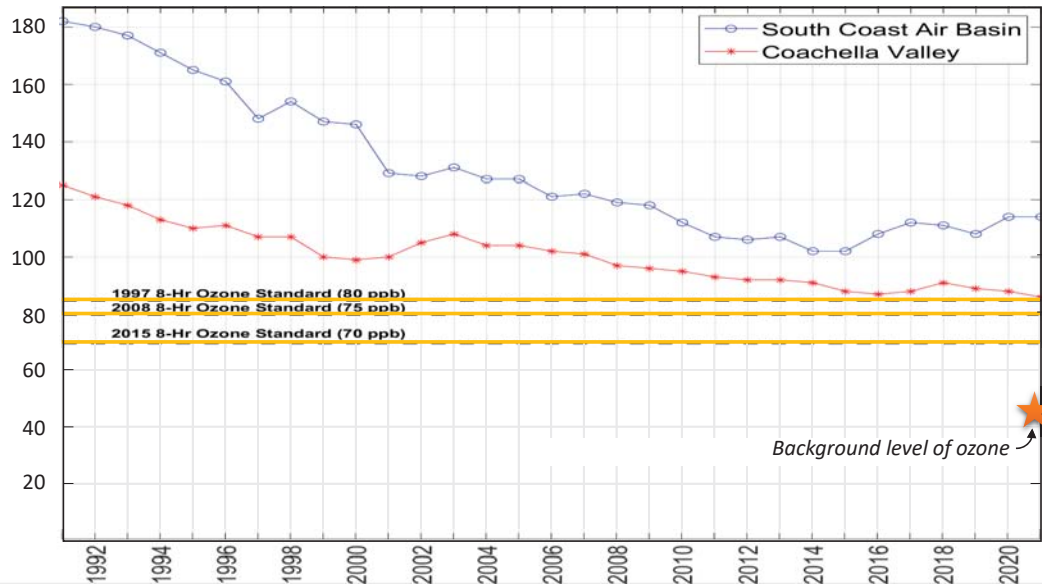
- An Air Quality Management Plan (AQMP) is the region’s blueprint on how it will attain air quality standards
- When U.S. EPA revises a National Ambient Air Quality Standard*
 - South Coast AQMD is required to prepare an AQMP if the region does not meet the standard
 - Each plan is prepared for a specific standard and does not address all standards at once
- In 2015, U.S. EPA strengthened the ozone NAAQS from 75 to 70 parts per billion (ppb)
 - EPA does not consider costs when setting health-based standard
- 2022 AQMP focuses on 2015 8-hour ozone standard with attainment year in 2037**



*NAAQS cover ozone, particulate matter, lead, carbon monoxide, sulfur dioxide, and nitrogen dioxide

** State standards also addressed, whereas upcoming deadlines for other standards (e.g., 2023 ozone deadline) not part of this plan

Ozone Trends in the South Coast Air Basin*



Poor meteorology and complex photochemistry have resulted in recent poor ozone air quality despite on-going emission reductions

Standards allow for some air pollution

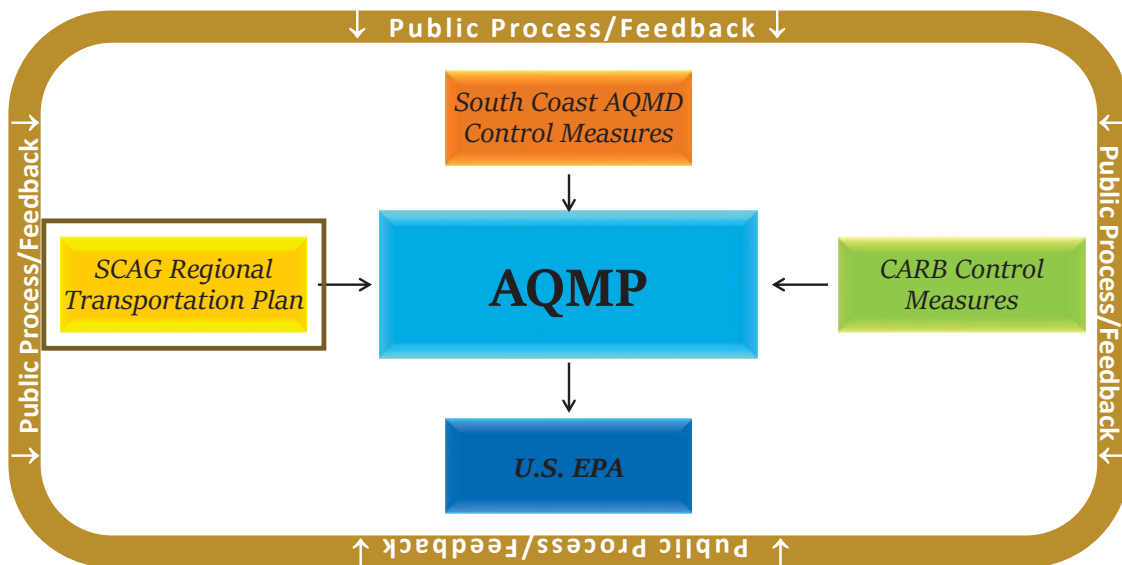
Background level of ozone

* Design values shown, Preliminary data for 2021

3

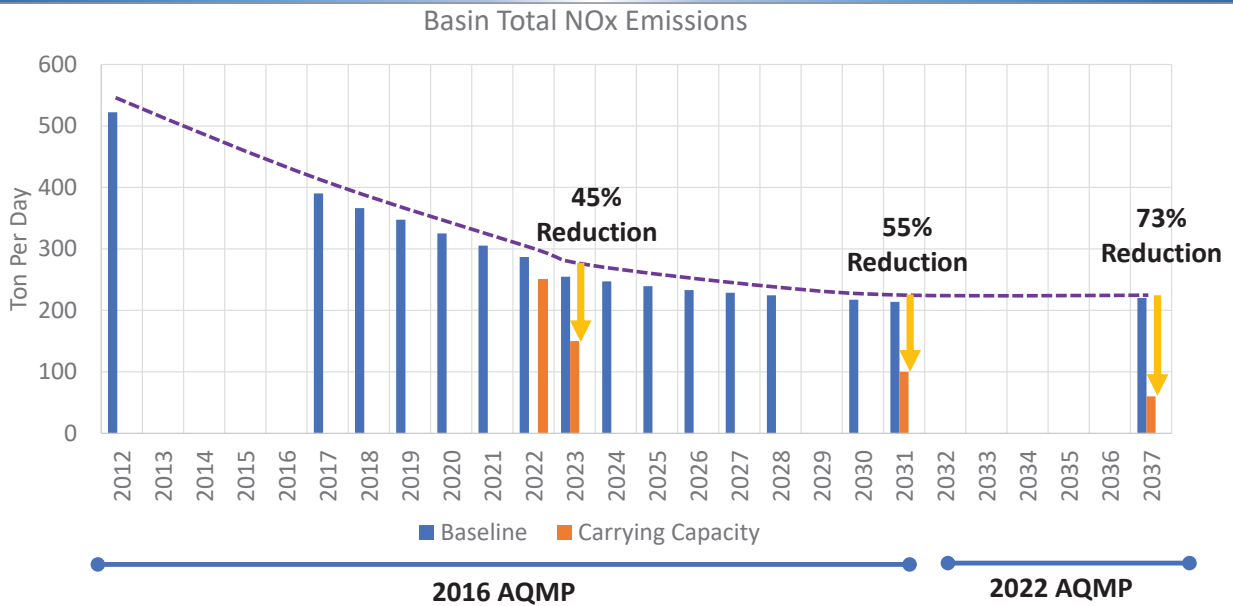
2022 AQMP Input

Keeping this slide to show SCAG's role for AQMP. Put it a full screen mode. There is a custom animation to highlight SCAG. Little fun in slide!



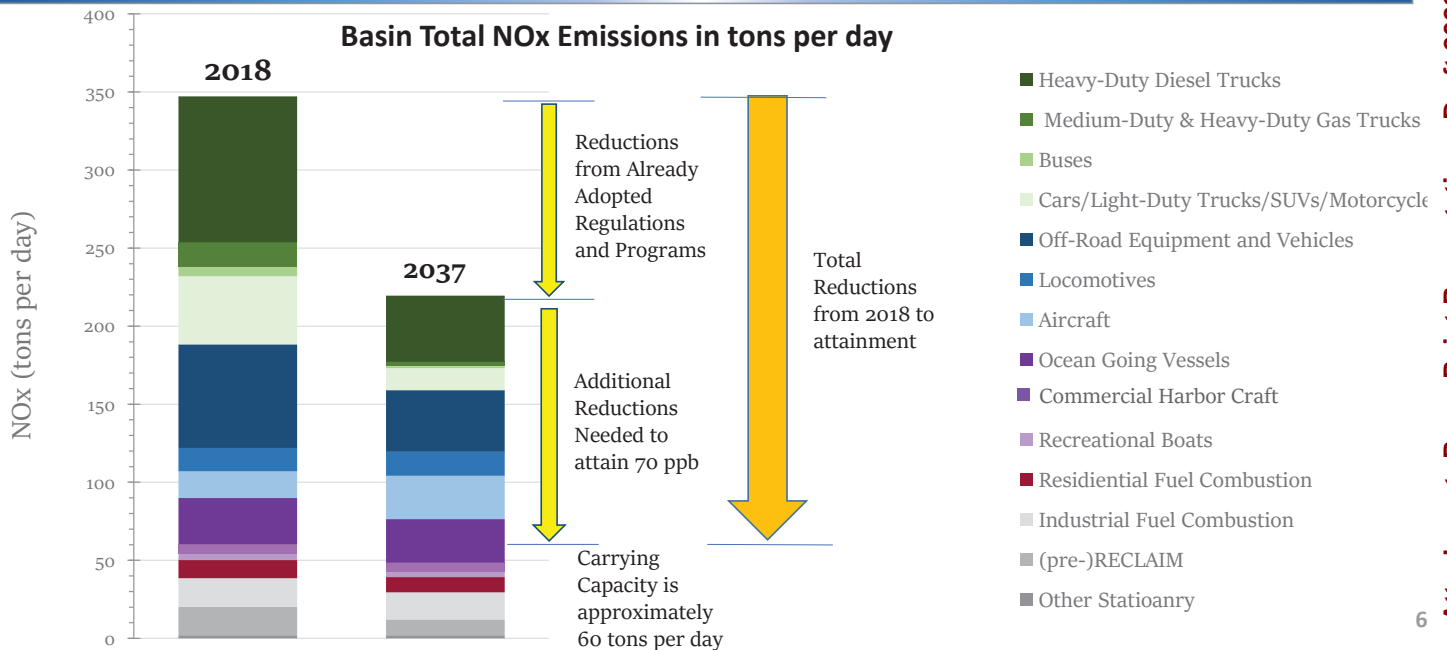
4

NOx Emissions and Reduction Goals



2016 AQMP emissions inventory for 2012 to 2031, and 2022 AQMP preliminary emissions inventory for 2037

NOx Reductions Needed for Attainment



Is Attaining the Ozone Standard in 15 Years Possible?

Attaining this standard is possible, but...

- Will be difficult
- Cannot be achieved alone
- Will be expensive with existing technologies
- Will require flexibility provided by Clean Air Act
- 'Black Box'

2037

Traditional Air Quality Planning Won't Work

Traditional approach relies on additional tailpipe/exhaust stack controls, new engines technology, or fuel improvements tailored to individual use cases

These traditional approaches on already highly controlled sources cannot achieve additional ~73% reduction in South Coast and must be bypassed wherever possible



Key Considerations on a Zero Emissions Approach



What does the pathway look like through time?



Which fuels for which applications?



How can this be made most affordable?

- Ensures adoption at scale, and available equitably

Anticipated Key Issues

Large Magnitude of Emission Reductions

- Amount needed from Stationary & Mobile measures, Federal & State measures

Transition to Zero Emissions

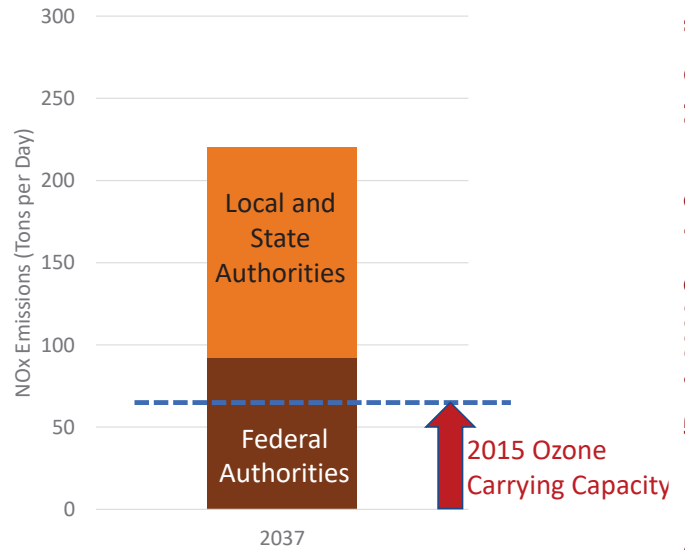
- Infrastructure (grid, hydrogen, reliability, affordability)
- Fuels pathway given earlier attainment dates for other standards

Building Electrification

- Coordination with other agencies

Federal and International Sources

- Approximately 1/3 of the 2037 baseline emissions inventory is regulated primarily under federal and international jurisdiction, with limited authority for CARB/South Coast AQMD
 - Ships, aircraft, locomotives, etc
- Cannot assign responsibility to federal government to reduce emissions, even from federal sources
- Attainment is not possible without significant reductions from these sources

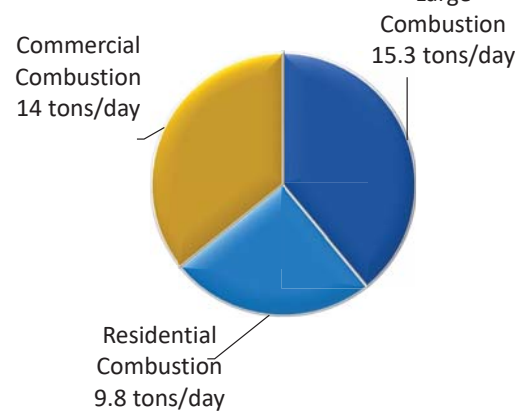


11

Overview of Draft Stationery and Area Sources Control Strategy

- Residential combustion:
 - A combination of zero-emission and other low-NOx technology approaches
 - 2037 Goal: ~70 percent reduction
- Commercial combustion
 - A combination of zero-emission, near-zero, and other NOx combustion reduction technology approaches
 - 2037 Goal: ~70 percent reduction
- Large Combustion Equipment
 - Focus on traditional source-specific and industry-specific command and control rules
 - 2037 Goal: ~ 37 percent reduction from commercial combustion equipment

2037 NOx Baseline Emissions

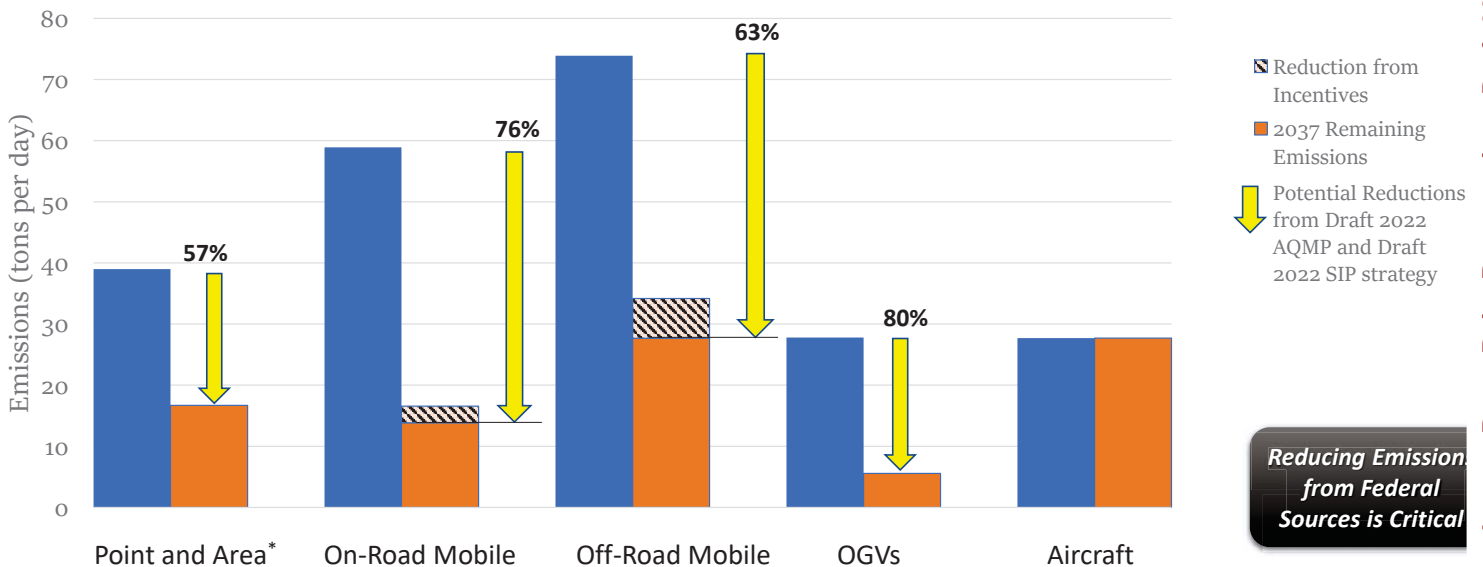


Total NOx: 39 Tons/Day

Overview of Draft South Coast AQMD Mobile Source Control Strategy



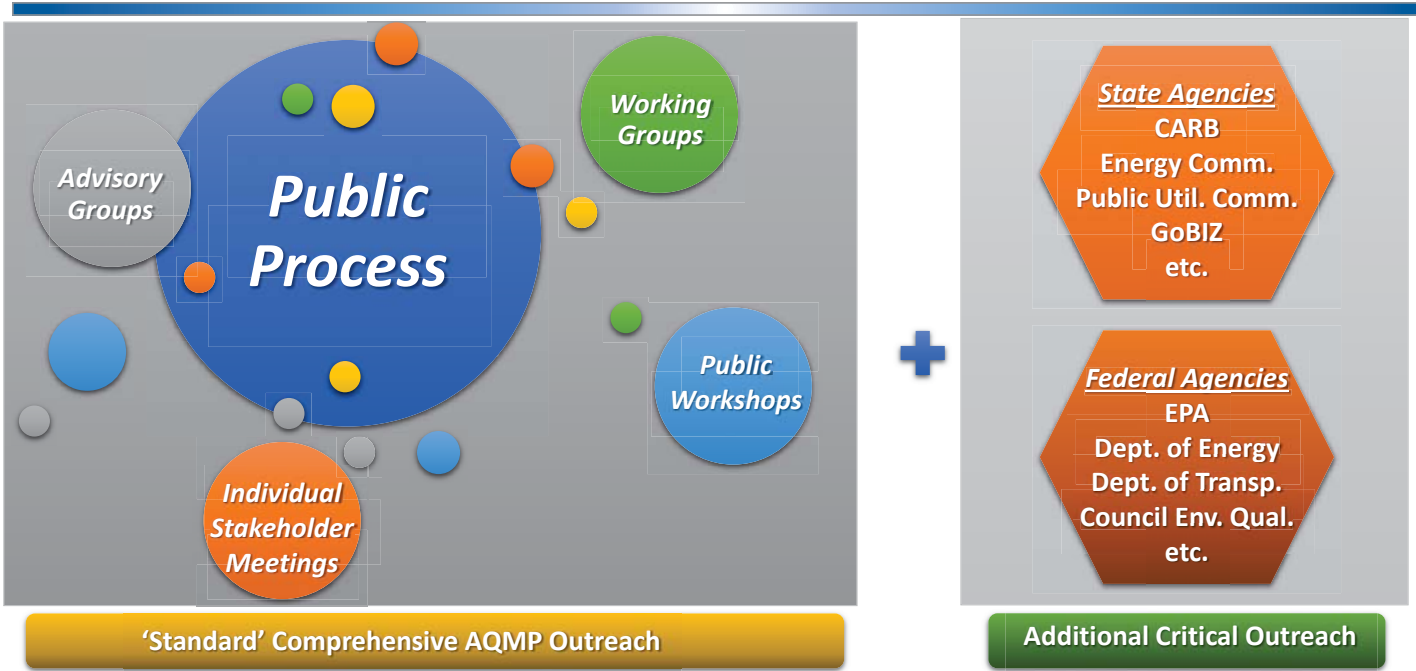
Summary of Potential Approach to Reducing NOx by Major Source Category



*Some incentives also anticipated for area sources, but not yet defined

Reducing Emissions from Federal Sources is Critical

Outreach

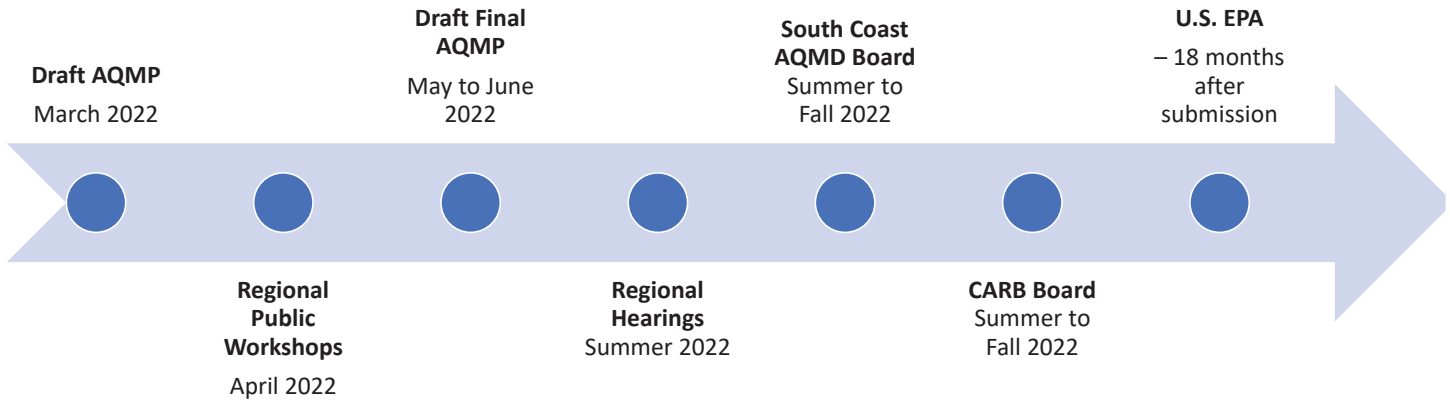


15

Coachella Valley

- Designated as “Severe” nonattainment for the 2015 8-hour ozone standard with attainment year 2032
- Coachella Valley’s ozone attainment depends on emission reductions placed in the South Coast Air Basin
- South Coast Air Basin’s attainment has measures subject to CAA Section 182(e)(5), which is allowed only in an extreme nonattainment area
- It is likely necessary to bump-up Coachella Valley to “extreme” with attainment in 2037
- Coachella Valley is already “extreme” nonattainment for the 1997 8-hour ozone standard (80ppb)

Next Steps





2022 State SIP Strategy

SCAG Energy & Environment Committee
April 7, 2022

Ariel Fideldy, Manager, South Coast Air Quality Planning Section

1

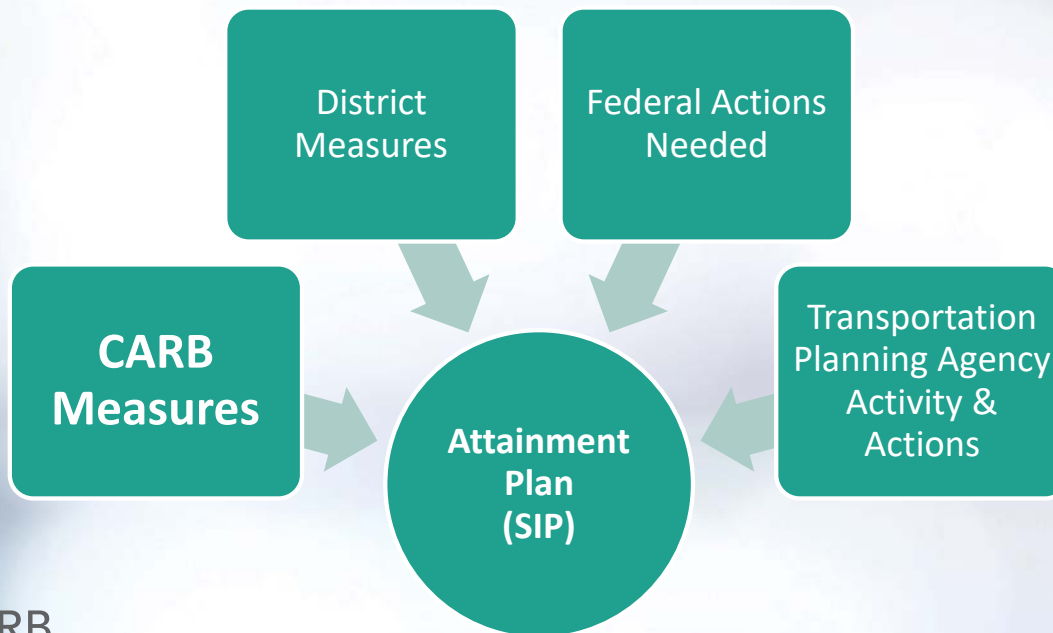
70 ppb Challenge Across the State

- U.S. EPA revised the 8-hour ozone standard to 70 ppb in 2015
- 19 nonattainment areas in California
 - Attainment years 2020-2037
- 10 areas must submit SIPs
- South Coast most challenging, but other areas will also need commitments
- SIPs due August 2022
- Continue to identify and implement measures for 75 and 80 ppb



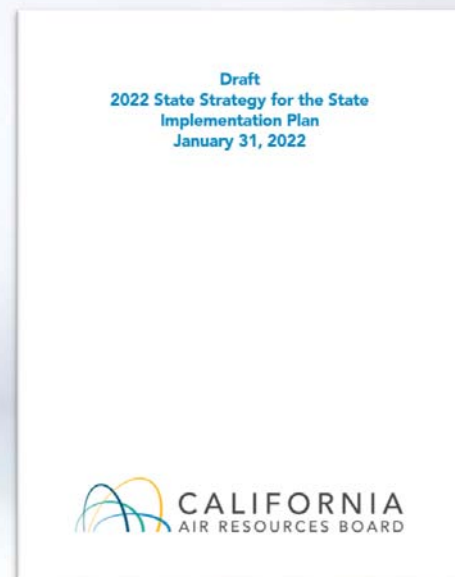
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Attainment Plans and 2022 State SIP Strategy



2022 State SIP Strategy

- Draft Released on January 31, 2022
- Unprecedented variety of new measures to reduce emissions using all mechanisms available
- Level of action is necessary to meet all air quality standards and protect public health
- Drives pace and scale of CARB rulemakings
- Prioritizes near-term reductions for earlier SIP deadlines



Proposed 2022 State SIP Strategy Measures

- ### On-Road
- Advanced Clean Fleets Regulation
 - Zero-Emission Trucks
 - On-Road Motorcycle New Emissions Standards
 - Clean Miles Standard*
 - Enhanced Regional Emission Analysis in State Implementation Plans

- ### Off-Road
- Tier 5 Off-Road Engine Standard
 - Amendments to In-Use Diesel-Fueled Fleets Regulation
 - Zero-Emission TRU Part II
 - Commercial Harbor craft
 - Cargo Handling Equipment
 - Off-Road Zero-Emission Targeted Manufacturer Rule
 - Clean Off-Road Fleet Recognition Program
 - Spark-Ignition Marine Engine Standards

- ### Primarily Federally-Regulated
- In-Use Loco Regulation
 - Future Measures for Aviation Emissions Reductions
 - Future Measures for OGV Emissions Reductions

- ### Other
- Consumer Products
 - Zero-Emission Standard for Space and Water Heaters



*Already adopted by Board

On-Road Heavy-Duty

- **Advanced Clean Fleets Regulation**
 - ZE requirements for heavy-duty fleets
 - Adoption: 2023, Implementation beginning: 2023
- **Zero-Emission Trucks Measure**
 - Exploring new methods to target the replacement of older trucks and accelerate transition to ZEV, beyond ACT/ACF
 - Adoption/Implementation: TBD



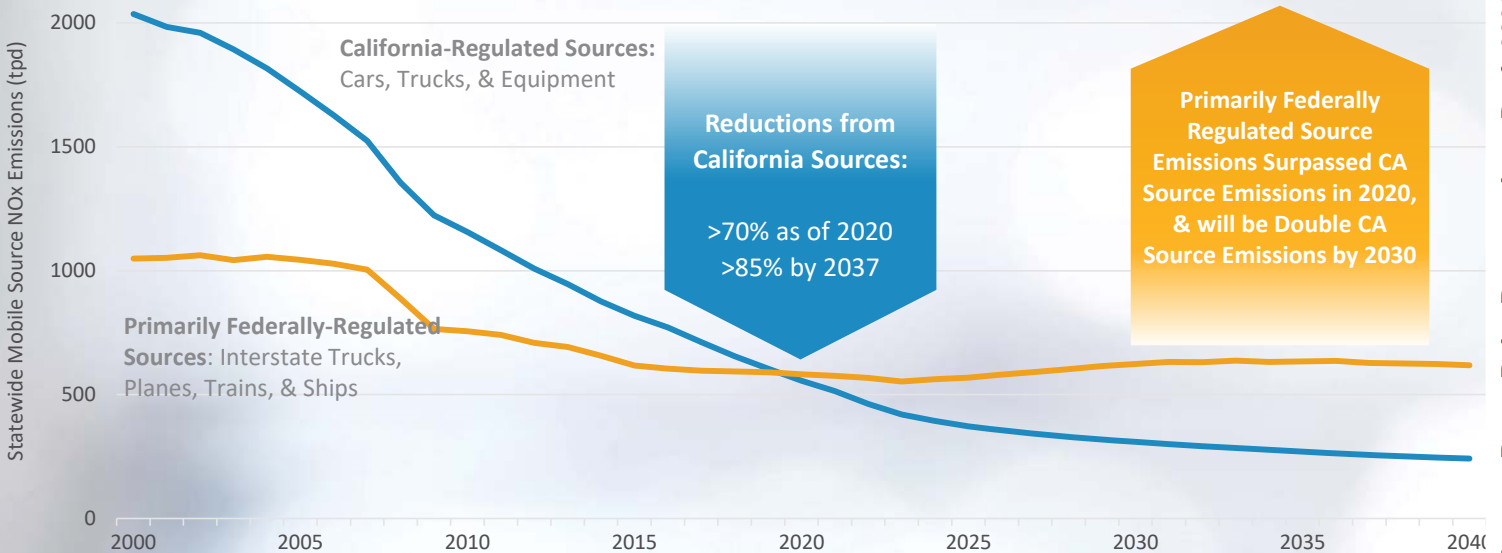
On-Road Light-Duty



- **Advanced Clean Cars II (2016 SSS measure)**
 - Manufacturer ZE sales requirements for LDV
 - Adoption: 2022, Implementation beginning: 2026
- **On-Road Motorcycles New Emissions Standards**
 - More stringent exhaust/evap standards & ZE sales threshold
 - Adoption: 2022, Implementation beginning: 2024
- **Clean Miles Standard Regulation (Adopted 2021)**
 - ZE requirements for transportation network companies
 - Implementation beginning: 2023
- **Enhanced Regional Emission Analysis in SIPs**
 - Exploring options to facilitate reductions in VMT – update MVEB development process, RACM support, update CMAQ guidance
 - Development/Implementation: TBD



Federal Action is Critical



Source: CARB, CEPAM 2019 SIP - Standard Emission Tool (v1.03), <https://ww2.arb.ca.gov/applications/cepam2019v103-standard-emission-tool>

Federal Actions Needed



On-Road Heavy-Duty Vehicles

- Low-NOx Engine Standards
- Zero-Emission Engine Standards



Off-Road Equipment

- Tier V Standards
- Zero-Emission Standards Where Feasible



Locomotives

- More Stringent National Emission Standards
- Zero-Emissions Standards for Switcher
- Address Remanufacturing Loophole



Ocean-Going Vessels

- More Stringent NOx and PM Standards Requirements
- Cleaner Fuel and Visit Requirements

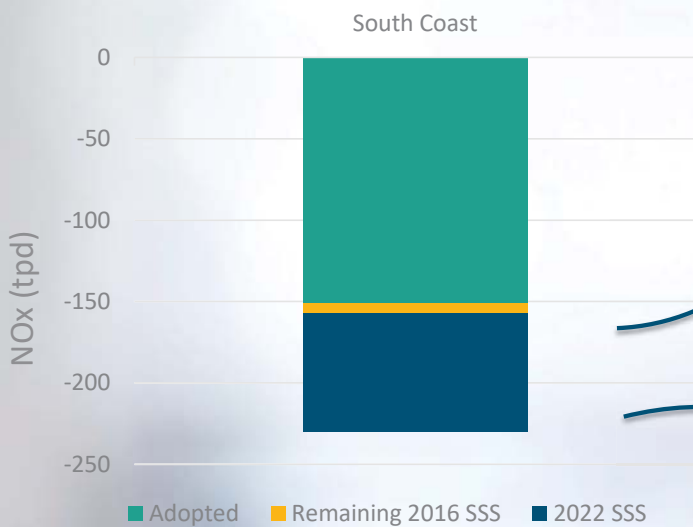


Aviation

- More Stringent Engine Standards
- Cleaner Fuel and Visit Requirements
- Zero-Emission Airport On Ground Support Requirements



CARB NOx Strategy Benefits



Total NOx Reductions in 2037



2022 SSS Reductions in 2037



Public Process & Next Steps



Contact Us!

- Austin Hicks, Air Pollution Specialist
Austin.Hicks@arb.ca.gov
- Ariel Fideldy, Manager
Ariel.Fideldy@arb.ca.gov
- General SIP Questions: SIPplanning@arb.ca.gov

<https://ww2.arb.ca.gov/resources/documents/2022-state-strategy-state-implementation-plan-2022-state-sip-strategy>





AGENDA ITEM 23
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Community Economic & Human Development Committee (CEHD)
Energy & Environment Committee (EEC)
Transportation Committee (TC)
Regional Council (RC)
From: Courtney Aguirre, Program Manager II
(213) 236-1990, aguirre@scag.ca.gov
Subject: Racial Equity Early Action Plan – FY22 Progress Report

**EXECUTIVE DIRECTOR'S
APPROVAL**

RECOMMENDED ACTION:

Information Only – No Action Required

RECOMMENDED ACTION FOR CEHD, TC, AND RC:

Receive and File

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

EXECUTIVE SUMMARY:

In July 2020 SCAG’s Regional Council adopted Resolution No. 20-623-2, affirming its commitment to advancing justice, equity, diversity, and inclusion throughout Southern California. The resolution called for the formation of an ad hoc Special Committee on Equity and Social Justice to further develop SCAG’s response to advancing equity. The Committee met on a quarterly basis starting in September 2020 and concluding in March 2021, culminating in the development of an early action plan. In May 2021, the Regional Council adopted the Racial Equity Action Plan (EAP), and since then, SCAG staff have made significant progress on implementing actions included within the plan. This is a report on SCAG’s progress on advancing equity across the region.

BACKGROUND:

On July 2, 2020, SCAG’s Regional Council adopted Resolution No. 20-623-2, affirming its commitment to meaningfully advance justice, equity, diversity, and inclusion, and declaring its intent to end racial and social disparities internal to the agency, strengthen the way it engages and convenes to protect and expand community voice and power, and work in partnership with others to close the gap of racial injustice and better serve the region’s Black, Indigenous, and People of

Color. The resolution called for the formation of an ad hoc Special Committee on Equity and Social Justice to further develop SCAG's response to advancing social justice throughout the agency's activities and advise the Regional Council on policies and practices. The Committee met on a quarterly basis starting in September 2020 and concluding in March 2021, culminating in the development of an early action plan.

The Racial Equity Early Action Plan (EAP) was grounded in SCAG's working definition of equity that led with race as a focal point in addressing the pervasive and deep inequities faced by people of color across the region. The EAP included overarching goals and strategies to advance racial equity through SCAG's policies, practices, and activities. The plan's goals included:

- Shifting the Organizational Culture;
- Centering Racial Equity in Regional Policy & Planning;
- Encouraging Racial Equity in Local Planning Practices; and
- Activating and Amplifying SCAG and others' commitment to advancing equity.

Each of these goals was meant to be advanced through a focus on the following strategies:

- Listen & Learn: Develop a shared understanding of our history of discrimination and the structural barriers that continue to perpetuate the inequities experienced today;
- Engage & Co-Power: Create an environment where everyone is included, able to share their experiences, and equipped to talk about racial equity and inequities; and
- Integrate & Institutionalize: Focus on systems change to improve racial equity. Center racial equity in all aspects of work. This involves internal and external systems change.

IMPLEMENTATION:

The EAP included a total of 29 actions fairly evenly split across all the goals and strategies. Progress on all actions is reported in Attachment 1. A selection of actions is highlighted below, along with a handful of new actions that were not originally accounted for that have been initiated and have secured support from the Regional Council. As noted at the time of adoption, the EAP is anticipated to continue to be a "living document," with opportunities to identify new actions over time.

Shifting the Organizational Culture

Develop an Inclusion, Diversity, Equity, and Awareness (IDEA) Education and Training Program

SCAG's Human Resources Division recently secured consultant support for equity-related work, including education and training, developing a baseline assessment report of SCAG's current organizational practices; and assessing the level of inclusion, diversity, and equity awareness and competency to identify opportunities for improvement and priorities.

Prepare an Inclusive and Equitable Talent Management Strategy

SCAG's Human Resources Division initiated new practices to further embed diversity, equity, inclusion, and accessibility within the recruitment process. Specifically, SCAG's job posting template was revamped to emphasize minimum qualifications over ideal qualities, and all candidates who meet the minimum qualifications of a position are sent over for subject matter expert review. Interview rating materials have been updated with a numerical rating scale to provide more objectivity in the interview assessment process, and the interview panel views a video on bias mitigation in the interview process. The descriptions of the competencies for which candidates are evaluated as well as the interview questions SCAG uses have been updated to reflect more inclusive and diverse verbiage. SCAG is also supporting accessibility throughout the interview process by conducting remote interviews and copying and pasting interview questions into the chat function of the virtual meeting for candidates to reference as they respond to the interview questions.

Centering Racial Equity in Regional Policy & Planning

Update Public Participation Plan

SCAG updated its Public Participation Plan to include several goals and strategies to ensure the agency's communications are looked at through an equity framework whenever possible. As a part of a more equitable outreach and engagement approach, SCAG intends to seek the support of Community-Based Organizations to target specific populations and areas of the region as it develops its next long-range plan, Connect SoCal 2024.

Prepare Annual Racial Equity Indicators Report

In 2021, SCAG released a baseline assessment of racial equity in Southern California. The report highlighted past transportation and housing policies and practices that yielded the inequitable conditions that exist today and provided an assessment of existing disparities and inequities. SCAG staff anticipate sharing an updated report this summer once updated data becomes available.

Restorative Justice Subcommittee (new)

As a part of the proposed Connect SoCal Policy Development Framework, SCAG will be convening a set of special subcommittees to consider emerging issues. One of the subcommittees will focus on Restorative Justice. This subcommittee will identify opportunities to advance racial equity through the policies and strategies in Connect SoCal and guide how planning and investments over the next 30 years can address and rectify the effects of racially discriminatory policies in SCAG's Environmental Justice communities.

Encouraging Racial Equity in Local Planning Practices

Call for Collaboration

Last year the Regional Council voted to approve \$1 million of SCAG's REAP 1.0 grant funding to establish the Call for Collaboration partnership program with the intent to support new partnership models and engage a wider range of stakeholders to advance the region's housing goals. SCAG partnered with the California Community Foundation (CCF), joined by the Irvine Foundation, Chan Zuckerberg Initiative, and other funding partners for this program. The program was designed to fund community-based organizations and non-profit led activities that result in action-oriented planning policies and programs demonstrating a nexus to accelerating housing production. This collaboration fosters diverse community-driven approaches and strategic coalitions to shape and execute a vision for more housing in every community while addressing historic racial inequities.

CCF and SCAG procured a technical assistance provider, to be funded by the foundation partners, to support the grant program awardees in their planning activities. CCF released the Request for Proposals for the grant program on January 19, 2021, offering funding in two categories:

- **Partnership Programs:** Awards of up to \$125,000 to support the expansion and/or implementation of existing plans, initiatives, and/or partnerships that promote equitable growth strategies.
- **Spark Grants:** Smaller, capacity-building grants of around \$50,000 (1) to seed new models of collaboration and engagement to support community-driven approaches and partnerships that promote equitable growth strategies.

The grant program was oversubscribed by four (4) times, and fifteen (15) awards were made totaling \$1.25 million. These awards were made to a range of non-profit and community-based organizations covering five of SCAG's six counties. Through its partner, CCF, awardees are now in grant agreements and implementing their grant-funded work. The period of performance is 18-months from execution of the grant agreement.

Economic Empowerment Program (new)

Recent restructuring within SCAG's Planning Division have created an opportunity to form a new Economic Empowerment Program. SCAG is in the process of recruiting and hiring staff for the new team, which will include a department manager with shared responsibilities for Housing and Economic Empowerment, as well as, a senior planner and associate regional planner dedicated to Economic Empowerment. The team will oversee several EAP action items to build capacity to incorporate equity into local planning including the implementation of Sustainable Communities Program Call 4 efforts (projects focused on Civic Engagement, Equity, and Environmental Justice) as well as the Public Health Fellows program.

Activating and Amplifying

Develop an Excellence in Equity Annual Award Program

SCAG's Sustainability Awards Program now includes an equity category to highlight projects that advance equity and facilitate the growth of healthy, livable, sustainable, and economically resilient communities. SCAG anticipates issuing the first award at the Regional Conference in May.

Inclusive Economic Growth Implementation Program (new)

The Inclusive Economic Recovery Strategy (IERS) was developed through a rigorous public outreach. Following adoption of the Inclusive Economic Recovery Strategy in July 2021, SCAG was awarded \$3.5 million in State funding to implement IERS core recommendations. This work is anticipated to kick off in mid-2022. Deliverables will include: a targeted analysis of the economic impacts of racial inequities in income; the creation of a job-quality index; reports and recommendations on best practices for more inclusive procurement and contracting; recommendations for best practices on project labor agreements, construction, and development; and sub-regional reports on sectors with family-supporting jobs combined with addressing the human capital needs for households to access those jobs (such as childcare, transportation, training). The grant funding is structured to fund community-based partners that can ground-truth the research and findings with the lived experiences of targeted communities.

NEXT STEPS:

SCAG staff will continue to take steps to implement the EAP and share periodic updates with the EEC and other policy committees to ensure progress and accountability. New actions that are underway that have secured approval from the Regional Council will be incorporated into an updated EAP.

FISCAL IMPACT:

Funding for staff work associated with this item is included under various projects and programs in the FY 2021-22 Overall Work Program.

ATTACHMENT(S):

1. PowerPoint Presentation - Racial Equity Early Action Plan – Progress Report
2. Racial Equity Early Action Plan – FY22 Progress Report Table

SCAG's Equity Efforts

Racial Equity Early Action Plan – Progress Report

Energy & Environment Committee

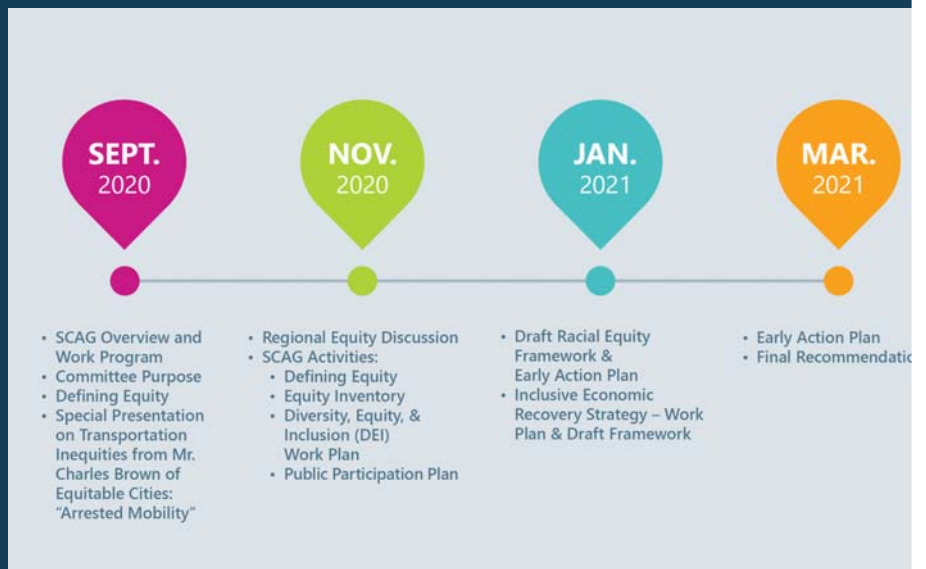
April 7, 2022

www.scag.ca.gov



SCAG's Commitment to Equity & Social Justice

- July 2020 - SCAG Board adopted resolution
- Sept. 2020 – Established Special Committee on Equity & Social Justice
- Focused on:
 - SCAG's response to advancing equity across agency's activities
 - Advising SCAG's Regional Council on policies and practices



Equity Framework & Early Action Plan



- Early Action Plan critical for ensuring work advances and endures
- Early Action Plan included:
 - Definition of equity
 - Equity goals and strategies
 - Early actions



Racial Equity Framework: Goals & Strategies



GOALS



Shift Organizational Culture

Focus SCAG's internal work and practices on inclusion, diversity, equity, and awareness.



Center Racial Equity in Regional Planning & Policy

Bring equity into SCAG's regional planning functions.



Encourage Racial Equity in Local Planning Practices

Promote racial equity in efforts involving local elected officials and planning professionals.



Activate & Amplify

Communicate broadly SCAG's commitment to racial equity and join with others in different fields and sectors to amplify impact.

STRATEGIES



Listen & Learn

Develop a shared understanding of our history of discrimination and the structural barriers that continue to perpetuate the inequities experienced today.



Engage & Co-Power

Create an environment where everyone is included, able to share their experiences, and equipped to talk about racial equity and inequities.



Integrate & Institutionalize

Focus on systems change to improve racial equity. Center racial equity in all aspects of work. This involves internal and external systems change. Advancing Racial Equity in Southern California.

Racial Equity Early Action Plan



SCAG'S RACIAL EQUITY EARLY ACTION PLAN

DEFINING EQUITY
As central to SCAG's work, racial equity describes the actions, policies, and practices that eliminate bias and barriers that have historically and systemically marginalized communities of color, to ensure all people can be healthy, prosperous, and participate fully in civic life.

GOALS

- Shift Organizational Culture**
Focus SCAG's internal work and practices on inclusion, diversity, equity, and awareness.
- Center Racial Equity in Regional Planning & Policy**
Bring equity into SCAG's regional planning functions.
- Encourage Racial Equity in Local Planning Practices**
Promote racial equity in efforts involving local elected officials and planning professionals.
- Activate & Amplify**
Communicate broadly SCAG's commitment to racial equity and join with others in different fields and sectors to amplify impact.

STRATEGIES

Each of these goals is advanced through a focus on the following three strategies:

- Listen & Learn:** Develop a shared understanding of our history of discrimination and the structural barriers that continue to perpetuate the inequities experienced today.
- Engage & Co-Power:** Create an environment where everyone is included, able to share their experiences, and equipped to talk about racial equity and inequities.
- Integrate & Institutionalize:** Focus on systems change to improve racial equity. Center racial equity in all aspects of work. This involves internal and external systems change.

EARLY ACTIONS		
GOAL 1 SHIFT ORGANIZATIONAL CULTURE		
Listen & Learn	Engage & Co-Power	Integrate & Institutionalize
<ul style="list-style-type: none"> Develop an Inclusion, Diversity, Equity and Awareness (IDEA) Education and Training Program Conduct an externally led racial equity audit to further inform equity actions 	<ul style="list-style-type: none"> Establish an IDEA Team to oversee and update EAP Assess and align procurement policies with diversity goals Create an Equity Planning Resource Group to share best practices Develop a Diversity Style Guide on standards for communicating 	<ul style="list-style-type: none"> Update SCAG's Strategic Plan to incorporate an equity vision and goals to guide agency work plans Prepare an Inclusive and Equitable Talent Management Strategy
GOAL 2 CENTER RACIAL EQUITY IN REGIONAL POLICY & PLANNING		
Listen & Learn	Engage & Co-Power	Integrate & Institutionalize
<ul style="list-style-type: none"> Offer equity training for Board members, including as part of Board Orientation Include Equity Assessment section in Staff Reports Prepare Annual Racial Equity Indicators Report 	<ul style="list-style-type: none"> Increase opportunity for participation in Policy Committees; Formalize Committee equity roles Update Public Participation Plan Form Regional Policy Working Group dedicated to Equity 	<ul style="list-style-type: none"> Develop equity goals, policies, and metrics as part of Connect SoCal update Explore developing Research Program with University Partners
GOAL 3 ENCOURAGE RACIAL EQUITY IN LOCAL PLANNING		
Listen & Learn	Engage & Co-Power	Integrate & Institutionalize
<ul style="list-style-type: none"> Support data requests, create tools for information sharing Expand Toolbox Tuesday trainings to include sessions on racial equity Provide elected officials with fact sheets and tools to promote racial equity 	<ul style="list-style-type: none"> Provide resources for CBO engagement in Local Planning - e.g., Call for Collaboration, Go Human Mini-Grants Build planning capacity in low-resourced jurisdictions by providing staff support - e.g., Civic Sparks, Public Health Fellows 	<ul style="list-style-type: none"> Refine equity goals and evaluation criteria used in Sustainable Communities Program Provide resources through the Sustainable Communities Program to promote Environmental Justice Identify opportunities to incorporate equity analysis in development of 2023 TIP
GOAL 4 ACTIVATE & AMPLIFY		
Listen & Learn	Engage & Co-Power	Integrate & Institutionalize
<ul style="list-style-type: none"> Collaborate on a public information campaign to promote fair housing, reduce segregation Strengthen relationships with other MPOs 	<ul style="list-style-type: none"> Explore opportunities to partner to establish a "Planning University" for Community Based Organizations & Stakeholders Develop an Excellence in Equity Annual Award Program 	<ul style="list-style-type: none"> Develop Inclusive Economic Recovery Strategy

Shifting the Organizational Culture



Inclusion, Diversity, Equity, and Awareness (IDEA) Education and Training Program



Inclusive and Equitable Talent Management Strategy



Update SCAG's Strategic Plan to incorporate an equity vision and goals

Centering Racial Equity in Regional Policy & Planning



Updated Public Participation Plan



Regional Equity Working Group



Connect SoCal 2024 – Equity Analysis



Restorative Justice Subcommittee (new)

Encouraging Racial Equity in Local Planning Practices



Resources for CBO engagement:
Call for Collaboration, *Go Human* Mini-Grants



Toolbox Tuesday Trainings



Economic Empowerment Program (new)

Activating and Amplifying



Develop an Excellence in Equity Annual Award Program



Planning University for Community-Based Organizations and Stakeholders



Inclusive Economic Growth Implementation Program (new)

Next Steps



SCAG staff implements the Racial Equity Early Action Plan



Regional Council receives periodic updates on implementation

Thank you!

Questions?

Courtney Aguirre, Program Manager
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www.scag.ca.gov





SCAG's Racial Equity Early Action Plan Fiscal Year 2021-22 Progress Report

Goal	Action	Status	Notes
Shift Organizational Culture	Develop an Inclusion, Diversity, Equity, and Awareness (IDEA) Education and Training Program.	In-Progress	Secured consultant support for equity-related work, including education and training, developing a baseline assessment report of SCAG's current organizational practices; and assessing the level of inclusion, diversity, and equity awareness and competency to identify opportunities for improvement and priorities.
Shift Organizational Culture	Conduct an externally led racial equity audit to further inform equity actions.	In-Progress	Strategic Plan Consultant is being onboarded and will be discussing the scope and timing.
Shift Organizational Culture	Establish an IDEA Team to oversee and update EAP.	Completed	The IDEA team, consisting of 17 cross-functional SCAG team members, underwent a foundational knowledge workshop series titled "IDEA Foundations," where a shared language of DEI principles was established. With both the addition of a DEI Principal Management Analyst position in HR, and the execution of a contract between a DEI consultant firm in Spring, the IDEA team will reconvene to continue working toward shifting the organizational culture.
Shift Organizational Culture	Assess and align procurement policies with diversity goals.	In-Progress	The Regional Council authorized staff to include the project budget within a Request for Proposal (RFP) when including the project budget is deemed by staff to be in the best interest of SCAG. Service providers will consider the best use of their limited staffing resources when deciding whether to respond to RFP's, and the evaluation of the adequacy of project funding is a key consideration. Small, woman, DVBE and minority owned businesses are more likely to face the challenge of limited staffing resources, thus RFPs that do not provide project budget information may disproportionately disincentivize or prohibit these service providers from bidding.
Shift Organizational Culture	Create an Equity Planning Resource Group to share best practices.	Completed	SCAG has established an Equity Planning Resource Group that is currently focused on developing an equity toolkit to help institutionalize equity in the Planning Division, and the group has also developed an equity resource guide to support local jurisdictions as they take on advancing equity.
Shift Organizational Culture	Develop a Diversity Style Guide on standards for communication.	In-Progress	Public Affairs will work with HR to incorporate an Equity Style Guide into DEI Consultant work.



SCAG's Racial Equity Early Action Plan Fiscal Year 2021-22 Progress Report

Goal	Action	Status	Notes
Shift Organizational Culture	Update SCAG's Strategic Plan to incorporate an equity vision and goals to guide agency work plans.	Planned	Consultant is being on-boarded and the first task order being developed will include DEI components.
Shift Organizational Culture	Prepare an Inclusive and Equitable Talent Management Strategy.	In-Progress	SCAG HR initiated new practices to further embed diversity, equity, inclusion, and accessibility within the recruitment process. SCAG's job posting template was revamped to emphasize minimum qualifications over ideal qualities, and all candidates who meet the minimum qualifications of a position are sent over for subject matter expert review. Interview rating materials have been updated with a numerical rating scale to provide more objectivity in the interview assessment process, and the interview panel views a video on bias mitigation in the interview process. The descriptions of the competencies for which candidates are evaluated as well as the interview questions SCAG uses have been updated to reflect more inclusive and diverse verbiage. SCAG is also supporting accessibility throughout the interview process by conducting remote interviews and copying and pasting interview questions into the chat function of the virtual meeting for candidates to reference as they respond to the interview questions.
Center Racial Equity in Regional Policy & Planning	Offer equity training for Board members, including as part of Board Orientation.	In-Progress	SCAG's equity efforts are incorporated into New Member Orientation presentations and onboarding materials. Resources from GARE and other publications will be shared with members. A formal training program will be proposed to Human Resources as part of their DEI Consultant initiatives.
Center Racial Equity in Regional Policy & Planning	Include Equity Assessment section in Staff Reports.	Planned	An equity section based on the forthcoming equity vision and goals incorporated in SCAG's Strategic Plan is anticipated to be added to the staff report template in MinuteTraQ. Evaluating a date when it will become effective (requires advance staff training).
Center Racial Equity in Regional Policy & Planning	Prepare Annual Racial Equity Indicators Report.	In-Progress	In 2021, SCAG staff developed a baseline assessment of racial equity in Southern California. The report highlighted past transportation and housing policies and practices that yielded the inequitable conditions that exist today and provided an assessment of existing disparities and inequities. SCAG staff anticipate sharing an updated report this summer.



SCAG's Racial Equity Early Action Plan Fiscal Year 2021-22 Progress Report

Goal	Action	Status	Notes
Center Racial Equity in Regional Policy & Planning	Increase opportunity for participation in Policy Committees; Formalize Committee equity roles.	Completed	Coinciding with the adoption of the Racial Equity Early Action Plan, last May SCAG's Bylaws were amended to expand Policy Committee membership to include Communities of Concern representatives to create a more inclusive governance structure.
Center Racial Equity in Regional Policy & Planning	Update Public Participation Plan.	Completed	SCAG updated the Public Participation Plan to include several goals and strategies to ensure SCAG's communications are looked at through an equity framework whenever possible. The Regional Council will consider approving the document at its April meeting.
Center Racial Equity in Regional Policy & Planning	Form Regional Policy Working Group dedicated to Equity.	Completed	Quarterly, SCAG staff convenes a Regional Equity Working Group to engage stakeholders on SCAG's equity-focused regional and local planning activities as well as uplift efforts across the region to advance equity in land-use and transportation planning.
Center Racial Equity in Regional Policy & Planning	Develop equity goals, policies, and metrics as part of Connect SoCal update.	In-Progress	SCAG staff are currently researching and developing Connect SoCal equity-oriented goals and performance measures, and reevaluating the plan's environmental justice analysis by shifting to an equity analysis to further align with SCAG's equity efforts.
Center Racial Equity in Regional Policy & Planning	Explore developing Research Program with University Partners.	Planned	SCAG staff are currently developing a proposal for a University Collaboration rooted in equity to create more opportunities for participatory and collaboratively applied research projects with university partners. SCAG staff are also currently working with UC Davis on a COVID and associated travel behavior study that includes analysis of impacts on high need populations.
Center Racial Equity in Regional Policy & Planning	Form a Restorative Justice Subcommittee to inform work on Connect SoCal (new).	Planned	This subcommittee will identify opportunities to advance racial equity through the policies and strategies in Connect SoCal and guide how planning and investments over the next 30 years can address and rectify the effects of racially discriminatory policies in SCAG's Environmental Justice communities.



SCAG's Racial Equity Early Action Plan Fiscal Year 2021-22 Progress Report

Goal	Action	Status	Notes
Encourage Racial Equity in Local Planning	Support data requests, create tools for information sharing.	In-Progress	SCAG staff are currently conducting outreach to local jurisdictions in the region, including those that are low-resourced and located in Disadvantaged Communities, to introduce the available tools and resources in the Regional Data Platform (RDP). One of the immediate benefits of the RDP is a set of complementary ArcGIS licenses, which could support jurisdictions with planning activities like Housing Element updates. The Local Information Services Team (LIST) at SCAG are ready to provide technical assistance upon request.
Encourage Racial Equity in Local Planning	Expand Toolbox Tuesday trainings to include sessions on racial equity.	Completed	On a quarterly basis, SCAG hosts equity-focused Toolbox Tuesday trainings for practitioners. To-date, SCAG has held three trainings on the following topics: developing equity baseline conditions reports, conducting equitable engagement, and developing and utilizing equity tools.
Encourage Racial Equity in Local Planning	Provide elected officials with fact sheets and tools to promote racial equity.	In-Progress	SCAG's equity efforts are incorporated into New Member Orientation presentations and onboarding materials. Resources from GARE and other publications will be shared with members.
Encourage Racial Equity in Local Planning	Provide resources for CBO engagement in Local Planning - e.g., Call for Collaboration, Go Human Mini-Grants.	In-Progress	In the past year, SCAG issued a Call for Collaboration in partnership with three foundations. SCAG provided \$1 million of its REAP 1.0 funding to develop a program that provided capacity-building technical assistance and grants to non-profits and CBOs. Fifteen organizations were invited to engage in land use planning efforts that support the acceleration of housing production, with an emphasis on ensuring principles of equity are included in planning processes, new funding programs, and policies. The Go Human Safety Strategies contract is anticipated to kickoff this spring. The contract includes resources for CBO engagement. The Go Human Mini Grants Call for Applications is also anticipated in spring 2022.
Encourage Racial Equity in Local Planning	Build planning capacity in low-resourced jurisdictions by providing staff support - e.g., Civic Sparks, Public Health Fellows.	In-Progress	SCAG is currently funding Public Health & Policy Fellows in a variety of jurisdictions, including Eastvale, Fontana, Los Angeles, Montclair, and Riverside. SCAG staff are exploring grant funding options for next fiscal year, including possible REAP 2021 funding.



SCAG's Racial Equity Early Action Plan Fiscal Year 2021-22 Progress Report

Goal	Action	Status	Notes
Encourage Racial Equity in Local Planning	Refine equity goals and evaluation criteria used in Sustainable Communities Program (SCP).	In-Progress	Throughout three Calls for Applications completed in 2020/2021, SCAG prioritized equity criteria in the project evaluation and program goals. Specifically, the evaluation criteria required applicants to discuss anti-displacement strategies for all projects, and discuss how projects will engage community-based partners and the most impacted communities, including non-English speaking populations. The program goals point to prioritizing disadvantaged communities in alignment with SCAG's resolution on race and equity. Additionally, staff developed an Equity Tool to prioritize outreach to high need areas based on a series of data-driven equity indicators and past funding SCP, to target communities with the highest need and those who historically have not received SCP funding.
Encourage Racial Equity in Local Planning	Provide resources through the Sustainable Communities Program to promote Environmental Justice.	Planned	Developing SCP Call 4, Civic Engagement, Equity and Environmental Justice, to support the goals and implementation of the Racial Equity Early Action Plan. Through strategic funding set-asides, this program, SCAG will prioritize resources in historically disinvested areas and communities most impacted by adverse public health outcomes and air quality impacts. This program will catalyze planning activities to support GHG and VMT reduction, advance equity and environmental justice, and provide needed funding to communities with the highest need.
Encourage Racial Equity in Local Planning	Identify opportunities to incorporate equity analysis in development of 2023 Federal Transportation Improvement Program (FTIP).	In-Progress	Based on the adopted FTIP Guidelines, County Transportation Commissions are encouraged to consider equity in developing their respective County TIPs, which could be in the form of an equity statement or consideration of equity in project selection. Once SCAG is in receipt of the County TIPs, staff will prepare a regional equity statement to be included in the Final FTIP. This document will identify/quantify investments in non-auto modes, particularly transit and active transportation, given that Disadvantaged Communities or Communities of Concern tend to have low levels of auto ownership and therefore greater dependence on non-auto modes.



SCAG's Racial Equity Early Action Plan Fiscal Year 2021-22 Progress Report

Goal	Action	Status	Notes
Encourage Racial Equity in Local Planning	Form Economic Empowerment Program (new).	In-Progress	SCAG is in the process of recruiting and hiring staff for the new team, which will include a department manager, senior planner, and associate regional planner. The team will oversee the Sustainable Communities Program Call 4 efforts (projects focused on Civic Engagement, Equity, and Environmental Justice) as well as the Public Health Fellows program.
Activate & Amplify	Collaborate on a public information campaign to promote fair housing, reduce segregation.	Planned	SCAG designated funding for the development of a community outreach and advertising campaign with the goals of creating positive associations with housing development and housing-supportive land use policies. This effort will be modeled on the success of SCAG's Go Human campaign. Staff began to research several similar, active efforts, and found that the Chan Zuckerberg Initiative (CZI) has been working with a marketing and branding firm on a market segmentation analysis, identifying core values associated with housing development. CZI is currently testing various slogans developed based on the outcomes of the market research. SCAG staff is proposing to coordinate with CZI and other partners (foundations, community based and municipal) to use these market-tested slogans and develop and launch the campaign materials and toolkits.
Activate & Amplify	Strengthen relationships with other MPOs.	In-Progress	On a bimonthly basis, SCAG works with others to convene an MPO Equity Working Group to discuss current equity efforts, challenges, and best practices. The past year's meetings have focused on performance measures, partnering with community-based organizations, environmental justice analysis, and equity tools. SCAG also participates in the California Association of Councils of Governments Big MPO + Caltrans meetings to discuss experiences advancing equity and share resources.
Activate & Amplify	Explore opportunities to partner to establish a "Planning University" for Community-Based Organizations & Stakeholders.	In-Progress	"Planning University" concepts have been incorporated into the scope development for the Connect SoCal 2024 public and stakeholder engagement consultant, including establishing a Pre-Plan Development phase to build interest and capacity for stakeholders to meaningfully participate in the regional and local decision-making processes that shape their communities.



SCAG's Racial Equity Early Action Plan Fiscal Year 2021-22 Progress Report

Goal	Action	Status	Notes
Activate & Amplify	Develop an Excellence in Equity Annual Award Program.	Completed	SCAG's Sustainability Awards Program now includes an equity category to highlight projects that advance equity and facilitate the growth of healthy, livable, sustainable, and economically resilient communities.
Activate & Amplify	Develop Inclusive Economic Recovery Strategy.	Completed	The Inclusive Economic Recovery Strategy (IERS) was developed through a rigorous public outreach and engagement process, including 20 convenings with stakeholders from the private, public, and government sectors. The resulting Inclusive Economic Recovery Strategy Report and recommendations were adopted by the Regional Council on July 1, 2021.
Activate & Amplify	Inclusive Economic Growth Implementation Program (new).	Planned	Following adoption of the Inclusive Economic Recovery Strategy in July 2021, SCAG was awarded \$3.5 million in State funding to implement IERS core recommendations. This work is anticipated to kick off in mid-2022.



AGENDA ITEM 24 REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Cindy Giraldo, Chief Financial Officer
(213) 630-1413, giraldo@scag.ca.gov

Subject: Purchase Orders \$5,000 - \$199,999; Contracts \$25,000 - \$199,999 and
Amendments \$5,000 - \$74,999

RECOMMENDED ACTION:

Information Only - No Action Required

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 7: Secure funding to support agency priorities to effectively and efficiently deliver work products.

BACKGROUND:

SCAG executed the following Purchase Orders (PO's) for more than \$5,000 but less than \$200,000

<u>Consultant/Contract #</u>	<u>PO' Purpose</u>	<u>Amount</u>
Paramount Technologies Inc. dba Pairsoft	FY22 Requisition System	\$23,567
Pinnacle Business Solutions Inc.	FY22 Veeam Software	\$20,088
California Contract Cities Association	FY22 California Contract Cities Association Membership	\$5,000
Futureports	FY22 Future Ports Membership	\$5,000
Mileage Based User Fee Alliance	FY22 Mileage Based User Fee Al	\$5,000

SCAG executed the following Contracts more than \$25,000 but less than \$200,000

<u>Consultant/Contract #</u>	<u>Contract's Purpose</u>	<u>Contract Amount</u>
Various (21-047-C01 through 21-047-C35)	Monthly report on Regional Early Action Plan Program (REAP) on-call services.	Various (as identified the attachment)
IBI Group (21-048 MRFP-01)	The consultant shall create a Mobility Technology Plan to define strategies	\$149,885



SCAG executed the following Contracts more than \$25,000 but less than \$200,000

<u>Consultant/Contract #</u>	<u>Contract’s Purpose</u>	<u>Contract Amount</u>
	with actionable steps to establish new mobility service capabilities through technology implementation. The overall goal of this project is to harness innovative technology to support lifelong mobility for senior and disabled populations, including removing barriers to access and maintaining the dignity and independence of all persons. The prospective future implementation of autonomous vehicle technology is a focus. It is envisioned that the Mobility Technology Plan will serve as a resource for both the City and other jurisdictions with similar mobility planning interests.	

SCAG executed these Amendments for more than \$5,000 but less than \$75,000 and less than 30% of the original contract value

<u>Consultant/Contract #</u>	<u>Amendment’s Purpose</u>	<u>Amendment Amount</u>
KOA Inc.	This amendment provides additional funding to supplement Kit of Parts activations in Indio and three (3) local agency partners, including Pasadena, Azusa, and the Imperial County Transportation Commission (ICTC). This amendment increases the contract for increased consultant support including setup, take down, and evaluation, as well as additional budget to compensate community-based organization (CBO) partners for collaboration on Kit of Parts activations. This increase helps meet the goals of conducting public	\$42,538



SCAG executed these Amendments for more than \$5,000 but less than \$75,000 and less than 30% of the original contract value

<u>Consultant/Contract #</u>	<u>Amendment's Purpose</u>	<u>Amendment Amount</u>
	engagement to align with ongoing active transportation plans in the cities and support local engagement with CBOs.	

ATTACHMENT(S):

1. Contract Summary 21-047-C01 through C38
2. Contract Summary 21-048 MRFP 01
3. Contract Summary 21-008-C01 Amendment 2

CONSULTANT CONTRACT NOS. 21-047-C01 THROUGH 21-047-C19
MONTHLY REAP FOLLOW UP

**Selected
Consultants:**

1. AECOM Technical Services, Inc.
2. Arup North America, Ltd.
3. Ascent Environmental, Inc.
4. BAE Urban Economics, Inc.
5. CTY Housing, Inc.
6. ECONorthwest
7. Estolano Advisors
8. HR&A Advisors Inc.
9. Kimley-Horn and Associates, Inc.
10. Kosmont & Associates, Inc.
11. LeSar Development Consultants
12. National Community Renaissance of California
13. Opticos Design, Inc.
14. Raimi + Associates
15. Stantec Consulting Services, Inc.
16. RDC-S111 (dba Studio One Eleven)
17. Turner Housing Innovation Labs, Inc.
18. Woodsong Associates, LLC
19. WSP USA Inc.

**Background &
Scope of Work:**

On April 1, 2021, the Regional Council approved a procurement program to accelerate project delivery for the Regional Early Action Plan Program (REAP) and requested staff to report back monthly on procurement activities related to the On Call Services for the REAP Program. This report is to inform the RC of those activities. This report is to inform the Regional Council of procurement activities, contracts and amendments related to the On-call Services for the REAP Program.

In summary, the REAP Program provides a new model for timely implementation of SCAG's local assistance programs and the Regional Council has approved the following:

- (1) Authorized staff to enter into up to a total of \$10,000,000 in On Call Services contracts to implement the Regional Council's approved REAP work program, upon completion of competitive procurement and selection of consultants for the On Call Services;
- (2) Waived SCAG's procurement requirement to first obtain the Executive/Administration Committee's and Regional Council's approval for contracts at or above \$200,000 prior to execution, for any individual contract up to \$500,000 awarded to complete work that is part of the Regional Council's approved REAP grant funded program and authorization for the Executive Director or his/her designee to execute such contracts upon consultation with legal counsel;
- (3) Waived SCAG's procurement requirement necessitating Executive/Administration Committee's and Regional Council approval prior to entering any contract amendment exceeding \$75,000 or 30% (whichever is less) and, instead, requiring amendments of 30% or more to be first approved by the Executive/Administration Committee and Regional Council, and authorizing the Executive Director or his/her designed to execute such amendments upon

consultation with legal counsel; and (4) directing staff to make monthly informational reports to the Regional Council of procurement activities, contracts and amendments related to REAP made pursuant to this action.

Project’s Benefits & Key Deliverables: The project’s benefits and key deliverables include, but are not limited to:

- Supporting local jurisdictions in the update of their Housing Elements;
- Assistance with integrated land use planning, urban design and land use policy;
- Assistance with community development finance;
- Assistance with racial equity analysis and training; and
- Assistance with Grant Writing and Grant Program Administration.

Strategic Plan: This item supports SCAG’s Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

Contract Amount: **Total not to exceed** **\$10,000,000**

Note: This is for on-call, or as needed services with consultants to be paid upon a Task Order award. As such, there is no specific award amount to each consultant, nor does SCAG guarantee any specific amount of work to a consultant. Therefore, the amount that may be funded to each consultant is not yet determined

Contract Period: June 2021 through December 31, 2023

Project Number(s): 300.4887.01 – 300.4887.04
 300.4888.01
 300.4889.01 – 300.4889.04
 300.4890.01 – 300.4890.02
 300.4891.01 – 300.4891.02

Funding source(s): REAP Program Grant

Update Below is a table showing the on-call services procurements, and their status at present. Any future dates are subject to change, and procurements may be added or removed to this list.

MRFP #	Project Title	RFP Release Date	Procurement/Contract Stage	Consultant Selected	Award Amount
1	Housing Policy Leadership Academy (P&O-1 Leadership Academy)	05/03/21	Agreement Executed	LeSar Development Consultants	\$815,823
2	SCAG Development Streamlining (HPS-1 CEQA)	05/25/21	Agreement Executed	Ascent Environmental, Inc.	\$337,738
3	Advanced Accessory Dwelling Unit (ADU) Bundle (HSD 1-A - Advanced ADU Bundle)	06/30/21	Agreement Executed	AECOM Technical Services, Inc.	\$546,676
4	Westside Cities COG (WSCCOG) Partnership (Project 1)	07/16/21	Agreement Executed	ARUP US, Inc.	\$148,513

MRFP #	Project Title	RFP Release Date	Procurement/Contract Stage	Consultant Selected	Award Amount
5	Other-To Residential Tool Kit	07/30/21	Agreement Executed	Studio One Eleven	\$579,462
6	1-B HSD Preliminary ADU Bundle (HSD 1-B Preliminary ADU Bundle)	08/04/21	Agreement Executed	Woodsong Associates	\$534,765
7	2-A HSD EIFD Bundle	07/30/21	Agreement Executed	Kosmont	\$582,638
8	3-A HSD Objective Development Standards	-	Cancelled	N/A	-
9	2-D HSD One San Pedro EIFD Study	08/11/21	Agreement Executed	Kosmont	\$222,834
10	Digitize Utilities Inventory For Housing Tool	-	Cancelled	N/A	-
11	2-C (HSD) – Heart of Hollywood TIF Study	08/19/21	Agreement Executed	HR&A Advisors	\$240,804
12	Digitize Utilities Inventory For Housing Tool Rerelease of MRFP-10	10/14/21	Consultant Selected/Agreement Routing	Black & Veatch	TBD
13	2-B HSD Palmdale Housing Project	-	Cancelled	-	-
14	Regional Resilience Framework (RRF)	01/13/22	Evaluating/Negotiating	AECOM Technical Services, Inc.	TBD
15	3-E HSD South El Monte Zoning Update	10/01/21	Agreement Executed	WSP USA, Inc.	\$239,394
16	3-C HSD Rialto Specific Plan Update	10/14/21	Agreement Executed	WSP USA, Inc.	\$467,604
17	San Fernando Valley COG (SFVCOG) Partnership Program	11/29/21	Agreement Executed	ARUP US, Inc.	
18	3-A1 HSD Objective Development Standards LA Rerelease of MRFP-8	10/27/21	Agreement Executed	AECOM Technical Services, Inc.	\$198,742
19	3-A2 HSD Objective Development Standards Bundle	-	Cancelled	Woodsong Associates	-
20	HSD 3-D Burbank Media Specific Plan Update	02/08/22	RFP Released		TBD
21	Metro's Joint Development	12/01/21	Evaluating/Negotiating		
22	SRP-1A Westside Cities COG (WSCCOG) REAP Subregional Partnership (Project #2 and #4 - re-release)	12/21/21	RFP Released		TBD
23	Metro's Equitable Housing	12/23/21	Evaluating/Negotiating		TBD
24	2-B HSD Palmdale Housing Project	01/07/22	Evaluating/Negotiating		TBD
25	HPS-1 Grant Application Technical Assistance		RFP Released		TBD

Attachment: Contract Summary 21-047-C01 through C38 (Purchase Orders \$5,000 - \$199,999; Contracts \$25,000 - \$199,999 and Amendments

MRFP #	Project Title	RFP Release Date	Procurement/Contract Stage	Consultant Selected	Award Amount
26	HSD 1-C - Compton ADU Project	01/21/22	RFP Released		TBD
27	HPS-3 TIF EIFD Projects (Barstow, County of Imperial)		Pre-release/RFP Routing		TBD
28	SRP-4 Riverside County Thermal Community Plan	01/31/22	RFP Released		TBD
29	3-A2 HSD Objective Development Standards Bundle Rerelease of MRFP-19	01/26/22	Pre-release/RFP Routing		TBD
30	TOD 2- Metrolink Area Station Analysis	02/15/22	RFP Released		TBD
31	Los Angeles Metro's Joint Development Housing Accelerator Part C	02/09/22	RFP Released		TBD
32	TCC Pomona Technical Assistance	02/14/22	RFP Released		TBD
33	TCC Riverside Technical Assistance	02/14/22	RFP Released		TBD
34	SRP-4 Riverside County Thermal Community Plan	03/09/22	RFP Released		TBD
35					TBD
36	TCC Pomona Technical Assistance		Pre-release/RFP Routing		TBD
37					TBD
38	HSD 1-C - Compton ADU Project				TBD
Total:					\$4,914,993

Attachment: Contract Summary 21-047-C01 through C38 (Purchase Orders \$5,000 - \$199,999; Contracts \$25,000 - \$199,999 and Amendments

CONSULTANT CONTRACT NO. 21-048 MRFP-01

Recommended Consultant:

IBI Group

Background & Scope of Work:

The Sustainable Communities Program (SCP) is an innovative vehicle for promoting local jurisdictional efforts to test local planning tools. The SCP allows SCAG to strengthen partnerships with local agencies who are responsible for land use and transportation decisions, facilitating coordination and integration of transportation planning with active transportation, housing production and related land use policies that support housing production, safety, smart cities, mobility innovation, transportation demand management, green region initiatives and sustainability. The SCP also serves as the primary funding vehicle mechanism where SCAG partners with local agencies to implement the Connect SoCal’s goals, objectives and strategies of Connect SoCal and achieve an integrated regional development pattern that reduces greenhouse gas (GHG) emissions.

For this project, under the leadership of SCAG, The City of Laguna Woods (“City”) seeks to create a Mobility Technology Plan to define strategies with actionable steps to establish new mobility service capabilities through technology implementation. The overall goal of this project is to harness innovative technology to support lifelong mobility for senior and disabled populations, including removing barriers to access and maintaining the dignity and independence of all persons. The prospective future implementation of autonomous vehicle technology is a focus. It is envisioned that the Mobility Technology Plan will serve as a resource for both the City and other jurisdictions with similar mobility planning interests.

The Mobility Technology Plan and its implementation would enable, expedite, and make more equitable a city where seniors and people with mobility challenges could forego single-occupancy vehicle or taxi trips in favor of using shared, autonomous, and/or zero-emissions vehicles. Such trips would reduce vehicle miles traveled and greenhouse gas emissions, contribute to regional and statewide air quality goals.

Project’s Benefits & Key Deliverables:

The Mobility Technology Plan would consist of the following eight components:

- Project Management
- Public Outreach and Engagement
- Literature Review;
- Data Sharing;
- Mobility Service Program Concept of Operations;
- Communications Infrastructure Program;
- Transportation Infrastructure Requirements; and
- Implementation Plan.

Strategic Plan:

This item supports SCAG’s Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

Contract Amount:

Total not to exceed

\$149,885

IBI Group (prime consultant)

Attachment: Contract Summary 21-048 MRFP 01 (Purchase Orders \$5,000 - \$199,999; Contracts \$25,000 - \$199,999 and Amendments \$5,000 -

Contract Period: April 4, 2022 through April 3, 2023

Project Number(s): 275-4895.01 \$100,000
275-4895.02 \$49,885
Funding source(s): Senate Bill 1 (SB1) and Transportation Development Act (TDA); \$49,885 is expected to be available in 275-4895.02 in FY 2022-23 Overall Work Program (OWP), subject to budget availability.

Request for Proposal (RFP): SCAG staff released RFP 21-048 MRFP 01 to all 21 firms on SCAG’s Transportation Planning Bench. Staff received the following two (2) proposals in response to the solicitation:

IBI Group (no subconsultants)	\$149,885
Kimley-Horn – (1 subconsultant)	\$449,756

Selection Process: The Proposal Review Committee (PRC) evaluated each proposal in accordance with the criteria set forth in the RFP and conducted the selection process in a manner consistent with all applicable federal and state contracting regulations.

After evaluating the proposals received, the PRC interviewed one (1) consultant to get further clarification regarding various points in their proposal, as well as to inquire further of their ability to perform the work required for the City of Laguna Woods. Based upon the information provided by the Consultant during the interview, the PRC determined IBI Group was well suited to perform the duties outlined in the MRFP Scope of Work.

The PRC consisted of the following individuals:

Thomas Bellino, Senior Regional Planner, SCAG
April Baumgarten, Maintenance Programs Analyst, City of Laguna Woods
Chris Macon, City Manager, City of Laguna Woods

Basis for Selection: The PRC recommended Consultant’s Name for the contract award because the Consultant:

- Demonstrated the best understanding of the project, specifically a masterful understanding of the needs of older adults and people with mobility challenges;
- Provided a wealth of project management experience in areas with similar diversity to the SCAG region;
- Provided the best overall value for the level of effort proposed; and
- Proposed the lowest price.

CONSULTANT CONTRACT NO. 21-008-C01 AMENDMENT NO. 02

Consultant: KOA Inc.

Background & Scope of Work: On January 19, 2021, SCAG awarded Contract 21-008-C01. Consistent with the requirements of the California Active Transportation Program (ATP) funding and Senate Bill 1 (SB1) funding, this project shall plan and implement a *Go Human* activation utilizing SCAGs Kit of Parts in the City of Indio and support activation partnerships with six additional agencies, including the Cities of Azusa, Pasadena, El Monte, Buena Park, Cathedral City, and the Imperial County Transportation Commission (ICTC), aligned with ongoing planning processes funded through separate SCAG contracts.

This amendment provides additional funding to supplement Kit of Parts activations in Indio and three (3) local agency partners, including Pasadena, Azusa, and the Imperial County Transportation Commission (ICTC). This amendment increases the contract \$42,538.30 for increased consultant support including setup, take down, and evaluation, as well as additional budget to compensate community-based organization (CBO) partners for collaboration on Kit of Parts activations. This increase helps meet the goals of conducting public engagement to align with ongoing active transportation plans in the cities and support local engagement with CBOs.

Project's Benefits & Key Deliverables: The project's benefits and key deliverables include, but are not limited to:

- Planning and implementing *Go Human* activations in seven local agencies across the SCAG region.
- Conducting robust community engagement to receive public input and engaging local stakeholders in the planning process.
- Implementing *Go Human's* resilient streets strategies to support local jurisdictions in recovery and resiliency given COVID-19; and
- Delivering a final report detailing community feedback and support for potential infrastructure improvements.

Strategic Plan: This item supports SCAG's Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians.

Amendment	Amendment 2	\$42,538
Amount:	Amendment 1	\$27,273
	Original contract value	<u>\$320,841</u>
	Total contract value is not to exceed	\$390,652

This amendment does not exceed \$75,000 or 30% of the contract's original value. Therefore, in accordance with the SCAG Procurement Manual (January 2021) Section 9.3, it does not require the Regional Council's approval.

Contract Period: January 19, 2021, through June 30, 2022

Project Number: 275-4823U7.05 \$37,659
275-4823E.05 \$4,879

Funding sources: FY20 Senate Bill 1 Formula Funds (SB1) and Transportation Development Act (TDA).

Basis for the Amendment:

This amendment adds funding to support Kit of Parts activations in four local agencies including the City of Indio, Azusa, Pasadena, and the Imperial County Transportation Commission (ICTC), at the request for more support to set up and take down the Kit of Parts. Additionally, this amendment provides additional funding to collaborate with community-based organizations (CBOs) in each of the local agencies as part of the Kit activations.



AGENDA ITEM 25
REPORT

Southern California Association of Governments
Hybrid (In-Person and Remote Participation)
900 Wilshire Boulevard, Suite 1700 – Regional Council Room
Los Angeles, CA 90017
Thursday, April 7, 2022

To: Executive/Administration Committee (EAC)
Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Cindy Giraldo, Chief Financial Officer
(213) 630-1413, giraldo@scag.ca.gov

Subject: CFO Monthly Report

RECOMMENDED ACTION:

Information Only - No Action Required

STRATEGIC PLAN:

This item supports the following Strategic Plan Goal 7: Secure funding to support agency priorities to effectively and efficiently deliver work products.

ACCOUNTING:

In the current fiscal year, staff has prepared and submitted requests for reimbursements of approximately \$24.5 million to Caltrans for work funded with federal and state grants that were completed from July to January 2022. Of this amount, \$20.3 million has been received and \$4.2 million is pending approval by Caltrans.

The Accounting Department is in the process of completing an internal recruitment for an Accountant II position. This recruitment is to fill Debbie Chen’s position, who retired from SCAG on March 10th.

Since SCAG is largely grant-funded, with the grant revenues paid to SCAG on a reimbursement basis, SCAG maintains an open line of credit with Bank of the West to ensure operational liquidity. This line of credit is renewed annually in March, the process to complete this year’s renewal is well underway and should be completed by March 31, 2022.

BUDGET & GRANTS (B&G):

Staff completed the development of the FY 2022-23 Draft Comprehensive Budget and OWP. The proposed Comprehensive Budget of \$119.6 million was approved by the EAC on March 2, 2022, and the RC on March 3, 2022. The Draft OWP was released for a 30-day public comment period ending April 3, 2022. The Final Budget will be presented to the EAC and RC for approval in May.

Staff also completed preparing Amendment 3 to the FY 2021-22 Overall Work Program (OWP), in the amount of \$13.8 million, increasing the total budget from \$135.3 million to \$149.1 million.

After approval by the EAC and RC in April 2022, Amendment 3 to the FY22 OWP will be submitted to Caltrans for final approval.

Lastly, staff prepared the draft partial inter-county allocation for FY22 FTA Section 5337 and submitted it to the CTCs for their review and comment. The final partial inter-county allocation and sub-allocation instructions will be released in April 2022 to the CTCs. All related forms are due back to SCAG by the end of May. The partial inter-county allocation for FY22 FTA Section 5339 is on hold due to pending UZA level apportionment data from FTA. The UZA level data is likely to be available as part of the full apportionment notice. The full inter-county allocation for both Sections 5337 and 5339 will be prepared once the full apportionment data is published by FTA.

CONTRACTS:

In February 2022 the Contracts Department issued eleven (11) Request for Proposals; awarded two (2) contracts; issued nine (9) contract amendments; and processed thirteen (13) Purchase Orders to support ongoing business and enterprise operations. Staff also administered 183 consultant contracts. Contracts staff continued to negotiate better pricing, year to date, Contracts staff have negotiated approximately \$392,403 in savings.