REGULAR MEETING

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Tess Rey-Chaput at (213) 236-1908 or via email at REY@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) 236-1908. 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.
1. Hon. Bill Jahn  
   President, Big Bear Lake, RC District 11

2. Hon. Rex Richardson  
   1st Vice President, Long Beach, RC District 29

3. Hon. Clint Lorimore  
   2nd Vice President, Eastvale, RC District 4

4. Hon. Alan Wapner  
   Imm. Past President, SBCTA Representative

5. Hon. Sean Ashton  
   Downey, RC District 25

6. Hon. Rusty Bailey  
   Riverside, RC District 68

7. Hon. Kathryn Barger  
   Los Angeles County

8. Hon. Megan Beaman-Jacinto  
   Coachella, RC District 66

9. Hon. Ben Benoit  
   Air District Representative

10. Hon. Stacy Berry  
    Cypress, RC District 18

11. Hon. Bob Blumenfield  
    Los Angeles, RC District 50

12. Hon. Mike Bonin  
    Los Angeles, RC District 58

13. Hon. Art Brown  
    Buena Park, RC District 21

14. Hon. Wendy Bucknum  
    Mission Viejo, RC District 13

15. Hon. Joe Buscaino  
    Los Angeles, RC District 62
16. Hon. Michael Carroll
   Irvine, RC District 14

17. Hon. Gilbert Cedillo
   Los Angeles, RC District 48

18. Hon. Margaret Clark
   Rosemead, RC District 32

   La Canada Flintridge, RC District 36

20. Hon. Steve DeRuse
    La Mirada, RC District 31

21. Hon. Margaret Finlay
    Duarte, RC District 35

22. Hon. Eric Garcetti
    Member-at-Large

23. Hon. James Gazeley
    Lomita, RC District 39

24. Sup. Curt Hagman
    San Bernardino County

25. Hon. Jan Harnik
    RCTC Representative

26. Hon. Marqueece Harris-Dawson
    Los Angeles, RC District 55

27. Hon. Steven Hofbauer
    Palmdale, RC District 43

28. Hon. Tim Holmgren
    Fillmore, RC District 47

29. Hon. Peggy Huang
    TCA Representative

30. Hon. Jose Huizar
    Los Angeles, RC District 61

31. Hon, Cecilia Iglesias
    Santa Ana, RC District 16
32. Hon. Mike Judge
    VCTC Representative

33. Hon. Kathleen Kelly
    Palm Desert, RC District 2

34. Hon. Paul Koretz
    Los Angeles, RC District 52

35. Hon. Paul Krekorian
    Los Angeles, RC District 49

36. Randall Lewis
    Business Representative, Non-Voting Member

37. Hon. Marisela Magana
    Perris, RC District 69

38. Hon. Steve Manos
    Lake Elsinore, RC District 63

39. Hon. Jorge Marquez
    Covina, RC District 33

40. Hon. Ray Marquez
    Chino Hills, RC District 10

41. Hon. Nury Martinez
    Los Angeles, RC District 53

42. Hon. Larry McCallon
    Highland, RC District 7

43. Hon. Brian McDonald
    Tribal Govt Regl Pning Board

44. Hon. Dan Medina
    Gardena, RC District 28

45. Hon. L. Dennis Michael
    Rancho Cucamonga, RC District 9

46. Hon. Fred Minagar
    Laguna Niguel, RC District 12

47. Hon. Judy Mitchell
    Rolling Hills Estates, RC District 40
48. Hon. Steve Nagel  
Fountain Valley, RC District 15

49. Hon. Frank Navarro  
Colton, RC District 6

50. Hon. Mitch O'Farrell  
Los Angeles, RC District 60

51. Hon. Trevor O'Neil  
Anaheim, RC District 19

52. Hon. Hector Pacheco  
San Fernando, RC District 67

53. Sup. Linda Parks  
Ventura County

54. Hon. Jeannine Pearce  
Long Beach, RC District 30

55. Sup. Luis Plancarte  
Imperial County

56. Hon. David Pollock  
Moorpark, RC District 46

57. Hon. Jim Predmore  
ICTC Representative

58. Hon. Curren Price  
Los Angeles, RC District 56

59. Hon. Chuck Puckett  
Tustin, RC District 17

60. Hon. Carmen Ramirez  
Oxnard, RC District 45

61. Hon. Rita Ramirez  
Victorville, RC District 65

62. Hon. Teresa RealSebastian  
Monterey Park, RC District 34

63. Hon. Deborah Robertson  
Rialto, RC District 8
64. Hon. Monica Rodriguez
   Los Angeles, RC District 54

65. Hon. David Ryu
   Los Angeles, RC District 51

66. Hon. Meghan Sahli-Wells
   Culver City, RC District 41

67. Hon. Ali Saleh
   Bell, RC District 27

68. Hon. Tim Sandoval
   Pomona, RC District 38

69. Hon. Sonny Santalnes
   Bellflower, RC District 24

70. Hon. Rey Santos
   Beaumont, RC District 3

71. Hon. Zak Schwank
   Temecula, RC District 5

72. Hon. Lyn Semeta
   Huntington Beach, RC District 64

73. Hon. David Shapiro
   Calabasas, RC District 44

74. Hon. Emma Sharif
   Compton, RC District 26

75. Hon. Marty Simonoff
   Brea, RC District 22

76. Sup. Hilda Solis
   Los Angeles County

77. Hon. Karen Spiegel
   Riverside County

78. Hon. Tri Ta
   Westminster, RC District 20

79. Hon. Jess Talamantes
   Burbank, RC District 42
80. Hon. Steve Tye  
Diamond Bar, RC District 37

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

82. Hon. Donald Wagner  
Orange County

83. Hon. Herb Wesson  
Los Angeles, RC District 57
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 Bill Jahn, President)

PRESENTATION ITEM
1. Economic Impacts of the Housing Crisis
   (Antonio M. Bento, Professor, Sol Price School of Public Policy, USC)

PUBLIC COMMENT PERIOD
Members of the public desiring to speak on items on the agenda, or items not on the agenda, but within the purview of the Committee, must fill out and present a Public Comment Card to the Assistant prior to speaking. Comments will be limited to three (3) minutes per speaker. The Chair has the discretion to reduce the time limit based upon the number of speakers and may limit the total time for all public comments to twenty (20) minutes.

REVIEW AND PRIORITIZE AGENDA ITEMS

ACTION/DISCUSSION ITEM/S
2. Contracts $200,000 or Greater: 20-002-C01, Board Counsel Services
   (Basil Panas, Chief Financial Officer)

RECOMMENDED ACTION:
Approve Contract No. 20-002-C01 in an amount not to exceed $495,480 with Best Best & Krieger, LLP, to provide Board Counsel Services and as needed litigation services, subject to final review by SCAG Internal Audit and negotiation.

CONSENT CALENDAR

Approval Items
3. Minutes of the Meeting - September 5, 2019
4. Authorization to Approve Notice of Exemption (NOE) for SCAG 2017 Disadvantaged Communities Active Transportation
5. Revise SCAG’s Standard Consultant Agreement (boilerplate contract) Language Related to Penalty Clauses
6. Resolution No. 19-615-1 Regarding Acceptance of Office of Traffic Safety Grant Funds to support the Active Transportation Safety and Encouragement Campaign

7. Resolution No. 19-615-3 Approving Amendment 1 to the FY 2019-20 Overall Work Program (OWP)

8. Contracts $200,000 or Greater: 20-003-C01, Mobility Innovations and Pricing Study

Receive and File

9. Local Government Planning Support Grants Program

10. Final Federal Safer, Affordable, Fuel-Efficient Vehicles Rule Part I (Supplemental Report to be distributed under separate cover)

11. Purchase Orders $5,000 - $199,999; Contracts $25,000 - $199,999 and Amendments $5,000 - $74,999

12. Connect SoCal Environmental Justice Report

13. October State and Federal Legislative Update

14. CFO Monthly Report

BUSINESS REPORT
(Randall Lewis, Ex-Officio Member)

PRESIDENT'S REPORT
(The Honorable Bill Jahn, President)

EXECUTIVE DIRECTOR'S REPORT
(Kome Ajise Executive Director)

FUTURE AGENDA ITEM/S

ANNOUNCEMENT/S

ADJOURNMENT
RECOMMENDED ACTION FOR CEHD AND RC:
For Information Only – No Action Required

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 draft Connect SoCal and preliminary RHNA methodology aim to align housing and transportation planning to achieve sustainable outcomes. Antonio M. Bento, a professor at the Sol Price School of Public Policy and the Department of Economics of the University of Southern California, will discuss the challenges and opportunities for sustainable development in Southern California to provide context for policy discussions and actions being considered by SCAG’s policy committees and Regional Council.

BACKGROUND:
The regional growth vision and strategies proposed for consideration in the draft Connect SoCal, in combination with the proposed Regional Housing Needs Assessment allocation methodology, provide a policy framework for better aligning housing and transportation to achieve the region’s goals for sustainable development. Realizing this growth vision, including accelerating the production of housing to address existing needs, will require collaboration at the local, regional and statewide levels to remove barriers and ensure the economic incentives are in place to catalyze private investment.

Antonio M. Bento is a professor at the Sol Price School of Public Policy and the Department of Economics of the University of Southern California and a research associate of the National Bureau of Economic Research (NBER), and a research fellow of the Schwarzenegger Institute for State and Global Policy.
FISCAL IMPACT:
Work associated with this item is included in the current FY 19-20 Overall Work Program (080.0153A.04: Regional Assessment)
RECOMMENDED ACTION:
Approve Contract No. 20-002-C01 in an amount not to exceed $495,480 with Best Best & Krieger, LLP, to provide Board Counsel Services and as needed litigation services, subject to final review by SCAG Internal Audit and negotiation.

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 position of Board Counsel was re-established in July 2012 to help provide legal support to the agency. The Board Counsel shall serve as the primary counsel to the Regional Council and SCAG’s internal Legal Department shall serve as the primary counsel to SCAG staff. The Board Counsel and SCAG’s internal Legal Department will work together to provide legal services to the agency.

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

<table>
<thead>
<tr>
<th>Consultant/Contract #</th>
<th>Contract Purpose</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Best Best &amp; Krieger, LLP, (20-002-C01)</td>
<td>The consultant shall serve as the primary counsel to the Regional Council and work with SCAG’s internal Legal Department to provide legal services to the agency.</td>
<td>$495,480</td>
</tr>
</tbody>
</table>

FISCAL IMPACT:
Funding in is available in the FY 2019-20 budget in Project Number 800-0160.01 ($120,000), and the
remaining $375,480 is expected to be available and spread out over four (4) fiscal years in Project Number 800-0160.01, subject to budget availability.

ATTACHMENT(S):
1. Contract Summary 20-002-C01
2. Contract Summary 20-002-C01 COI
CONSULTANT CONTRACT 20-002-C01

Recommended Consultant: Best Best & Krieger, LLP

Background & Scope of Work: The position of Board Counsel was re-established in July 2012 to help provide legal support to the agency. The Board Counsel shall serve as the primary counsel to the Regional Council and SCAG’s internal Legal Department shall serve as the primary counsel to SCAG staff. The Board Counsel and SCAG’s internal Legal Department will work together to provide legal services to the agency.

Ruben Duran of Best Best & Krieger (BBK) will serve as Board Counsel to help provide legal support to the Regional Council, the Executive Director and the agency. Mr. Duran will manage and be supported by a core team of BBK attorneys specifically selected for SCAG because of their expertise in areas of law pertinent to SCAG such as transportation, housing, land use and environmental law. Essential legal services (Task 1) include, but are not limited to: attend and serve as Board Counsel at Regional Council (RC) and other committee meetings; consult and provide advice to the RC, committees, Executive Director and other staff on various legal matters; assist with the annual performance review of the Executive Director; review and revise 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 will be rendered in accordance with an agreed-upon flat monthly fee, starting at $8,000 per month for FY 2019-20. As needed litigation services (Task 2) will be rendered 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.

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

- Legal Counsel Services to the Regional Council on a flat fee monthly basis.
- As Needed Litigation Services on an hourly fee basis.

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 $495,480

Best Best & Krieger (prime consultant)

Note: Consultant originally proposed $624,300, but staff negotiated the price down to $495,480 without reducing the scope of work.

Contract Period: Notice to Proceed through October 31, 2024

Project Number(s): 800-0160.01 $120,000

Funding source: General Fund
Funding is available in the FY 2019-20 budget in Project Number 800-0160.01 ($120,000), and the remaining $375,480 is expected to be available and spread out over four (4) fiscal years in Project Number 800-0160.01, subject to budget availability.

**Request for Proposal (RFP):**

SCAG staff notified 1,179 firms of the release of RFP 20-002 C01 via SCAG’s Solicitation Management System website. A total of 20 firms downloaded the RFP. SCAG received the three (3) proposals in response to the solicitation. However, one proposal was sent late and therefore not considered. SCAG received the following two (2) timely submitted proposals in response to the solicitation:

### Best Best & Krieger, LLP

**Task 1** Essential Legal Services  
$624,300

**Task 2:** As needed Litigation Services  
- Senior Partner: $310 per hour  
- Associate Attorney: $260 per hour  
- Paralegal: $165 per hour  
- Legal Assistant: $165 per hour

### Lizarraga Law Firm, APC

**Task 1** Essential Legal Services  
$444,000

**Task 2:** As needed Litigation Services  
- Senior Partner: $350 per hour  
- Associate Attorney: $250 per hour  
- Paralegal: $90 per hour  
- Legal Assistant: $75 per hour

**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, the PRC interviewed the two (2) highest ranked offerors.

The PRC consisted of the following individuals:

- Kome Ajise, SCAG Executive Director  
- Bill Jahn, SCAG President  
- Rex Richardson, SCAG First Vice-President  
- Clint Lorimore, SCAG Second Vice-President  
- Joann Africa, SCAG Chief Counsel

**Basis for Selection:**

The PRC recommended Best Best & Krieger, LLP for the contract award for the following reasons:

- Proposed Board Counsel and core team demonstrated the most extensive experience in working with public agencies in lead capacities;
- Proposed Board Counsel and core team demonstrated the strongest qualifications, related work experience and depth of knowledge with respect to key areas of law relevant to SCAG, including but not limited to transportation, housing and environmental matters;
- Proposed Board Counsel and core team would provide additional capacity in terms of legal services to the agency;
- Proposal was tailored specifically for SCAG and demonstrated a clear understanding of SCAG issues;

Although Best Best & Krieger did not propose the lowest price, the PRC determined that their proposal presented the best overall value for the depth of experience, knowledge and resources outlined in the proposal and interview.

Although another firm proposed a lower price, the PRC did not recommend this firm for contract award because this firm:

- Did not identify all key personnel who would serve the agency and in what capacity;
- Did not demonstrate specific qualifications and related work experience with respect to key areas of law relevant to SCAG such as transportation, housing and environment law.
- Proposal and proposed approach focused primarily on firm’s experience as General Counsel in FY 18-19 but did not expand on other outside experience or resources, or how they would be utilized to serve the agency.
Approve Contract No. 20-002-C01 in an amount not to exceed $495,480 with Best Best & Krieger, LLP, to provide Board Counsel Services and as needed litigation services, subject to final review by SCAG Internal Audit and negotiation.

The consultant team for this contract includes:

<table>
<thead>
<tr>
<th>Consultant Name</th>
<th>Did the consultant disclose a conflict in the Conflict of Interest Form they submitted with its original proposal (Yes or No)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Best Best &amp; Krieger, LLP</td>
<td>Yes- form attached</td>
</tr>
</tbody>
</table>
SCAG CONFLICT OF INTEREST FORM

RFP No. 20-002

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 www.scag.ca.gov. The SCAG Conflict of Interest Policy is located under “OPPORTUNITIES”, then “Doing Business with SCAG” and scroll down under the “CONTRACTS” tab; whereas the SCAG staff may be found under “ABOUT” then “Employee Directory”; and Regional Council members can be found under “ABOUT”, then scroll down to “ELECTED OFFICIALS” on the left side of the page and click on “See the list of SCAG representative and their Districts.”

Any questions regarding the information required to be disclosed in this form should be directed to SCAG’s Deputy Legal Counsel, 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: Ruban Duran, Partner
Project Title: Board Counsel
RFP Number: 20-002 Date Submitted: 08/19/19

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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Nature of Financial Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donald Wagner</td>
<td>employed by BB&amp;K from Feb 2017 - Dec 2018</td>
</tr>
</tbody>
</table>

Packet Pg. 18
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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Dates of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donald Wagner</td>
<td>Of Counsel Attorney</td>
<td>Feb 2017 – Dec 2018</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship</th>
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</thead>
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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:

<table>
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</table>
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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Dollar Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sean Ashton, Regional Council</td>
<td>September 2017</td>
<td>LCC Fall Reception - $179.98</td>
</tr>
<tr>
<td>Jonathan Curtis, Regional Council</td>
<td>October 2016</td>
<td>LCC Fall Reception - $111.38</td>
</tr>
<tr>
<td>James Gazeley, Regional Council</td>
<td>May 2019</td>
<td>CCA Dinner - $111.04</td>
</tr>
<tr>
<td>Bill Jahn, Regional Council</td>
<td>October 2016 and September 2017</td>
<td>LCC Fall Receptions - $111.38 and $89.99</td>
</tr>
</tbody>
</table>

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) Scott Campbell, 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 08/15/19 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 08/15/19
(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.

In conjunction with the Regional Conference and General Assembly, the Regional Council of the Southern California Association of Governments (SCAG) held its regular meeting at the SCAG main office, 900 Wilshire Boulevard, Suite 1700, Los Angeles, CA 90017.

Members Present

<table>
<thead>
<tr>
<th>Name</th>
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<td>SBCTA</td>
<td>Ontario</td>
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<tr>
<td>Supervisor Luis Plancarte</td>
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<td>Chino Hills</td>
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Imperial County

Los Angeles County

Riverside County

Ventura County

RCTC

VCTC

Air District Representative

District 1

District 2

District 3

District 6

District 7

District 8

District 9

District 10
### Members Present...continued

<table>
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<tr>
<th>Name</th>
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<tbody>
<tr>
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<td>Irvine</td>
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<td>Bellflower</td>
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<td>Downey</td>
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<tr>
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<td>Compton</td>
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<td>Hon. Rusty Bailey</td>
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<td>Hon. Marisela Magana</td>
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<td>Mr. Randall Lewis</td>
<td>Lewis Group of Companies</td>
<td>Business Representative</td>
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**Members Not Present**

- Supervisor Don Wagner, Orange County
- Supervisor Hilda Solis, Los Angeles County
- Supervisor Curt Hagman, San Bernardino County
- Hon. James Predmore, Holtville, ICTC
- Hon. Peggy Huang, Yorba Linda, TCA
- VACANT
- Hon. Fred Minagar, Laguna Niguel, District 5
- Hon. Wendy Bucknum, Mission Viejo, District 12
- Hon. Trevor O’Neill, Anaheim, District 13
- Hon. Tri Ta, Westminster, District 19
- VACANT
- Hon. Lena Gonzalez, Long Beach, District 20
- Hon. Jonathan Curtis, La Cañada Flintridge, District 23
- Hon. Gilbert Cedillo, Los Angeles, District 30
- Hon. Paul Krekorian, Los Angeles, District 36
- Hon. Bob Blumenfield, Los Angeles, District 48
- Hon. Paul Koretz, Los Angeles, District 50
- Hon. Nury Martinez, Los Angeles, District 51
- Hon. Monica Rodriguez, Los Angeles, District 52
- Hon. Marqueece Harris-Dawson, Los Angeles, District 53
- Hon. Curren D. Price, Jr., Los Angeles, District 54
- Hon. Herb Wesson, Jr., Los Angeles, District 55
- Hon. Mike Bonin, Los Angeles, District 56
- VACANT
- Hon. Mitch O’Farrell, Los Angeles, District 57
- Hon. José Huizar, Los Angeles, District 58
- Hon. Brian McDonald, Los Angeles, District 59
- Hon. Eric Garcetti, Los Angeles, Tribal Gov’t Reg’l Plng Board
- VACANT

**Staff Present**

- Kome Ajise, Executive Director
- Darin Chidsey, Chief Operating Officer
- Debbie Dillon, Chief Strategy Officer
- Joann Africa, Chief Counsel/Director of Legal Services
CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Honorable Bill Jahn, President, asked the members to observe a moment of silence and remember the victims who were impacted by the devastation of the hurricane in the Bahamas; the victims of the recent shootings in Texas and including the families of the victims of the vessel fire in Santa Cruz, California.

President Jahn called the meeting to order at 12:15PM and asked First Vice President Rex Richardson to lead the Pledge of Allegiance.

President Jahn introduced two of SCAG’s Scholarship Award recipients who are in the audience today, Morgan Kopecky and Shaun Howard.

PUBLIC COMMENT PERIOD

President Jahn announced that the public comment cards that were received were regarding Agenda Item No. 2. He stated that he will be announcing the speakers at the time when the item is taken up.

REVIEW AND PRIORITIZE AGENDA ITEMS

President Jahn announced that Agenda Item Nos. 3 through 11 of the Consent Calendar will be acted upon first, followed by Agenda Item Nos. 1 and 2.

President Jahn noted that Agenda Item No. 9, ‘September’ is Pedestrian Safety Month, is dedicated to educating drivers and pedestrians about safe roadway habits. He asked the members to stop by the Reception area as Go Human is showcasing a ‘pop-up’ parklet from the Go Human Challenge. SCAG staff will be available to answer questions and provide a demonstration to help support member jurisdiction’s efforts and deepen community engagement related to traffic safety.

CONSENT CALENDAR

Approval Items
3. Minutes of the Meeting – August 1, 2019

4. 2021 Federal Transportation Improvement Program (FTIP) Guidelines

5. SB 664 (Allen) – Electronic Toll and Transit Fare Collection Systems

6. SCAG Memberships and Sponsorships

7. Contracts $200,000 or Greater: 18-040-C01, Regional Data Platform

Receive and File

8. Monthly State and Federal Legislative Update

9. ‘September’ is Pedestrian Safety Month

10. Purchase Orders $5,000 - $199,999; Contracts $25,000 - $199,999; and Amendments $5,000 - $74,999

11. CFO Monthly Report

A MOTION was made (Walker) to approve the Consent Calendar, Agenda Item Nos. 3 through 7; Receive and File Items 8 through 11. Motion was SECONDED (Navarro) and passed by the following votes:

**FOR:** Ashton, Bailey, Barger, Beaman Jacinto, Benoit Berry, Brown, Buscaino, Carroll, Clark, De Ruse, Finlay, Gazeley, Harnik, Hofbauer, Holmgren, Iglesias, Jahn, Judge, Kelly, Lorimore, Magana, Manos, J. Marquez, R. Marquez, McCallon, Medina, Mitchell, Nagel, Navarro, Pacheco, Parks, Plancarte, Pollock, Puckett, C. Ramirez, R. Ramirez, Real Sebastian, Richardson, Robertson, Sahli-Wellens, Saleh, Sandoval, Santos, Santos, Semeta, Shapiro, Sharif, Simonoff, Spiegel, Talamantes, Tye, Viegas-Walker, and Wapner (54).

**AGAINST:** None (0)

**ABSTAIN:** None (0)

President Jahn announced that former City of Murrieta Councilmember and SCAG’s First Vice President Randon Lane accepted a position in the U.S. Department of Transportation in Washington, D.C. Because Councilman Lane was not able to formally express his good wishes to the Regional Council, President Jahn announced that staff had arranged for him to appear live on-
REPORT

ACTION/DISCUSSION ITEMS

1. Nomination for SCAG 2019-2020 Second Vice President Resulting from SCAG Vacancy

President Jahn introduced the item and asked Nominating Committee Chair Alan D. Wapner to provide a report.

Chair Wapner reported the Nominating Committee met and reviewed applications from six (6) candidates for the open position to serve as Second Vice President for the balance of the 2019-20 term. While all candidates were equally qualified, Chair Wapner stated the Nominating Committee unanimously nominated Councilmember Clint Lorimore, Eastvale, District 4. A MOTION was made (Wapner) to approve the nomination of Clint Lorimore as Second Vice President for the balance of the 2019-20 term as recommended by the Nominating Committee MOTION was SECONDED (Spiegel).

Before the vote, President Jahn accepted a nomination from the floor from Councilmember Meghan Sahli-Wells, Culver City, District 41, who nominated Supervisor Linda Parks, Ventura County, as Second Vice President for the balance of the 2019-20 term. MOTION was SECONDED (Real Sebastian).

At this point in time because there were two (2) nominations, Nominating Committee Chair Wapner offered that for ease of administration to handle the motions at the same time—whereby when voting on the electronic device for this item only—the selection of number 1 on the device would represent a vote for Councilman Lorimore and the selection of number 2 on the device would represent a vote for Supervisor Parks. Staff confirmed the Regional Council members’ understanding before proceeding with the vote which resulted as follows:

VOTE FOR CLINT LORIMORE:
Bailey, Barger, Benoit Berry, Brown, Buscaino, Carroll, Clark, De Ruse, Finlay, Gazeley, Harnik, Hofbauer, Iglesias, Jahn, Judge, Kelly, Lorimore, Manos, J. Marquez, R. Marquez, McCallon, Nagel, Navarro, Planarte, Puckett, Richardson, Robertson, Saleh, Sandoval, Santa Ines, Santos, Shapiro, Simonoff, Spiegel, Tye, Viegas-Walker, and Wapner (38).

VOTE FOR LINDA PARKS:

After the voting was closed, President Jahn announced there were 38 votes for Clint Lorimore and
16 votes for Linda Parks. On behalf of the Regional Council, President Jahn congratulated Second Vice President Lorimore and asked him to join the Officers on the dais. Second Vice President Lorimore made remarks.

2. Regional Housing Need Determination from HCD

President Jahn introduced the item and reported the State of California Housing and Community Development Department (HCD) provided SCAG a regional housing need determination of 1,344,740 housing units for the SCAG region on August 22, 2019. He stated the agenda item relates to the regional housing need determination and not how we distribute the RHNA allocation or methodology. President Jahn stated that per statute, SCAG may object to the regional determination provided by HCD. Therefore, the recommended action today is to authorize the Executive Director to file an objection to HCD on the regional housing need determination. President Jahn emphasized that policy discussions will be an important next step in the process. He asked Executive Director Kome Ajise to provide background information.

Mr. Ajise stated there are grounds to file an objection to HCD regarding the regional determination. He emphasized the recommended action is not necessarily a protest of the RHNA determination of 1,344,740 housing units for the SCAG region; rather, is based on technical data and the process of a reasonable application of the methodology. Per statute, Mr. Ajise explained that SCAG may file an objection and provide a proposed alternative for the regional housing need determination. Mr. Ajise asked Kevin Kane, SCAG staff, to provide further clarification on the technical basis of the objection.

With the aid of a PowerPoint presentation, Kevin Kane, SCAG staff, provided background information on the consultation process with HCD. Mr. Kane stated the regional determination should be consistent with the Regional Transportation Plan; the region's population; and housing and employment projections which are the basis of the State and federal mandates for regional planning. Mr. Kane provided information for the process for an objection, citing Government Code Section 65584.01(c).

In closing, Mr. Kane stated the staff recommendation is to authorize the Executive Director to file an objection with HCD on the regional determination because of key technical issues such as: HCD did not use the appropriate population forecasts for the determination of the SCAG region's housing needs and did not conduct a reasonable application of the methodology and assumptions pursuant to the statute.

President Jahn opened the Public Comment period.

Councilmember Marsha McLean, Santa Clarita, expressed appreciation for SCAG staff for scheduling a RHNA information session on the draft methodology in the City of Santa Clarita and supported
staff’s recommendation to file an objection to HCD regarding the regional housing need determination.

Ben Winter, staff for City of Los Angeles Mayor Eric Garcetti, encouraged the Regional Council to accept HCD’s regional housing need determination for the SCAG region due to the current housing crisis. While the technical recommendation is appreciated, Mr. Winter expressed concerns on some of the recommendations which may result to a much lower housing target than what the state proposed.

Greg Spiegel, Inner City Law Center, expressed support for HCD’s regional housing need determination of 1.3 million housing units for the SCAG region. He cited examples of the challenges faced by the Center with families living in deplorable conditions due to lack of affordable housing and asked the Regional Council to support the regional determination that would prioritize social equity for more affordable housing where the jobs are located.

Steven Johnson, Tena Foundation, expressed support for HCD’s regional housing need determination of 1.3 million housing units which is necessary to the population of Southern California.

Terry Luedecke, Abundant Housing L.A., expressed concerns with the considerable amount of people living in the streets in tents or motor homes which is a result of a housing crisis that will need to be addressed and distribute affordable housing where the jobs and opportunities exist, regardless of any income level. He stated there is an opportunity now to make an improvement.

Leonora Camner, Abundant Housing L.A., expressed support for HCD’s regional housing need determination of 1.3 million housing units and will support an objection for a higher number of housing units to address homelessness in the SCAG region.

Connor Finney, CA Yimby, expressed support for HCD’s regional housing need determination and RHNA allocation strategy to address a housing crisis and urged SCAG to embrace solutions.

Michele Martinez, former SCAG President, stated that resources and funding are needed to allow growth for our communities and urged the members to negotiate future tax allocation.

Elizabeth Hansburg, People for Housing in Orange County, echoed comments made by Michele Martinez; expressed support for HCD’s regional housing need determination of 1.3 million housing units; and stated that cities must have good development.

President Jahn closed the Public Comment period.
President Jahn asked Chief Counsel Joann Africa to also acknowledge receipt of several public comment letters regarding Agenda Item No. 2. Ms. Africa noted for the record there were 46 letters that opposed HCD’s regional housing need determination; three (3) letters received in support of HCD’s regional housing need determination; one letter in support of SCAG’s filing an objection to HCD; and three (3) letters related to the RHNA methodology which will be reviewed by staff in the context of the methodology discussion.

For clarification purposes, Executive Director Kome Ajise stated that the recommended action by the Regional Council is to authorize the filing of an objection to HCD. He welcomed the comments that were expressed today and while acknowledging the importance to address the State’s housing crisis, he also noted the importance of ensuring a continued integrity in the regional planning process.

President Jahn opened the floor for comments from the members of the Regional Council.

Regional Council member Joe Buscaino, Los Angeles, District 62, stated he understands the concerns expressed today. The shortage of housing for all income levels is apparent due to homelessness or increased rents or housing prices that makes it very difficult to own a home. Councilmember Buscaino expressed his opposition to SCAG filing an objection to HCD on the regional housing need determination and urged the Regional Council to do the same.

Supervisor Kathryn Barger, Los Angeles County, asked for clarification regarding the RHNA determination of 1.3 housing units. Kome Ajise, Executive Director, responded that the objection to HCD is not the 1.3 housing units; rather the methodology that was used. Supervisor Barger emphasized the importance of a bottom-up approach and cautioned the members regarding unintended consequences. While she echoed the comments made by Mayor Garcetti at last month’s meeting, Supervisor Barger stated that “being bold will need to be done in a smart fashion.”

Regional Council member Meghan Sahli-Wells, Culver City, District 41, expressed opposition and stated that local input is based on local planning which created the housing crisis and cited her city as an example. She stated that sending an objection letter to HCD symbolizes an objection to the housing need determination of 1.3 million housing units which she believes is not unreasonable nor impossible.

Regional Council member Steve Manos, Lake Elsinore, District 63, stated there is no zoning or funding attached to HCD’s regional housing need determination of 1.3 million housing units. He stated CEQA, redevelopment agencies, affordable housing funds, reduction of mental health funds, displacement of mental health patients, increasing housing building standards and other causes result to a housing shortage. He stated this will only cause liability to cities and counties which the
City of Huntington Beach can attest to. Councilmember Manos urged support for an objection to the regional housing need determination.

Regional Council member Carmen Ramirez, Oxnard, District 45, cited her city as an example needing support, funding and resources to build affordable housing.

Regional Council member Rusty Bailey, Riverside, District 68, stated he is in agreement with the comments made today and sees this is an opportunity to exercise leadership and understanding that the SCAG region is unique. He emphasized the importance of sending a message to HCD that SCAG is a collaborative partner in solving the housing crisis. While the regional housing need determination of 1.3 million housing units is aspirational, it may not be reasonable and it is important for it to be provided with funding and resources.

Regional Council member Deborah Robertson, Rialto, District 8, asked a question if the cost-burden rate includes the resources to sustain the current population. Kevin Kane, SCAG staff, provided clarification.

Regional Council member Steve Hofbauer, Palmdale, District 43, echoed comments made by Regional Council member Steve Manos especially the loss of redevelopment funds. He expressed disappointment regarding the absence of funding support and cited examples of the challenges many cities face with building affordable homes.

Regional Council member Jan Harnik, RCTC, reminded the members of the recommended action today is about ‘process’ and not about the number [total housing units] and referenced the supplemental report that was provided to the members regarding staff’s technical analysis regarding the objection.

Regional Council member Kathleen Kelly, Palm Desert, District 2, stated the future conversations are not to be about the reasonableness of the allocation; rather about the next steps which are essential whether it is funding or public-private collaboration. She noted her support for Councilman Bailey’s comments on SCAG and HCD needing to be partners and including this part of the objection.

Supervisor Karen Spiegel, Riverside County, echoed the comments made by former SCAG President Michele Martinez. She emphasized the importance of the availability of resources as this is beyond building houses. Supervisor Spiegel also echoed the comments made by Councilman Bailey and acknowledged that the City of Riverside is the only city in the state trying to solve veteran homelessness. She stated the issue is about the process and not the number [housing units].

Regional Council member Margaret Finlay, Duarte, District 35, stated she is in agreement with the
comments made and explained the unintended consequences of Proposition 13. She suggested incentivizing corporations to build and attract jobs in parts of the state such as Visalia, Bakersfield, Fresno, etc.

Regional Council member Michael Carroll, Irvine, District 14, commented that the only level and place where the public derives a sense of trust is at the local government level. He expressed support for staff’s recommendation.

First Vice President Rex Richardson, Long Beach, District 29, asked a question regarding the consultation process with HCD. Kevin Kane, SCAG staff, responded regarding the two-stage consultation process with HCD.

Supervisor Kathryn Barger, Los Angeles County, asked for clarification regarding the methodology. Kevin Kane, SCAG staff, responded that the objection was based on SCAG’s growth forecast not being used; not using a comparable region standard; improved vacancy rate comparison; and other additional considerations such as excluding tribal lands and use of current data.

A MOTION was made (Bailey) to approve staff’s recommendation to authorize the Executive Director to file an objection to HCD on the regional housing need determination pursuant to Government Code Section 65584.01 (c) with direction to staff add that it is being done in collaborative spirit between SCAG and HCD and that SCAG proposes a robust and reasonable planning target to address the state housing crisis. Motion was SECONDED (Kelly) and approved by the following votes:


AGAINST: Buscaino and Sahli-Wells (2)

ABSTAIN: None (0)

BUSINESS REPORT

As the business representative, Ex-Officio Member Randall Lewis, advised the members that when working with their respective city staff to redefine “What is a house?” and “Where does the house go?” He stated that new solutions are different from the solutions of the past, such as an additional dwelling unit (ADU) or multi-generational house, a container, shelter or a smaller unit as there are a
number of housing innovations on where will the house go. Mr. Lewis suggested marketing the housing crisis to the general public and developers, HCD, the Governor and the entire state.

**PRESIDENT’S REPORT**

President Jahn welcomed the following new members:

- RC Member Hector Pacheco, San Fernando, representing District 67
- SGVCOG subregional appointments of Cory Moss, City of Industry, to the Transportation Committee; Ed Reece, City of Claremont, to the Transportation Committee; and Tony Wu, City of West Covina, to the CEHD Committee

President Jahn also appointed the Councilmember Margaret Finlay to the Audit Committee and a President’s Appointment of Councilmember Jeremy Smith, Canyon Lake, to the Transportation Committee.

**EXECUTIVE DIRECTOR’S REPORT**

Kome Ajise, Executive Director, thanked staff and acknowledged their work to get the Supplemental Report regarding the objection to HCD to the Regional Council while also working on Connect SoCal. Mr. Ajise also thanked the Regional Council for an inspiring conversation—not only regarding housing—but also working collaboratively across jurisdictions to address the much-needed resources and capacity to build housing.

**ADJOURNMENT**

There being no further business, President Jahn adjourned the Regional Council meeting at 2:03PM.
RECOMMENDED ACTION:
SCAG Staff recommends the Regional Council adopt Resolution No. 19-615-2 to approve the filing of a California Environmental Quality Act (CEQA) Notice of Exemption (NOE) in Imperial County for the SCAG 2017 Disadvantaged Communities Planning Initiative, subject to the 30-day public inspection period.

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:
SCAG received approval to accept $1,150,000 in California Active Transportation (ATP) funds to develop six (6) active transportation plan in disadvantaged communities (“Project”). In order to add a seventh city in the County of Imperial to the existing Project, SCAG assessed potential environmental impacts as required under CEQA and determined the Project is exempt from CEQA.

BACKGROUND: In coordination with cities across the region, SCAG is implementing a local active transportation planning initiative. Specifically, the Grant aims to develop:

- Active transportation plans in disadvantaged communities;
- A pilot methodology to deliver low-cost local plans across the region

Six disadvantaged communities were selected as part of the Planning Initiative. In order to leverage resources, a seventh city in the County of Imperial has been added. Due to an administrative processing error, the need for this categorical exemption is required in the County of Imperial to ensure the Project can move forward. Prior to Caltrans approving a grant amendment for an additional city in the County of Imperial, SCAG must conduct an assessment of potential
environmental impacts of the Project pursuant to CEQA in order to determine the type of CEQA document to prepare or whether the Project is exempt. SCAG staff has reviewed the Project and has determined that it is exempt from CEQA under the exemptions discussed herein.

**BASIS FOR EXEMPTIONS:**

The key considerations for determining if a project is exempt from CEQA are outlined in Sections 21080(b), 21083, and 21804 of the Public Resources Code and CEQA Guidelines Section 15002(k)(1), 15061, 15062, and 15300 to 15332. In general, CEQA Guidelines include a list of 33 classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. A project is exempt from CEQA if the project falls within one or more of the 33 classes. Once the lead agency determines that the project falls within any of the 33 classes, the project is exempt from CEQA, and the environmental review process does not need to proceed any farther. The lead agency may prepare and file a Notice of Exemption (NOE) pursuant to CEQA Guidelines Section 15062, the NOE serves as a public notice that the lead agency has determined that a project is exempt from CEQA. The NOE may be filed with the OPR and the county clerk of each county in which the project will be located after approval of the project. Submission of the NOE to the Office of Planning and Research (OPR) and the county clerks completes the review of exemption process for a lead agency under the provisions of CEQA. The filing and posting of an NOE will begin a 30-day public inspection period.

**ENVIRONMENTAL ASSESSMENT:**

SCAG staff has conducted an environmental assessment of the Project with the addition of a seventh in Imperial County pursuant to Sections 21080(b), 21083, and 21804 of the Public Resources Code and CEQA Guidelines Sections 15002(k)(1), 15061, 15062, and 15300 to 15332. CEQA Guidelines include a list of 33 classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Based upon its assessment, SCAG staff has determined that the following exemptions apply to the Project:

- **CEQA Guidelines §15301(c) – Existing Facilities:** The Project would involve implementing six active transportation demonstration projects in Imperial, Los Angeles, and Ventura counties, that could foster the minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use of existing highways, streets, sidewalks, gutters, bicycle and pedestrian trails and similar facilities beyond that existing at the time of the lead agency’s determination, as set forth in the exemption under CEQA Guidelines §15301(c) - Existing Facilities;

- **CEQA Guidelines § 15304 (e) - Minor Alterations to Land:** The Project may involve developing temporary demonstration projects within the project cities that would exist for a
limited duration on existing rights of way, as set forth in the exemption under CEQA Guidelines § 15304 (e) - Minor Alterations to Land;

- **CEQA Guidelines §15306- Information Collection**: The Project includes basic data collection, research, experimental management and resource evaluation activities which will not result in a serious or major disturbance to an environmental resource. The project is strictly for information gathering purposes for possible future action which the agency has not yet approved, adopted or funded, as set forth in the exemption under CEQA Guidelines §15306- Information Collection

- **CEQA Guidelines §15322 – Educational or Training Programs Involving No Physical Changes**: The Project would consist of temporary demonstration projects in the communities of Ojai, El Monte, Calexico, Long Beach, Pasadena, and Glendale, involving no physical changes in the area affected, which would fall under the exemption set forth in CEQA Guidelines §15322 – Educational or Training Programs Involving No Physical Changes.

**SCHEDULE:**
Upon approval by the Regional Council, SCAG will submit the NOE to be filed with OPR and Imperial County Clerk for a 30-day public inspection period, which will begin on or about October 4, 2019 and end on or about November 4, 2019. It is anticipated that the Project would be implemented beginning in November 2019 and completed by June 2020.

**FISCAL IMPACT:**
Work associated with this item is included in Fiscal Year 2020 Overall Work Program. The Project is fully funded, totaling $1,350,000, with $1,150,000 coming from California Active Transportation Program funds, $200,000 in SCAG in-kind (non-federal) match to be used for management support.

**ATTACHMENT(S):**
1. Resolution No. 19-615-2 NOE for SCAG DAC Planning Initiative - Imperial County
2. NOE SCAG DAC Planning Initiative - Imperial County
RESOLUTION NO. 19-615-2

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) TO RELEASE THE NOTICE OF EXEMPTION (NOE) FOR THE SCAG DISADVANTAGED COMMUNITIES ACTIVE TRANSPORTATION PLANNING INITIATIVE

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.;

WHEREAS, SCAG adopted the 2016 Regional Transportation Plan and Sustainable Communities Strategy ("RTP/SCS") which included five goals for active transportation: 1) Decrease Bicycle and Pedestrian Fatalities and Injuries, 2) Develop an Active Transportation Friendly Environment throughout the SCAG Region, 3) Increase Active Transportation Usage in the SCAG Region, and 4) Encourage the Development of Local Active Transportation Plans; and 5) Develop Safe Routes to School Policies, and

WHEREAS, on October 26, 2016 SCAG was awarded $1,150,000 in grant funds from the California Active Transportation program to develop active transportation plans for six disadvantaged communities (Project); and

WHEREAS, the primary goals of the Project are to (1) develop active transportation plans for six disadvantaged communities (DACs) within the SCAG region; and (2) establish a cost effective model for developing plans in DACs that leverages Go Human resources and SCAG modeling tools.

WHEREAS, SCAG has added a seventh disadvantaged community to take part in the Project; and

WHEREAS, the Project is scheduled to be implemented in November 2019 and completed by June 2020; and

WHEREAS, SCAG is required conduct an assessment of potential environmental impacts of the Project pursuant to the California Environmental Quality Act (CEQA), prior to receiving allocation of the awarded Grant Funds; and

WHEREAS, due to an administrative processing error, the need for this categorical exemption is required in the County of Imperial; and
WHEREAS, the Project would consist of two distinct activities: (1) Implement temporary demonstration project in a disadvantaged community in Imperial County and (2) seek resident and stakeholder engagement through a community planning process.

WHEREAS, SCAG has conducted an environmental assessment of the Project and determined that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301(c)-Existing Facilities, Section 15304(h)- Minor Alterations to Land, Section 15306- Information Collection, and is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262-Feasibility and Planning Studies; and the scope of the Project activities have been determined to not have a significant effect on the environment; and

WHEREAS, SCAG has prepared a Notice of Exemption (NOE) to be filed with the State of California Office of Planning and Research (OPR) and the Clerk for the County of Imperial County where the Project will be located for a 30-day public inspection period pursuant to CEQA Guidelines Section i 5062.

NOW THEREFORE, BE IT RESOLVED by the Regional Council of the Southern California Association of Governments, that the foregoing recitals are true and correct and incorporated by this reference.

BE IT FURTHER RESOLVED THAT the SCAG Regional Council finds that based upon an environmental assessment of the Project pursuant to Sections 21080(b), 21083, and 21804 of the Public Resources Code and CEQA Guidelines Sections 15002(k)(1), 15061, 15062, and 15300 to 15332, SCAG has determined that the following CEQA exemptions apply to the Project:

1. The Project would involve developing active transportation plans for Calipatria within Imperial County, which could foster the minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use of existing highways, streets, sidewalks, gutters, bicycle and pedestrian trails and similar facilities beyond that existing at the time of the lead agency’s determination, as set forth in the exemption under CEQA Guidelines §15301(c)- Existing Facilities;

2. The Project would involve developing temporary demonstration projects that would exist for a limited duration (less than three days) on existing rights of way, as set forth in the exemption under CEQA Guidelines § 15304 (e) - Minor Alterations to Land;

3. The Project would include education, encouragement campaigns, outreach and media strategies involving no physical changes in the areas affected, as set forth in the exemption under CEQA Guidelines §15322 - Educational or Training Programs Involving No Physical Changes; and

4. The Project includes basic data collection, research, experimental management and resource evaluation activities which will not result in a serious or major disturbance to an environmental resource. The project is strictly for information gathering purposes and
feasibility/planning study for possible future action which the agency has not yet approved, adopted or funded, as set forth in the exemption under CEQA Guidelines §15306- Information Collection.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Regional Council, that:

1. The Notice of Exemption for the proposed Project has been completed in compliance with CEQA and will be filed with Office of Planning and Research and the Clerk for Imperial County for a 30-day public inspection period; and

2. The proposed Project does not have a significant effect on the environment, and thus additional environmental review by SCAG is not required for the Project and a Notice of Exemption fulfills the requirements of CEQA.

PASSED, APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting this 3rd day of October, 2019.

__________________________
William “Bill” Jahn
President, SCAG

Attested by:

__________________________
Kome Ajise
Executive Director

Approved as to Form:

__________________________
Joann Africa
Chief Counsel
Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Imperial County Clerk
940 Main Street, Suite 202
El Centro, CA 92243

From: Southern California Association of Governments
900 Wilshire Blvd, Suite #1700
Los Angeles, CA 90017

Project Title: Southern California Association of Governments (SCAG) 2017 Disadvantaged Communities Planning Initiative

Project Location:
Imperial County

Description of Nature, Purpose, and Beneficiaries of Project: Project is intended to develop an active transportation plan in a disadvantaged community and “pilot” an innovative planning methodology to help deliver low-cost, local plans across the region by leveraging regional planning tools (health/active transportation models and active transportation database) and SCAG Go Human engagement resources.

Disadvantaged communities in the SCAG region often lack quality active transportation infrastructure and face safety challenges. Without plans, these communities are at a disadvantage when applying for funding to address these deficiencies. In the SCAG region, only 26% of cities have bicycle plans and 11% have pedestrian plans.

The plan will be developed using a combination of traditional and innovative stakeholder outreach to reach disadvantaged community members. Outreach will involve community meetings and direct engagement with existing forums such as faith-based organizations as well as a tactical urbanism demonstration project held in conjunction with a community event.

Name of Public Agency Approving Project:
Southern California Association of Governments

Name of Person or Agency Carrying Out Project:
Southern California Association of Governments
Exempt Status: (check one)

☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a)); ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☑ Categorical Exemption: CEQA Guidelines § 15002 (k)(1) – General Concepts; CEQA Guidelines § 15061 – Review for Exemption; CEQA Guidelines § 15301 (c) and 15301 (f) – Existing Facilities; CEQA Guidelines § 15304 (e) and 15304 (e) – Minor Alterations to Land; CEQA Guidelines § 15311 (a) and 15311 (c) – Accessory Structures; CEQA Guidelines § 15322 – Educational or Training Programs Involving No Physical Changes
☐ Statutory Exemptions

Reasons why project is exempt:

SCAG has reviewed the proposed project pursuant to CEQA Guidelines § 15002 (k)(1) – General Concepts, and CEQA Guidelines § 15061 – Review for Exemption, and has determined that the proposed project is categorically exempt from CEQA because the scope of the project activities are included in the classes of projects which have been determined not to have a significant effect on the environment. Therefore SCAG has determined that the proposed project is exempt from CEQA pursuant to following:

- The Project would involve implementing six active transportation demonstration projects in Imperial, Los Angeles, and Ventura counties, that could foster the minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use of existing highways, streets, sidewalks, gutters, bicycle and pedestrian trails and similar facilities beyond that existing at the time of the lead agency’s determination, as set forth in the exemption under CEQA Guidelines §15301(c) - Existing Facilities;
- The Project includes basic data collection, research, experimental management and resource evaluation activities which will not result in a serious or major disturbance to an environmental resource. The project is strictly for information gathering purposes for possible future action which the agency has not yet approved, adopted or funded, as set forth in the exemption under CEQA Guidelines §15306- Information Collection
- The Project may involve developing temporary demonstration projects within the project cities that would exist for a limited duration on existing rights of way, as set forth in the exemption under CEQA Guidelines § 15304 (e) - Minor Alterations to Land;
- Educational or Training Programs Involving No Physical Changes: The Project would consist of temporary demonstration projects in the communities of Ojai, El Monte, Calexico, Long Beach, Pasadena, and Glendale, involving no physical changes in the area affected, which would fall under the exemption set forth in CEQA Guidelines §15322 – Educational or Training Programs Involving No Physical Changes.
**Project Approval Date:** SCAG’s Regional Council Approved the project on October 2, 2019
The California Transportation Commission awarded funding for this project on January 31, 2018.

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<thead>
<tr>
<th>CEQA Contact Person:</th>
<th>Phone Number:</th>
<th>Fax Number:</th>
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</tr>
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<tbody>
<tr>
<td>Roland Ok</td>
<td>(213) 236-1819</td>
<td>(213) 236-1963</td>
<td><a href="mailto:ok@scag.ca.gov">ok@scag.ca.gov</a></td>
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<tr>
<td>Julia Lippe-Klein</td>
<td>(213) 236-1856</td>
<td>(213) 236-1963</td>
<td><a href="mailto:lippe-klein@scag.ca.gov">lippe-klein@scag.ca.gov</a></td>
</tr>
</tbody>
</table>

Date received for filing at OPR: ___________  Signature of Applicant: __________________________

Ping Chang, Manager
Compliance and Performance Monitoring
Southern California Association of Governments
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RECOMMENDED ACTION:
Authorize staff to remove penalty clauses from SCAG’s standard consultant agreements (please refer to Sections 10.d and 14.a in SCAG contract template – see Table 1 below), when engaging in contracts with colleges, universities, and non-profit organizations. These penalty clauses shall remain in contracts with for-profit businesses.

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:
In 2010, the Regional Council authorized staff to impose penalties upon consultants for late invoices and late receipt of complete work. At the time, certain consultants were submitting late invoices and the penalty clauses were added to serve as a deterrent from this practice. Recently, staff has found that the colleges, universities, and non-profit organizations who provide consulting services to SCAG cannot agree to the penalty clauses, and staff is requesting the Regional Council’s approval to remove these clauses from consultant agreements with these entities. The penalty clauses shall remain in consultant agreements with for-profit businesses.

BACKGROUND:
On February 4, 2010 the Regional Council approved the addition of penalty clauses to SCAG’s standard consultant agreement to deter consultants from submitting their monthly invoices late and late work (see attached Regional Council staff report).

The penalty clauses were intended to incentivize consultants to submit their monthly invoices in a timely manner, as is still the case. Since its imposition, SCAG has imposed the penalty twice.
SCAG has been engaging colleges, universities, and non-profit organizations as consultants more frequently. Some of these entities have noted that the penalty clauses are problematic and prevents them from contracting with SCAG. These entities have informed SCAG staff that they typically lack the funding to pay a penalty, as they operate from grants, endowments, fundraising, donations, etc. As a result, some of these entities have indicated that they are unable to do business with SCAG because of the penalty clauses.

Staff finds that SCAG would benefit from being able to do business with colleges, universities, and non-profits. Staff has not experienced significant invoicing issues with the few colleges, universities, and non-profit organizations that do engage with SCAG. For these reasons and to remove the impediment to engaging with these entities, staff is seeking the Regional Council’s approval to remove the penalty clauses in Sections 10.d and 14.a from contracts with colleges, universities, and non-profits. The penalty clauses shall remain in contracts with for-profit businesses as it incentivizes for-profit businesses to submit their monthly invoices in a timely manner.
Table 1 - Penalty Clauses
(extract from SCAG’s standard consultant agreement)

10. Invoicing for Payment

   d. Invoices for payment shall be submitted by the last day of each month ("Invoice Due Date") for the previous month’s work. Invoices not received by SCAG within thirty (30) calendar days of the Invoice Due Date may be assessed a $1,000 penalty per invoice, which shall be deducted by SCAG in the payment of the invoice.

14. Penalty

   a. A ten percent (10%) penalty shall be imposed for each thirty (30) day calendar period beyond the Agreement completion date, as specified in Section 3 (Term) of this Agreement, if the complete product, as described in the Scope of Work, is not received and approved by SCAG by the completion date. Such penalty shall be based on the total value of the Agreement, and shall not be imposed if the delay is caused by SCAG.

FISCAL IMPACT:
None.

ATTACHMENT(S):
1. Feb 4, 2010 RC Item 6.1.5
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DATE: February 4, 2010

TO: Executive/Administration Committee
Regional Council

FROM: Leyton Morgan, Manager of Contracts, 213-236-1982, morgan@scag.ca.gov

SUBJECT: Penalty for Late Receipt of Consultant Invoices

EXECUTIVE DIRECTOR’S APPROVAL: [Signature]

RECOMMENDED ACTION: Approve the imposition of a penalty for the late receipt of consultant invoices.

EXECUTIVE SUMMARY:
Staff seeks to add a penalty clause to SCAG’s standard consultant agreements to deter the late receipt of consultant invoices, which on occasion, has been problematic for SCAG in terms of managing its cash flow. This matter becomes significant in light of the State’s current budget conditions and its impact upon SCAG’s finances.

STRATEGIC PLAN:
This item supports Goal 3 (Enhance the Agency’s Long Term Financial Stability and Fiscal Management), objective a (Maximize available resources and funds to the fullest extent possible) of the SCAG Strategic Plan.

BACKGROUND AND SUMMARY:
SCAG’s standard agreement for consultant services currently provides that consultant invoices are to be submitted to SCAG monthly. Despite staff’s persistent efforts to seek compliance with this requirement, a few of SCAG’s consultants have a practice of submitting their invoices late, and in some cases, have a practice of submitting several invoices at a time. This decreases the accuracy of cashflow forecasts when the most current expenditure information from consultants is not available on a timely basis. It also increases administrative time handling the late invoices. Finally, SCAG pays consultants overhead rates to comply with the contract terms and conditions. The circumstances are made more critical given the State’s current budget conditions and its potential impact upon SCAG’s finances.

Staff seeks to add a penalty clause in the standard consultant agreements relating to the late receipt of consultant invoices as a way of deterring this practice and to give consultants a financial incentive to comply with the requirement to submit invoices on a monthly basis. While the standard agreement also provides SCAG with the ability to terminate the contract or to stop the work, staff finds that a penalty relating to the late receipt of invoices provides SCAG with an additional remedy for addressing the problem. Additional language will be incorporated into SCAG’s standard consultant service agreements to read as follows: “Invoices for payment shall be submitted by the last day of each month (“Invoice Due Date”). Invoices not received by SCAG within sixty (60) calendar days of the Invoice Due Date may be assessed a $250.00 penalty per invoice, which shall be deducted by SCAG in the payment of the invoice.” For example, if consultant services are rendered in September, the consultant is required to submit an invoice for that work by the last day of October. If the consultant fails to submit the invoice by the end of December...
(that is, within 60 days of the due date), SCAG may assess the $250 penalty and deduct this amount from the payment of the invoice. Mitigating circumstances that might impact a consultant’s invoice preparation schedule will be considered by the Contract Administrator before imposition of the penalty. Should the Regional Council approve the imposition of this penalty, the provision will be included in all new consultant services agreements.

**FISCAL IMPACT:**
Any revenues generated from the imposition of these penalties will be credited back to the agency’s funding sources through the indirect cost allocation plan.

Reviewed by:

[Signature]

Chief Fiscal Officer
To: Executive/Administration Committee (EAC)
Transportation Committee (TC)
Regional Council (RC)

From: Julia Lippe-Klein, Assistant Regional Planner, Active Transportation & Special Programs, (213) 236-1856, Lippe-Klein@scag.ca.gov

Subject: Resolution No. 19-615-1 Regarding Acceptance of Office of Traffic Safety Grant Funds to support the Active Transportation Safety and Encouragement Campaign

RECOMMENDED ACTION FOR TC:
Recommend that the Regional Council approve Resolution No. 19-615-1 authorizing SCAG to accept if awarded Office of Traffic Safety grant funds in the amount of $1,000,000 to support the Southern California Go Human Campaign.

RECOMMENDED ACTION FOR EAC AND RC:
Approve Resolution No. 19-615-1 authorizing SCAG to accept if awarded Office of Traffic Safety grant funds to support the Go Human Campaign.

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 May 1, 2014, the General Assembly adopted a resolution in support of endorsing a regional effort to promote a pedestrian and bicycle safety initiative. To pursue this effort, SCAG launched Go Human, a Regional Active Transportation Safety and Encouragement Campaign, with funding from the Active Transportation Program. To extend campaign efforts, SCAG applied for Pedestrian/Bicycle Safety funds from the Office of Traffic Safety in the amount of $1,000,000 to conduct a fourth round of Go Human advertising and safety programming and outreach across the region. On July 12th, SCAG was informed that the grant award was being tentatively offered. SCAG is seeking RC approval to receive the funds.

BACKGROUND:
The SCAG region, like California and the nation as a whole, experienced a period of annual declines in traffic-related fatalities and serious injuries until 2012 when they began to steadily rise. Although the region has made some progress on safety, 1,500 people are killed, 5,200 are seriously injured...
and 136,000 are injured in traffic collisions on average each year. About 73 percent of those killed since 2001 were in vehicles or on motorcycles, while the remaining 27 percent were walking or bicycling (disproportionate to their mode share, 12 percent of all daily trips are walking or biking trips). The numbers of both pedestrians and bicyclists killed are the highest they have been for more than a decade. These collisions are happening in every city across the region.

To address the number of collisions occurring, the SCAG 2014 General Assembly passed a resolution to support a regional safety initiative aimed at improving roadway safety for bicyclists and pedestrians. To implement the resolution, SCAG secured $2.3 million in Caltrans grant funding from the statewide 2014 Active Transportation Program call for projects to coordinate a Southern California Active Transportation Safety and Encouragement Campaign.

Using these grant resources, SCAG successfully initiated the Go Human Campaign with the launch of a first round of advertising in September of 2015 as well as two additional rounds of advertising funded through the Office of Traffic Safety. The advertising campaign has secured over 550 million impressions to date (each time an ad is seen) region-wide through a combination of SCAG’s initial investment, added value media secured through op-eds and press outlets, and donated media from local and county partners. SCAG has also completed and extended the other components of the initial grant scope of work which includes implementing a series of Go Human events in partnership with local cities as well as developing toolkits aimed at creating active transportation champions.

To continue the Go Human Campaign’s momentum, SCAG applied for an additional $1,000,000 in funding from the Office of Traffic Safety to extend the campaign into 2020. On July 12th, 2019, SCAG received notice that the award was being tentatively offered. If awarded, this funding will be used to conduct a fourth round of safety advertising, with advertisements running in 2020. In addition, the funds will be used to support localized safety community engagement, the expansion of SCAG’s demonstration resources through its Kit of Parts deployment program in partnership with cities across the region, as well as an updated website for Go Human. SCAG is seeking RC approval to receive the funds.

**FISCAL IMPACT:**
If awarded, SCAG will receive $1,000,000 in grant funds from the Office of Traffic Safety that will be utilized for the Southern California Active Transportation Safety and Encouragement Campaign.

**ATTACHMENT(S):**
1. Resolution No. 19-615-1 Acceptance of OTS Funds
RESOLUTION NO. 19-615-1

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)
AUTHORIZING THE ACCEPTANCE OF THE OFFICE OF TRAFFIC SAFETY GRANT FUNDS TO SUPPORT THE SOUTHERN CALIFORNIA ACTIVE TRANSPORTATION SAFETY AND ENCOURAGEMENT CAMPAIGN

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

WHEREAS, each year in the Southern California region, over 1,500 people are killed and over 136,000 are injured in traffic collisions;

WHEREAS, in the SCAG region, 524 pedestrians and bicyclists were killed in traffic collisions in 2016, representing 33% of all traffic fatalities in the region; and

WHEREAS, SCAG has applied for an award of $1,000,000 in OFFICE OF TRAFFIC SAFETY, PEDESTRIAN/BICYCLE SAFETY Funds (“Grant Funds”), to support the ACTIVE TRANSPORTATION SAFETY AND ENCOURAGEMENT CAMPAIGN;

WHEREAS, the primary goal of the OFFICE OF TRAFFIC SAFETY is to “effectively and efficiently administer traffic safety grant funds to reduce traffic deaths, injuries, and economic losses”; and

WHEREAS, the Grant Funds will be used for the SOUTHERN CALIFORNIA ACTIVE TRANSPORTATION SAFETY AND ENCOURAGEMENT CAMPAIGN, which will involve consulting services to extend the Go Human Advertising Campaign, localized safety community engagement, the expansion of SCAG’s demonstration resources through its Kit of Parts deployment program in partnership with cities across the region, as well as an updated website for Go Human.

NOW, THEREFORE, BE IT RESOLVED, by the Regional Council of Southern California Association of Governments to authorize SCAG to accept and administer the Grant Funds if awarded to support the SOUTHERN CALIFORNIA ACTIVE TRANSPORTATION SAFETY AND ENCOURAGEMENT CAMPAIGN.
BE IT FURTHER RESOLVED THAT:

1. That the Regional Council hereby authorizes SCAG to accept the tentative Grant Funds in the amount of $1,000,000 OFFICE OF TRAFFIC SAFETY to support the SOUTHERN CALIFORNIA ACTIVE TRANSPORTATION SAFETY AND ENCOURAGEMENT CAMPAIGN.

2. That SCAG’s Executive Director or his designee is hereby designated and authorized by the Regional Council to execute all necessary agreements and other documents on behalf of the Regional Council as they relate to the Grant Funds supporting the SOUTHERN CALIFORNIA ACTIVE TRANSPORTATION SAFETY AND ENCOURAGEMENT CAMPAIGN.

PASSED, APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting this 3rd day of October, 2019.

____________________________
William “Bill” Jahn
President, SCAG

Attested by:

____________________________
Kome Ajise
Executive Director

Approved as to Form:

____________________________
Joann Africa
Chief Counsel
RECOMMENDED ACTION:
Adopt Resolution No. 19-615-3 approving Amendment 1 to the FY 2019-20 (FY20) Overall Work Program (OWP) and authorize the Executive Director, or his designee, to submit the necessary documentation to the California Department of Transportation (Caltrans).

STRATEGIC PLAN:
This item supports the following Strategic Plan Goal

EXECUTIVE SUMMARY:
Staff recommends that the Regional Council (RC) approve a first amendment to the FY20 OWP in the amount of $3.6 million, increasing the budget from $79.2 million to $82.8 million. Amendment 1 is a formal amendment that includes: adding two new grants for the Active Transportation Program; adding a new grant for the FY20 Office of Traffic Safety - Pedestrian and Bicycle Safety Program; and adding five new grants for the FY20 Caltrans Sustainable Transportation Planning Grant Program. This amendment also includes: adding Transportation Development Act (TDA) funds and other local funds for the required match to support the new grants; adjustments to staff time allocations in various OWP projects; and revisions to the OWP budget reports to correctly present toll credits used as match for federal transportation planning funds.

BACKGROUND:
On May 2, 2019 the RC adopted the FY20 Final Comprehensive Budget, which included the FY20 OWP budget in the amount $79.2 million. On May 17, 2019, SCAG received five awards for a total of $2.4 million for the FY20 Caltrans Sustainable Transportation Planning Grant program. The grant funds are programmed in this OWP amendment to meet the conditions of grant acceptance.

On June 27, 2019, the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) conditionally approved SCAG’s FY20 OWP pending changes to the budget reports to correctly present toll credits used as match for federal transportation planning funds. The required
changes were completed in an administrative amendment that was submitted to Caltrans on September 16, 2019.

**DISCUSSION:**
Staff recommends that the RC approve Amendment 1 to the FY 2019-20 OWP in the amount of $3.6 million, increasing the budget from $79.2 million to $82.8 million.

Table 1 shows revenue increases of $3.6 million for the new federal and state transportation planning grants, the local funds supporting the grants, and the adjustment for toll credits. Attachment 2 includes a list of budget changes including the new grants. To access the amended OWP, please visit: [http://www.scag.ca.gov/about/Pages/Overall%20Work%20Program.aspx](http://www.scag.ca.gov/about/Pages/Overall%20Work%20Program.aspx)

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Table 2 shows the proposed changes to expenditure categories:

1) $10,000 for adjustments to staff time allocations.

2) $3.9 million for consultant work related to the Active Transportation Program, the FY20 Office of Traffic Safety - Pedestrian and Bicycle Safety Program, and the FY20 Caltrans Sustainable Transportation Planning Grant Program.

3) Less than $91,000 decrease in third party in-kind commitments for consultant work.

4) $0.4 million increase in other costs to support the new grants.
5) $0.7 million decrease in toll credits used as match for federal transportation planning funds. The toll credits should not be included in the total budget. This change was necessary to correctly present toll credits in the OWP budget reports.

Table 2. FY 2019-20 OWP Expenditures

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**FISCAL IMPACT:**
Amendment 1 to the FY20 OWP results in an increase of $3,559,603, from $79,187,747 to $82,747,350. After approval by the RC, the revised budget will be submitted to Caltrans for final approval.

**ATTACHMENT(S):**
1. Resolution No. 19-615-3
2. List of Budget Changes FY20 A1
3. To access the amended OWP, please visit:
   http://www.scag.ca.gov/about/Pages/Overall%20Work%20Program.aspx
RESOLUTION NO. 19-615-3

A RESOLUTION OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)
APPROVING AMENDMENT 1 TO THE FISCAL YEAR 2019-20 OVERALL WORK PROGRAM

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) 2019-20 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 (ICAP); 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), the Sustainable Transportation Planning Grants, and the Adaptation 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 OWP for FY 2019-20 in May 2019, which was subsequently conditionally approved by Caltrans in June 2019; and

WHEREAS, this Amendment 1 to the FY 2019-20 OWP will result in a budget increase of $3.6 million, from $79.2 million to $82.8 million; and

WHEREAS, Amendment 1 to the FY 2019-20 OWP, along with its corresponding staff report and this resolution, has been reviewed and discussed by SCAG’s Regional Council on October 3, 2019.
NOW, THEREFORE, BE IT RESOLVED, by the Regional Council of the Southern California Association of Governments, that Amendment 1 to the FY 2019-20 OWP is approved and adopted.

BE IT FURTHER RESOLVED THAT:

1. The Regional Council hereby authorizes submittal of Amendment 1 to the FY 2019-20 OWP to the participating State and Federal agencies.

2. SCAG pledges to pay or secure in cash or services, or both, the matching funds necessary for financial assistance.

3. The SCAG Executive Director, or in his absence, the Chief Financial Officer, is hereby designated and authorized to execute all related agreements and other documents on behalf of the Regional Council.

4. The SCAG Executive Director, or in his absence, the Chief Financial Officer, is hereby authorized to make and submit to the applicable funding agencies, the necessary work program, and budget modifications to the FY 2019-20 OWP based on actual available funds and to draw funds as necessary on a line of credit or other requisition basis.

5. The SCAG Executive Director, or in his 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.

6. The SCAG Executive Director, or in his absence, the Chief Financial Officer, is hereby authorized to make administrative amendments to the FY 2019-20 OWP that do not affect the delivery of regional transportation planning tasks, activities, steps, products, or the funding amounts listed on the OWPA.

PASSED, APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting this 3rd day of October, 2019.

[Signatures on the following page]
William “Bill” Jahn  
President, SCAG

Attested by:

Kome Ajise  
Executive Director

Approved as to Form:

Joann Africa  
Chief Counsel
<table>
<thead>
<tr>
<th>Project Task No.</th>
<th>Project Task Name</th>
<th>Category</th>
<th>Budget Change</th>
<th>FTA 5303</th>
<th>FHWA PL</th>
<th>TDA</th>
<th>FTA 5304</th>
<th>FHWA SPR</th>
<th>SHA</th>
<th>Other Special Grants</th>
<th>In-Kind/Cash/Local</th>
<th>Toll Credits</th>
<th>Reason for Change</th>
</tr>
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<tbody>
<tr>
<td>010-1631.02</td>
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<td>045-0142.12</td>
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<td>Southern California Goods Movement Communities Freight Impact Assessment</td>
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<td>East San Gabriel Valley Mobility Plan</td>
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<td>Transportation Broadband Strategies to Reduce VMT and GHG</td>
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<td>Transportation Broadband Strategies to Reduce VMT and GHG</td>
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<tr>
<td>Project Task No.</td>
<td>Project Task Name</td>
<td>Category</td>
<td>Budget Change</td>
<td>FTA 5303</td>
<td>FHWA PL</td>
<td>TDA</td>
<td>FTA 5304</td>
<td>FHWA SPR</td>
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<td>Other Special Grants</td>
<td>In-Kind/ Cash/Local</td>
<td>Toll Credits</td>
<td>Reason for Change</td>
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<td>Add TDA funds for activities not eligible for MSRC grant reimbursement.</td>
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<td>Go Human - MSRC - Sustainability Planning Grants</td>
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<td>Add MSRC grant funds for other direct costs.</td>
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<td>Update the project name and add ATP grant funds.</td>
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<td>Add new OTS grant funds to support staff work.</td>
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<td>Add the in-kind commitment from the City of Hermosa Beach.</td>
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<td>Add TDA funds to support the City of Calipatria’s active transportation plan.</td>
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<td>Add TDA funds to support the work with community-based organizations for active transportation plans in seven disadvantaged communities.</td>
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<td>Add the cash commitments from the City of Glendale ($138,709) and the City of Cerritos ($518,400).</td>
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<td>Remove the in-kind commitments from the City of Glendale and the City of Cerritos now replaced with cash commitments.</td>
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<td>To shift the existing $50K in Consultant GL to Non-Profit GL.</td>
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<tr>
<td>290-4826.02</td>
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<td><strong>$1,428,000</strong></td>
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<tr>
<td><strong>Various</strong></td>
<td>Toll Credits</td>
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<td><strong>$718,703</strong></td>
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<td>Remove toll credits from the total budget as required by Caltrans.</td>
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<td><strong>TOTAL</strong></td>
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<td><strong>$4,559,603</strong></td>
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<td>$1,428,000</td>
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<td><strong>$1,428,000</strong></td>
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</table>
RECOMMENDED ACTION:
Approve Contract No. 20-003-C01 in an amount not to exceed $540,000 with Estolano LeSar Advisors, to develop and implement a comprehensive public engagement strategy related to regional congestion pricing subject to final review by SCAG Internal Audit and negotiation.

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. 4: Provide innovative information and value-added services to enhance member agencies’ planning and operations and promote regional collaboration. 7: Secure funding to support agency priorities to effectively and efficiently deliver work products.

EXECUTIVE SUMMARY:
Consistent with the Caltrans Partnership Grant that funds this project, the consultant shall perform a comprehensive public engagement strategy that will provide a thorough equity focused foundation to support SCAG’s efforts to meet regional congestion pricing concepts. Staff seeks approval to proceed with the contract subject to Internal Audit review and negotiations.

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

<table>
<thead>
<tr>
<th>Consultant/Contract #</th>
<th>Contract Purpose</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estolano LeSar Advisors (ELA), Inc. (20-003-C01)</td>
<td>The consultant shall work with SCAG, in collaboration with Caltrans and local agency partners, to develop and implement a broad public engagement strategy that provides a thorough equity focused foundation related to regional congestion pricing.</td>
<td>$540,000</td>
</tr>
</tbody>
</table>
FISCAL IMPACT:
Grant funds in the amount of $540,000 are available in the FY 2019-20 OWP Budget in project numbers 145-4817H1.01 ($432,000) and 145-4817E.01 ($108,000).

ATTACHMENT(S):
1. Contract Summary 20-003-C01
2. Contract Summary 20-003-C01 COI
Recommended Consultant:

Estolano LeSar Advisors (ELA)

Background & Scope of Work:

Consistent with the Caltrans Partnership Grant that funds this project, the consultant shall develop and implement a comprehensive public engagement strategy that will provide a thorough equity focused foundation to support SCAG’s efforts to meet regional congestion pricing concepts. Staff seeks the Regional Council’s approval to proceed with awarding the contract to Estolano LeSar Advisors subject to Internal Audit review and negotiations.

SCAG, working with local agency partners, will continue its successful partnership with the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) to identify, analyze, and eventually plan for congestion pricing pilot concepts in the region. Through partnership efforts with Caltrans, SCAG received federal funding to pursue a congestion pricing feasibility study which has included travel demand modeling of likely changes in travel behavior and assessment of system safety and air quality conditions. Additionally, consideration of economic impacts and outreach to stakeholders were conducted. Key findings of the recent feasibility study suggest that a congestion pricing mobility program can achieve meaningful reductions in vehicle miles traveled (VMT) and help meet greenhouse gas (GHG) livability goals by shifting a sizeable share of trips to transit and active transportation modes. Study findings have also indicated that a congestion pricing mobility program can be financially self-sustaining.

In the previous decade, there have been numerous examples of successful congestion pricing projects internationally. The most common congestion pricing tool is a cordon or area charge on vehicles within a defined geographic boundary. Key examples include London, Stockholm, and Milan. In all of these cities, congestion charges are intended to reduce vehicular traffic and encourage the use of alternative modes.

Related complementary pricing initiatives have taken the form of low-emission and more recently, ultra-low emission zones (ULEZ), as implemented within the same area of central London as the Congestion Charge. Most vehicles, including cars and vans, must meet the ULEZ emissions standards or be subject to a daily charge to drive within the zone with different rate structures depending on type and size of vehicles. This is in addition to the Congestion Charge. As road pricing strategies and more generally, incentives for travel behavior have gained greater interest in the region, opportunities exist to explore broader concepts of pricing including ones that integrate low-emission/emission-free zones.

As the region plans for a future that is healthier and more prosperous, various policies and approaches including pricing concepts that integrate low-emission/emission-free zones will need to be explored with several major goals and objectives:

- Promote a balanced transportation system by encouraging residents and visitors to consider their travel choices;
- Reduce congestion;
• Increase the use of transit and active transportation;
• Improve quality of life; and
• Reduce VMT/VHT, criteria pollutants, and GHG emissions.

The comprehensive public engagement strategy performed by the consultant will provide a thorough equity focused foundation that will support efforts to meet these goals and objectives.

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

• The consultants will conduct extensive outreach with a variety of CBOs and other stakeholders on the equity impacts of different types of congestion pricing, including low emission and ultra-low emission zones. This outreach will include gathering and analysis of public opinion on the impact of pricing programs and investments that can address resulting equity concerns;
• The consultants will develop and apply a methodology to determine the impact of potential pricing policies on households of varying income levels. The analysis will also consider the impact, as may be applicable, on different types of trips (e.g., employment trips, shopping trips, and recreational or social trips), and the impacts on air quality and health at different geographic scales;
• The consultants will hold up to 4 public workshops or demonstrations to provide education on various pricing strategies, and encourage public participation in informed dialogue on the development of future innovative pricing strategies throughout the region;
• The consultant will develop a final report, documenting steps taken to date, including outreach activities conducted and results, and identification of next steps required. The consultant will also develop and execute a media strategy to support engagement, and provide creative assets for SCAG and member cities to employ for ongoing awareness after completion of the contract performance.

Strategic Plan: This item supports SCAG’s Strategic Plan Goal 1: Produce innovative solutions that improve the quality of life for Southern Californians; Goal 2: Advance Southern California’s policy interests and planning priorities through regional, statewide, and national engagement and advocacy; Goal 4: Provide innovative information and value-added services to enhance member agencies’ planning and operations and promote regional collaboration; and Goal 7: Secure funding to support agency priorities to effectively and efficiently deliver work products.

Contract Amount: Total not to exceed $540,000

<table>
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<tr>
<th>Consultant</th>
<th>Amount</th>
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<tbody>
<tr>
<td>ELA (prime consultant)</td>
<td>$162,155</td>
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<tr>
<td>Sam Schwartz (subconsultant)</td>
<td>$80,088</td>
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<tr>
<td>Community Arts Resources (subconsultant)</td>
<td>$87,164</td>
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<tr>
<td>Toole Design Group, LLC (subconsultant)</td>
<td>$14,921</td>
</tr>
<tr>
<td>Investing in Place (subconsultant)</td>
<td>$25,456</td>
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<tr>
<td>Momentum Solutions Team, LLC (subconsultant)</td>
<td>$48,504</td>
</tr>
<tr>
<td>Nelson/Nygaard Consulting Associates, Inc. (subconsultant)</td>
<td>$121,712</td>
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</tbody>
</table>

Contract Period: Notice to Proceed through June, 30, 2020
Project Number(s): 145-4817H1.01 $432,000  
145-4817H1.01 $108,000

Funding source(s): Caltrans Partnership grant, and Transportation Development Act (TDA), Other Specify.

Request for Proposal (RFP): SCAG staff notified 2,249 firms of the release of RFP 20-003 via SCAG’s Solicitation Management System website. A total of 50 firms downloaded the RFP. SCAG received the three (3) proposals in response to the solicitation. However, one proposal was non-responsive and therefore not considered. SCAG received the following two (2) responsive proposals:

- Estolano LeSar Advisors (6 subconsultants) $540,540
- Guidehouse LLP (3 subconsultants) $1,183,007

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, the PRC interviewed the two (2) highest ranked offerors.

The PRC consisted of the following individuals:

- Annie Nam, Manager of Goods Movement and Transportation Finance, SCAG
- Jaimee Lederman, Senior Regional Planner, SCAG
- Jonathan Palacio, Associate Transportation Planner, Caltrans District 7

Basis for Selection: The PRC recommended Estolano LeSar Advisors for the contract award because the consultant:

- Demonstrated the best understanding of the project, specifically presenting a work plan that enables engagement with diverse community groups and stakeholders for outreach, and employs iterative feedback to adjust the outreach campaign to address emerging concerns.
- Offers a highly experienced consultant team with extensive knowledge and experience conducting outreach throughout the SCAG region, and includes consultants experienced with analysis of the impacts of innovative pricing strategies in other regions;
- Provides the best overall value for the project based upon allocation of resources for project tasks, additional approaches for task deliverables, and has the lowest cost.
Approve Contract No. 20-003-C01 in an amount not to exceed $540,000 with Estolano LeSar Advisors, to develop and implement a comprehensive public engagement strategy, related to regional congestion pricing, subject to final review by SCAG Internal Audit and negotiation.

The consultant team for this contract includes:

<table>
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<tr>
<th>Consultant Name</th>
<th>Did the consultant disclose a conflict in the Conflict of Interest Form they submitted with its original proposal (Yes or No)?</th>
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<tbody>
<tr>
<td>Estolano LeSar Advisors (prime consultant)</td>
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Consultant Name | Did the consultant disclose a conflict in the Conflict of Interest Form they submitted with its original proposal (Yes or No)? |
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SCAG CONFLICT OF INTEREST FORM

RFP No. 20-003

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 www.scag.ca.gov. The SCAG Conflict of Interest Policy is located under “OPPORTUNITIES”, then “Doing Business with SCAG” and scroll down under the “CONTRACTS” tab; whereas the SCAG staff may be found under “ABOUT” then “Employee Directory”; and Regional Council members can be found under “ABOUT”, then scroll down to “ELECTED OFFICIALS” on the left side of the page and click on “See the list of SCAG representative and their Districts.”

Any questions regarding the information required to be disclosed in this form should be directed to SCAG’s Deputy Legal Counsel, 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: Estolano LeSar Advisors

Name of Preparer: Cecilia V. Estolano

Project Title: SCAG Mobility Innovations and Pricing

RFP Number: 20-003 Date Submitted: 08/15/2019

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:

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<th>Name</th>
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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:

<table>
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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:

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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:

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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:

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<tr>
<th>Name</th>
<th>Date</th>
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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) Cecilia V. Estolano, hereby declare that I am the (position or title) Co - CEO of (firm name) Estolano LeSar Advisors, 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 08/15/2019 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]
Signature of Person Certifying for Proposer (original signature required)

08/15/2019
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

RFP No. 20-003

SECTION I: INSTRUCTIONS

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Any questions regarding the information required to be disclosed in this form should be directed to SCAG’s Deputy Legal Counsel, 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: Sam Schwartz Engineering, DPC
Name of Preparer: Joe Iacobucci
Project Title: Mobility Innovations and Pricing
RFP Number: 20-003 Date Submitted: August 19, 2019

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:

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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

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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:

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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

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

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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) Joe Iacobucci, hereby declare that I am the (position or title) Principal of (firm name) Sam Schwartz, 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 August 15, 2019 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     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

RFP No. 20-003

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Name of Firm: Community Arts Resources
Name of Preparer: James O'Connor
Project Title: Mobility Innovations and Pricing
RFP Number: No. 20-003 Date Submitted: 8/14/19

SECTION II: QUESTIONS

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Attachment: Contract Summary 20-003-C01 COI (Contracts $200,000 or Greater: 20-003-C01, Mobility Innovations and Pricing Study)
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?

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☐ YES    ☑ NO

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

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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) Aaron Pailey, hereby declare that I am the (position or title) President of (firm name) Community Arts Resources, 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 8/14/19 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]

Date: 8/14/19

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Any questions regarding the information required to be disclosed in this form should be directed to SCAG’s Deputy Legal Counsel, 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: Toole Design Group, LLC
Name of Preparer: Julie Albright
Project Title: Mobility Innovations and Pricing
RFP Number: 20-003 Date Submitted: August 19, 2019

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:

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☐ YES  ☑ NO

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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?

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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) Roswell Eldridge, hereby declare that I am the (position or title) Chief Operating Officer of (firm name) Toole Design Group, 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 August 19, 2019 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]
Signature of Person Certifying for Proposer (original signature required) August 19, 2019 Date

NOTICE

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SCAG CONFLICT OF INTEREST FORM

RFP No. 20-003

SECTION I: INSTRUCTIONS

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Name of Firm: Investing in Place
Name of Preparer: Jessica Meaney
Project Title: Mobility Innovations and Pricing
RFP Number: 20-003 Date Submitted: 08/19/19

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

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Packet Pg. 77
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Attachment: Contract Summary 20-003-C01 COI (Contracts $200,000 or Greater: 20-003-C01, Mobility Innovations and Pricing Study)
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)?

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DECLARATION

I, (printed full name) ________________________________, hereby declare that I am the (position or title) ________________________________, of (firm name) ________________________________, 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 ___________________ 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 ________________________________

Date 08/19/19

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Name of Firm: Momentum Solutions Team, LLC
Name of Preparer: David Kietzman
Project Title: Mobility Innovations and Pricing
RFP Number: 20-003 Date Submitted: 8/15/19

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?

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DECLARATION

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Signature of Person Certifying for Proposer  8/15/19

Date

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SCAG CONFLICT OF INTEREST FORM

RFP No. 20-003

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Name of Firm: Nelson\Nygaard Consulting Associates, Inc.

Name of Preparer: Leah Treat, Managing Director

Project Title: Mobility Innovations and Pricing

RFP Number: 20-003 Date Submitted: 8/26/19

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?

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SECTION III: VALIDATION STATEMENT

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DECLARATION

I, (printed full name) Leah Treat, (position or title) Managing Director of (firm name) Nelson\Nygaard Consulting Associates, Inc., hereby declare that I am the (position or title) of (firm name) Nelson\Nygaard Consulting Associates, 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 8/20/19 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)  

Date  8/20/19

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RECOMMENDED ACTION:
For Information Only – No Action Required

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. 4: Provide innovative information and value-added services to enhance member agencies’ planning and operations and promote regional collaboration.

EXECUTIVE SUMMARY:
AB 101 establishes the Local Government Planning Support Grants Program administered by the California Department of Housing and Community Development (HCD) for the purpose of providing regions with one-time funding. The legislation allocates $250 million to HCD for councils of governments and jurisdictions to be used for technical assistance, the preparation and adoption of planning documents, process improvements to accelerate housing production and to facilitate the compliance with the 6th cycle of RHNA. In addition, all cities and counties in compliance with state housing law will receive between $65,000 and $1.5 million based on population for purposes of housing planning.

SCAG is expected to be eligible for approximately $50 million to administer our RHNA and provide planning services to our cities and counties. Staff will share the proposed timeline and preliminary concepts for developing a program framework and funding proposal to be submitted to HCD for approval.

BACKGROUND:
With AB 101 resources, SCAG has the opportunity to foster housing production and preservation through regional planning and by providing technical and financial assistance to subregions and cities for housing and infrastructure planning activities and process improvements. Staff will pursue
activities in the current fiscal year to establish the foundation for a robust housing program, including preparing a program framework and funding proposal to be provided to HCD no later than January 31, 2021 per state law. To accelerate program development and delivery, if enabled by HCD processes, SCAG intends to pursue the following activities to submit an application for funding as early as Spring 2020.

**Draft Schedule**

**October-January 2020: Outreach & Program Development**
- Assemble and conduct best practices research in partnership with the building community and local universities
- Targeted outreach and stakeholder engagement to assess local needs and funding gaps
- Monitor and provide input on state funding guidelines prepared by HCD, expected by January 2020
- Provide presentations to CEHD and Policy Committees on challenges and opportunities for planning and producing housing; feature housing strategies at annual Economic Summit
- Explore alignment of SCAG AB 101 resources with other state and regional funding to optimize resources allocated through the Local Government Planning Support Grants Program

**January 2020-June 2020: Draft Program Framework & Guideline Development**
- Draft and seek board approval of program framework and HCD funding proposal
- Develop program guidelines and application for resources to be sub-allocated or competitively awarded to eligible applicants.
- Ongoing outreach and engagement with policy committees and stakeholders

**July 2020-December 2023: Program Implementation**
- Finalize guidelines for resources to be sub-allocated or competitively awarded.
- Secure staff and consultant resources to deliver program elements.
- Select and implement projects through competitive call for proposals, if applicable
- Prepare and administer funding agreements with partners receiving resources through direct allocation.
- Program delivery and reporting. All funds to be expended by December 31, 2023.

**Draft Program Concepts**

Based on preliminary discussions with policy members and stakeholders, staff has identified the following program objectives for consideration and discussion:

*Draft Program Objectives*
• Align resources with allocation methodology for the 6th Cycle of RHNA to support local jurisdictions in addressing identified housing needs

• Advance Connect SoCal sustainable development goals including supporting local jurisdictions in promoting housing in priority growth areas to increase access to jobs and transit and reduce environmental impacts

• Maximize funding allocations by providing technical assistance and capacity building necessary to support local agencies in applying for and expending program resources

• Direct resources toward programs and activities that complement and increase the competitiveness of the SCAG region for other funding programs, including by increasing the number of jurisdiction that are designated by HCD as “pro-housing”, as specified in AB 101, qualifying them to receive additional points in the scoring of program applications for housing and infrastructure programs pursuant to guidelines adopted by HCD.

• Build longer term capacity at SCAG and in the region to address housing issues, including by:
  o Facilitating compliance with state housing law
  o Defining a sustainable role for SCAG that marries housing with transportation objectives
  o Strengthening regional/sub-regional partnerships, collaborations and funding models
  o Establishing regional/subregional vision as basis for future funding

**Draft Program Areas and Funding Categories**

Staff has also identified several funding categories based on AB 101 requirements and stakeholder feedback to further these program objectives. The draft funding categories are intended to provide the basis for more rigorous discussion and engagement on SCAG’s housing program framework. Funding categories may include:

**Direct Allocations tied to RHNA Methodology**

Recognizing the challenge local jurisdictions will have in planning for the unprecedented number of units identified in the 6th RHNA cycle, staff anticipates dedicating a significant portion of new funding resources to cities and counties through direct allocations based on the number of units assigned in the 6th cycle. Staff proposes the funding formula give special consideration and additional resources to jurisdictions in job and transit rich areas that are anticipated to receive allocations exceeding their 2045 growth forecast. In addition, all eligible jurisdictions could be considered for allocations to augment or support local agencies in accessing local AB 101 funding shares. Subregional councils of governments working in partnership with local jurisdictions could also serve as funding partners to achieve economies of scale and provide additional capacity in expending resources allocated to each jurisdiction in this funding category.
Competitive Grant Program
Following the model of SCAG’s successful Sustainable Communities Program, staff proposes to allocate a portion of the funding for a competitive call for proposals to advance regional significant and innovative proposals for addressing the region’s housing crisis in concert with Connect SoCal goals. Funding eligibility and priorities would be defined in a set of guidelines to be developed through a robust stakeholder engagement process and in full consideration of eligible funding activities outlined by HCD.

Regional Planning and Technical Assistance
Staff proposes a sub-set of the resources be set aside to support regional planning activities and the development of analytical and policy development tools and resources that enable local agencies to implement housing solutions. These resources could be used for pilot projects and case studies to test new concepts for accelerating housing production or follow the model of Go Human, SCAG’s successful active transportation program, and include the development of community outreach resources or model ordinances that can be easily tailored to meet the unique needs of local jurisdictions.

In addition to covering direct program expenses, staff anticipates allocating a small portion of the funds to cover administrative costs associated with delivering activities that would be included in the Local Government Planning Support Grant Program and to reimburse expenses associated with 6th RHNA cycle.

The draft schedule and program concepts are provided as a starting point for engagement with policy committees and stakeholders and will be refined over the coming months based on HCD program guidelines and to align with the final RHNA allocation methodology and draft Connect SoCal.

FISCAL IMPACT:
Funding for staff work is included in FY 19-20 Overall Work Program under Work Element 810-0120.16 (Planning Coordination).
AGENDA ITEM 10
REPORT

Southern California Association of Governments
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017
October 3, 2019

RECOMMENDED ACTION FOR EEC:
For Information Only – No Action Required.

RECOMMENDED ACTION FOR 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:
As Part I of the final Safer, Affordable, Fuel-Efficient Vehicles (SAFE) Rule, the U.S. Department of Transportation’s National Highway Traffic Safety Administration (NHTSA) and the U.S. Environmental Protection Agency (EPA) issued a widely anticipated and highly political and controversial final “One National Program Rule” (Rule) on September 19, 2019. The final Rule is designed to preempt state and local tailpipe greenhouse gas emissions standards, zero emission vehicle mandates, and fuel economy for automobiles and light duty trucks. The rule preempt California’s Advanced Clean Car Regulations and may potentially impact SCAG’s Connect SoCal under development, the upcoming 2021 Federal Transportation Improvement Program (FTIP), and transportation projects in the SCAG region.

A supplemental staff report under separate cover will include additional background information, a summary of the major actions in the final Rule, its transportation conformity implications, SCAG staff’s effort to date, and anticipated next steps.
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Southern California Association of Governments
900 Wilshire Boulevard, Suite 1700, Los Angeles, California 90017
October 3, 2019

REPORT

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

From: Basil Panas, Chief Financial Officer, Contracts, 213-236-1817, panas@scag.ca.gov

Subject: Purchase Orders $5,000 - $199,999; Contracts $25,000 - $199,999 and Amendments $5,000 - $74,999

RECOMMENDED ACTION:
For 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) more than $5,000 but less than $200,000**

<table>
<thead>
<tr>
<th>Vendor/Service Provider</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily Journal Corporation</td>
<td>RHNA Notice Publications</td>
<td>$27,799</td>
</tr>
<tr>
<td>UCLA Conference Center</td>
<td>Lake Arrowhead symposium</td>
<td>$20,000</td>
</tr>
<tr>
<td>Softwareone Inc.</td>
<td>FY20 VMware Renewal</td>
<td>$19,487</td>
</tr>
<tr>
<td>Esri</td>
<td>FY20 ESRI Software Maintenance</td>
<td>$15,501</td>
</tr>
<tr>
<td>CDW Government, Inc.</td>
<td>FY20 Cisco Maintenance and Support</td>
<td>$11,410</td>
</tr>
<tr>
<td>Los Angeles County Business Federation</td>
<td>FY20 SCAG membership</td>
<td>$11,000</td>
</tr>
<tr>
<td>Green Translations</td>
<td>FY20 Translation Service</td>
<td>$10,000</td>
</tr>
<tr>
<td>U.S. Postal Service</td>
<td>FY20 Postage</td>
<td>$10,000</td>
</tr>
<tr>
<td>CDW Government, Inc.</td>
<td>VEEAM Software Renewal</td>
<td>$9,470</td>
</tr>
<tr>
<td>KC’s Mediterranean Grill</td>
<td>RC Meeting Provisions</td>
<td>$8,000</td>
</tr>
<tr>
<td>Pacific Snow Valley Resort LLC</td>
<td>EAC Retreat Hotel Accommodation</td>
<td>$7,410</td>
</tr>
<tr>
<td>SEI Inc. dba Service Express Inc.</td>
<td>FY20 HP Hardware Support</td>
<td>$7,047</td>
</tr>
<tr>
<td>Majestic Marketing Dba Bagmasters</td>
<td>GA Lunch Bags</td>
<td>$6,787</td>
</tr>
<tr>
<td>Mailfinance</td>
<td>FY20 Mail machine lease</td>
<td>$5,001</td>
</tr>
<tr>
<td>United Parcel Service(Ups)</td>
<td>FY20 Courier Service</td>
<td>$5,000</td>
</tr>
</tbody>
</table>
### SCAG executed the following Contract more than $25,000 but less than $200,000

<table>
<thead>
<tr>
<th>Consultant/Contract #</th>
<th>Contract's Purpose</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Government Commission (20-011-C01)</td>
<td>The consultant in shall place students (Fellows) in SCAG member cities and the Fellows will provide capacity-building support to the cities through various research, planning and project implementation activities.</td>
<td>$76,500</td>
</tr>
</tbody>
</table>

### SCAG executed the Amendment more than $5,000 but less than $75,000

<table>
<thead>
<tr>
<th>Consultant/Contract #</th>
<th>Amendment’s Purpose</th>
<th>Amendment Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**ATTACHMENT(S):**
1. Contract 20-011-C01
Recommended Consultant: Local Government Commission

Background & Scope of Work: Local governments have been and will continue to take a leading role in California’s response to climate change. However, budget constraints, the loss of key tools and funding sources, and limited technical familiarity with emerging tools and practices, pose significant challenges to local communities – large and small – as they seek to implement these efforts quickly and effectively. To help local governments overcome these obstacles, the consultant (LGC), in partnership with the Governor’s Office of Planning and Research, implements the CivicSpark Program to place students (Fellows) in SCAG member cities, and the Fellows will provide capacity-building support to the cities through various research, planning and project implementation activities.

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

- Providing capacity-building support to the cities through various research, planning and project implementation activities.

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 $76,500

Contract Period: September 10, 2019 through September 2, 2020

Project Number(s): 065-0137E.10 $76,500

Funding source: Transportation Development Act (TDA)

Request for Proposal (RFP): Staff awarded a non-profit sole source contract to them pursuant to State of California Contracts Manual, Sections 3.15 and 3.17 regarding Subvention and Local Assistance Contracts.

Selection Process: The LGC is the only agency that has the CivicSpark Americorps Program which is a partnership with the State of California Governor’s Office of Planning & Research. LGC, through the CivicSpark Program, works with organizations to address climate change matters in their respective areas and provides capacity-building support to local governments through research, planning and project implementation activities. The Sustainability Database maintained by the CivicSpark Fellows tracks a number of key metrics for SCAGs RTP/SCS, such as active transportation plans and projects, complete streets plans and projects, in fill development, and clean fuel adoption by municipal fleets. This data helps SCAG meet the SB 375 target and helps member cities meet their VMT and GHG reduction goals. LGC provides funding to place a CivicSpark fellow in a public agency for 1,300 hours per year and pays 50% of the costs and the agency (SCAG) pays the remaining 50%. SCAG funded 3 positions from September 2019 through September 2020.
Basis for Selection: As previously stated, given Local Government Commission’s unique niche expertise, staff awarded a non-profit sole source contract to them pursuant to State of California Contracts Manual, Sections 3.15 and 3.17 regarding Subvention and Local Assistance Contracts.
To: Community
   Economic & Human Development Committee (CEHD)
   Energy & Environment Committee (EEC)
   Transportation Committee (TC)
   Regional Council (RC)

From: Anita Au, Associate Regional Planner, Compliance &
      Performance Monitoring, 213-236-1874, Au@scag.ca.gov

Subject: Connect SoCal Environmental Justice Report

RECOMMENDED ACTION FOR EEC:
For Information Only – No Action Required

RECOMMENDED ACTION FOR TC, CEHD 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:
Following the success of the 2016 RTP/SCS Environmental Justice Appendix, SCAG staff have been
working on updating and improving the Connect SoCal Environmental Justice (EJ) Report with the
input received from the Environmental Justice Working Group, Connect SoCal Workshops and
various other EJ stakeholder engagement. The Connect SoCal EJ Report conducts analyses on the
existing 18 performance indicators in three EJ-related areas. Enhancements of the report include
1) reorganizing the 18 performance indicators into relatable categories for easier reading, 2)
adding General Plan Element indicators to help local jurisdiction easily use the EJ Report for their
General Plan updates, 3) improving and expanding on the technical analysis on various
performance indicators and 4) significantly revising and expanding the EJ Toolbox. After the
adoption of Connect SoCal, staff will continue to improve on the EJ outreach and analysis by
means of continuing the Environmental Justice Working Group to seek out collaborative solutions
for our regional goals of environmental justice.

BACKGROUND:
Consideration of EJ in the transportation planning process stems from Title VI of the Civil Rights Act
Title VI of 1964 establishes the need for transportation agencies to disclose to the public the benefits and burdens of proposed projects on minority populations. As a governmental entity that receives federal funding, SCAG is required to conduct an EJ analysis for its regional transportation plan/sustainable community strategy. In addition to Federal requirements, SCAG must also comply with California Government Code Section 11135, which states 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, genetic information, 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, is funded directly by the state, or receives any financial assistance from the state.” Therefore, SCAG’s EJ Program includes two main elements: public outreach and technical analysis. In the regional transportation planning context, SCAG’s role is to (1) ensure that low-income and minority communities have ample opportunity to participate in the decision-making process when transportation decisions are made and (2) identify whether such communities receive an equitable distribution of benefits and not disproportionate share of burdens. SCAG’s EJ analysis is based on extensive outreach to EJ stakeholders and developed through their input.

Following the success of the 2016 RTP/SCS Environmental Justice Appendix, SCAG staff have been working on updating and improving the Connect SoCal Environmental Justice (EJ) Report with the input received from the Environmental Justice Working Group (EJWG), Connect SoCal Workshops and various other EJ stakeholder engagement. SCAG staff has held six (6) EJWG meetings since May 2018 which was when EJ outreach for Connect SoCal began. EJWG participants have provided valuable input on the areas for improvement in outreach and the organization of the report, and areas of enhancement for the performance indicators and the EJ Toolbox. Input on the EJ Report was also gathered during all the Connect SoCal Workshops in May and June 2019 through an interactive poster which included all the EJ performance indicators and asked participants to rank the top three areas they were most concerned with. SCAG staff also had additional communications and meetings with various EJ stakeholders for additional feedback on the development of the EJ Report. All comments were considered and many were implemented into the EJ Report.

The Connect SoCal EJ Report conducts analyses on the existing 18 performance indicators in three EJ-related areas. Based on feedback from the EJWG, the existing 18 performance indicators were reorganized into four categories with relatable questions to make for easier reading. The relatable questions are: (1) How will this impact quality of life; (2) how will this impact health and safety; (3) how will this impact the commute; and (4) how will this impact transportation costs. SCAG staff also added a new feature to the report which includes an icon next to each performance indicators to indicate which General Plan Element is applicable for that performance indicator. Table 1 shows how the performance indicators are categorized with the applicable General Plan Elements.

Table 1: Connect SoCal EJ Report Performance Indicators
## EJ Performance Indicators

<table>
<thead>
<tr>
<th>How Will This Impact Quality of Life?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Jobs-Housing Imbalance or Jobs-Housing Mismatch</strong></td>
</tr>
<tr>
<td><strong>Neighborhood Change and Displacement</strong></td>
</tr>
<tr>
<td><strong>Accessibility to Employment and Services</strong></td>
</tr>
<tr>
<td><strong>Accessibility to Parks</strong></td>
</tr>
<tr>
<td><strong>Proximity to Parks and Schools</strong></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>How Will This Impact Health and Safety?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Active Transportation Hazards</strong></td>
</tr>
<tr>
<td><strong>Climate Vulnerability</strong></td>
</tr>
<tr>
<td><strong>Public Health</strong></td>
</tr>
<tr>
<td><strong>Noise Impact Analyses</strong></td>
</tr>
<tr>
<td><strong>Emissions Impact Analyses</strong></td>
</tr>
<tr>
<td><strong>Environmental Impacts in the Freeway Adjacent Areas</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>How Will This Impact The Commute?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Distribution of Travel Time Savings and Travel Distance Reductions</strong></td>
</tr>
<tr>
<td><strong>Rail-Related Impacts</strong></td>
</tr>
<tr>
<td><strong>Share of Transportation System Usage</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>How Will This Impact Transportation Costs?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Benefits and Burdens</strong></td>
</tr>
<tr>
<td><strong>Impacts from Funding Through Mileage-Bases User Fees</strong></td>
</tr>
</tbody>
</table>

The feedback received from EJWG stakeholders helped shape the EJ report in numerous ways. Among the improvements, SCAG staff have also expanded on three specific performance indicators in the report: 1) Jobs-Housing Imbalance or Jobs-Housing Mismatch, 2) Neighborhood Change and Displacement and 3) Benefits and Burdens. Improvements for the three performance indicators are provided below:

1. **As a part of the jobs-housing imbalance/mismatch analysis in the 2016 RTP/SCS, SCAG conducted the Jobs-Housing Fit (JHFIT) analysis for cities in the SCAG region, based on the JHFIT methodology developed by UC Davis Center for Regional Change. For Connect SoCal, SCAG applied an updated JHFIT methodology that characterizes low-wage jobs-housing fit at both a jurisdiction and the census tract scale, by examining a ratio between low-wage jobs and affordable rental units. In contrast to overall jobs-housing balance, the low-wage fit analysis is helpful to highlight those jurisdictions and neighborhoods where there is a substantial shortage of affordable housing in relation to the number of low-wage jobs. To**
conduct the JHFIT analysis, SCAG employed publicly available data on job numbers from the LEHD Origin-Destination Employment Statistics (LODES) and housing numbers from the 2013-2017 American Community Survey (ACS) 5-Year Estimates.

2. For neighborhood change and displacement analysis, four variables such as education, race/ethnicity, household income and growth rent were applied to analyze gentrification for almost four decades from 1980 to 2017. To analyze displacement, ACS Public User Microdata Sample (PUMS) data were used to see migration flows in the region. Staff also collaborated with Dr. Rodnyansky of Occidental College, who has access to franchise tax board data to analyze mover types by transit and non-transit neighborhood.

3. SCAG Staff has expanded on the benefits and burden analysis by including a brief description and qualitative analysis of Senate Bill 1 (SB1), which is the Road Repair and Accountability Act of 2017, signed into law on April 2017. The bill increases state funding for different transportation segments—roads, freeways, bridges, transit, and safety—from various state transportation taxes and fees, including gasoline excise taxes, diesel excise and sales taxes, and vehicle taxes and fees. Staff has provided a comparative analysis between SB1 and user-based mileage fees, which is a long-term replacement to the gasoline tax. The gas tax is inherently regressive and adversely impact low-income and minority population who have been always negatively and disproportionally impacted. However, Connect SoCal continues to advocate the user based image fees after 2030 to replace gasoline taxes and with its success, will completely reverse the EJ concerns with gasoline taxes.

Building on the previous EJ Toolboxes, SCAG staff has significantly expanded and improved on the EJ Toolbox for the Connect SoCal EJ Report. The toolbox underwent two rounds of intensive review from the EJWG and other SCAG staff with specific expertise relating to specific sections of the toolbox. SCAG staff has incorporated most, if not all, comments into the toolbox and will continue to do so after the adoption of Connect SoCal in April 2020. The Connect SoCal EJ Toolbox is intended to be a dynamic document that will change and update to have the most relevant and applicable recommendations and resources. The toolbox provide recommended practices and approaches to local jurisdictions and EJ stakeholders to address potential impacts to impacted communities. The toolbox provides optional policy and strategy recommendations but can be used as a resource document for local jurisdictions with disadvantaged communities to comply with SB 1000 requirements, which requires all local jurisdictions in California with disadvantaged communities to develop an EJ Element or include EJ goals, policies and objectives in their General Plans. The toolbox can also be used as a resource for EJ community organizations to advocate for solutions for impacted communities. The format follows the organization of the EJ Report Performance Indicators with consideration of the Governor’s Office of Planning and Research’s (OPR’s) required contents in an EJ Element of a General Plan and includes applicable General Plan Element icons used throughout the EJ Report. The EJ Toolbox sections include:
- Healthy, Safe and Sanitary Housing
- Access to Essential Services and Facilities
- Active Living, Active Transportation and Physical Activity
- Climate Vulnerability and Resiliency
- Roadway and Aviation Noise Impacts
- Air Quality and Air Pollution Exposure Impacts
- Impacts of Road Pricing Mechanisms
- Community Outreach and Engagement
- Other Policy Recommendations for Environmental Justice Impacts

SCAG staff will continue to work on the Connect SoCal EJ Report in anticipation of the November 2019 draft release of Connect SoCal. After the draft release in November 2019 and final release and adoption in April 2020, SCAG staff will continue to convene the EJWG in support of an ongoing EJ Program. As the goals of the EJ Program is to provide a platform for EJ stakeholders to discuss EJ related issues and develop collaborative solutions for regional goals, SCAG staff will foster information sharing with and seek input from the EJWG to help identify potential solutions to incorporate into future plans or policies.

**FISCAL IMPACT:**

Work associated with this item is included in the Fiscal Year 2019-2020 Overall Work Program (20-020.0161.06: Environmental Justice Outreach and Policy Coordination).

**ATTACHMENT(S):**

1. PowerPoint Presentation on Connect SoCal Environmental Justice
Environmental Justice Report
Update

Energy and Environment Committee
October 3, 2019

www.scag.ca.gov

Environmental Justice Program
Update

Anita Au
Compliance and Performance Monitoring
October 3, 2019

www.scag.ca.gov
EJ Regulatory Compliance

- Title VI of the Civil Rights Act of 1964
  - Disclose benefits and burdens of proposed projects on minority populations

- California Government Code Section 11135
  - Any state funded program or activity cannot deny access to benefits or discriminate against specific populations

SCAG's EJ Program

- Main Elements:
  - Public Outreach
  - Technical Analysis

- Regional Transportation Planning Context
  - Ensure that low-income and minority communities have ample opportunity to participate in the decision-making process when transportation decisions are made
  - Identify whether such communities receive an equitable distribution of benefits and not disproportionate share of burdens
**EJ Toolbox Purpose**

- Building on previous EJ Toolboxes
- Provide toolbox of recommended practices and approaches to address potential impacts to environmental justice communities
- Optional policy and strategy recommendations
- Resource document for local jurisdictions with disadvantaged communities to comply with SB 1000 requirements
- Resource for EJ community organizations when advocating for solutions for EJ-related community issues

**2016 EJ Toolbox**

- Access to Parks, Schools, Shopping, Employment
- Air Quality Impacts Along Freeways and Heavily Traveled Corridors
- Active Transportation Hazards
- Gentrification and Displacement
- Public Health Impacts
- Rail-Related Impacts
- Road Pricing Mechanisms
- Noise Impacts
Connect SoCal EJ Toolbox Sections

- Healthy, Safe and Sanitary Housing
- Access to Essential Services and Facilities
- Active Living, Active Transportation and Physical Activity
- Climate Vulnerability and Resiliency
- Roadway and Aviation Noise Impacts
- Air Quality and Air Pollution Exposure Impacts
- Impacts of Road Pricing Mechanisms
- Community Outreach and Engagement
- Other Policy Recommendations for Environmental Justice Impacts
Healthy, Safe and Sanitary Housing

- Promote healthy, safe and sanitary housing focusing on three components: housing condition, housing affordability and land-use compatibility

- Types of recommended practices and approaches:
  - More assistance programs
  - Equitable distribution of housing in DAC areas
  - Explore anti-displacement strategies
  - Increase affordability and availability
  - Promote awareness

Example Recommended Practices and Approaches:

- Consider replacement housing policies to minimize the displacement of low-income residents from demolished or converted units

- Provide public education and/or materials to educate residents on potential hazards that can lead to unhealthy housing conditions and encourage residents to take action

- Explore the applicability of community land trusts to preserve local land ownership

- Create homeowner assistance programs to assist low income families to purchase homes or prevent foreclosures
Active Living, Active Transportation and Physical Activity

- Remove barriers that lead to active lifestyles and increase access to active transportation networks which contribute to increased physical activity
- Includes two sections
  - Active Transportation and Public Health
  - Food Access
- Types of recommended practices and approaches:
  - Improvements and enhancements of existing infrastructure
  - Promote and increase awareness
  - More coordination and partnerships

Example Recommended Practices and Approaches:

- Adopt and implement complete streets policies requiring jurisdictions to design streets that are safe and accessible for all modes of travel. Complete streets designs include traffic-calming measures as well as reallocation of street space to people walking and bicycling
- Develop or update transportation infrastructure, such as sidewalks, bicycle lanes and street lighting to encourage active transportation within communities
- Set up school- or community-based programs that integrate gardening and nutrition, and make the connection between healthy food choices and locally-grown fresh produce
- Encourage the development of healthy food establishments in areas with high concentrations of fast food establishments, convenience stores and liquor stores
Climate Vulnerability and Resiliency

• Reduce risk of hazardous impacts like extreme heat, flooding, wildfire, drought, and sea-level rise for all communities
  • Prevent risks to the built and natural environment

• Types of recommended practices and approaches:
  • Preventative measures
  • Improvements and enhancements of existing infrastructure
  • More coordination and partnerships
  • Adoption/implementation of new and innovative plans

Example Recommended Practices and Approaches:

• Support measures for extreme heat resiliency and adaptation like encourage more urban greening and forestry to increase tree and vegetation cover, create cool/green roofs, reduce impervious surfaces, use cool pavements, and provide cooling centers with reliable power sources

• Coordinate emergency response and transportation resources available to vulnerable communities and populations

• Require new developments in and near flood-prone areas to use permeable paving, rain gardens, and other low-impact development strategies to slow down floodwaters and promote groundwater infiltration especially in EJ communities who have less economic opportunity to move out of flood-prone areas
Air Quality and Air Pollution Exposure Impacts

- Avoid, reduce, or mitigate disproportionate air quality and air pollution impacts in low-income and minority populations, especially those living in close proximity to freeways, highly travelled corridors, ports, and logistics activities

- Types of recommended practices and approaches:
  - Encourage street and infrastructure design to avoid, reduce, or mitigate impacts
  - Manage or restrict pollution sources
  - Improvements and enhancements of existing infrastructure

Example Recommended Practices and Approaches:

- Consider policies that can help reduce air pollution exposure like restrict number of pollution sources specifically in EJ communities, create monitoring systems or requirements to ensure pollution or exposure can be contained, or partner with local air management districts or community organizations to outreach to residents and gather input to establish mitigation monitoring programs

- Devise strategies to reduce traffic emissions like speed reduction in neighborhood streets like roundabouts and speed dumps, traffic signal synchronization, or speed limit reduction on high-speed roadways

- Recognize and actively promote and adopt policies to create a multimodal transportation system that reduces solo driving
Regional, Local, and Community Analysis

Regional Analysis

- Appropriate when determining system-wide impacts (e.g., financial benefits and burdens, etc.)

Localized Analysis

- Appropriate for determining adverse impacts at the community level (e.g., emissions, noise, etc.)

Community Analysis

- Appropriate for tabulating impacts of the RTP/SCS in selected places according to a “Communities of Concern” approach (e.g., accessibility, traffic safety, etc.)
Community-Based Analysis

- **Environmental Justice Areas (EJA)** – Transportation Analysis Zones (TAZs), which are similar to block groups, that have a higher concentration of minority OR low income households than is seen in the region as a whole.

- **SB 535 Disadvantaged Communities (DAC)** – Census tracts that have been identified by Cal/EPA as Disadvantaged Communities (top 25% of CalEnviroScreen) based on the requirements set forth in SB 535.

- **Communities of Concern (COC)** – Census Designated Places (CDPs) and City of Los Angeles Community Planning Areas (CPAs) that fall in the upper 1/3rd of all communities in the SCAG Region for having the highest concentration of minority population AND low income households.

12.2 Million People
65% of Region

Minority Population
Households in Poverty

Source: SCAG Census ACS 2012–2016 5-Year Estimates

*In 2016, per Census, a family of three earning less than $15,152 was classified as living in poverty.
6.4 Million People
34% of Region

Source: SCAG, Census ACS 2013-2017 5-Year Estimates

*In 2016, per Census, a family of three earning less than $19,105 was classified as living in poverty.

3.9 Million People
21% of Region

Source: SCAG, Census ACS 2013-2017 5-Year Estimates

*In 2016, per Census, a family of three earning less than $19,105 was classified as living in poverty.
Minority Population in EJ-Related Boundaries

- **EJA**
  - 2012: 80%
  - 2016: 82%

- **DAC**
  - 2012: 88%
  - 2016: 88%

- **COC**
  - 2012: 91%
  - 2016: 92%

- **SCAG**
  - 2012: 67%
  - 2016: 69%

Source: SCAG, Census ACS 2013-2017 5-Year Estimates

*In 2016, per Census, a family of three earning less than $19,105 was classified as living in poverty.

Households in Poverty in EJ-Related Boundaries

- **EJA**
  - 2012: 17%
  - 2016: 20%

- **DAC**
  - 2012: 25%
  - 2016: 23%

- **COC**
  - 2012: 22%
  - 2016: 25%

- **SCAG**
  - 2012: 34%
  - 2016: 35%

Source: SCAG, Census ACS 2013-2017 5-Year Estimates

*In 2016, per Census, a family of three earning less than $19,105 was classified as living in poverty.
**EJ Report Improvements**

- Reorganizing the 38 performance indicators into relatable categories for easier reading
- Adding General Plan Element indicators to help local jurisdiction easily use the EJ Report for their General Plan updates (SB 1000)
- Improving and expanding on the technical analysis on various performance indicators

**Performance Indicators**

1. **How Will This Impact Quality of Life?**
   - Jobs-Housing Imbalance or Jobs-Housing Mismatch [LU] [H]
   - Neighborhood Change and Displacement [LU] [H]
   - Accessibility to Employment and Services [LU] [CIR]
   - Accessibility to Parks [LU] [CIR] [CON] [OS]
   - Proximity to Parks and Schools [LU] [CIR] [CON] [OS]

2. **How Will This Impact Health and Safety?**
   - Active Transportation Hazards [LU] [CIR] [S]
   - Climate Vulnerability [LU] [S]
   - Public Health Impacts [S]
   - Noise Impact Analyses [LU] [CIR] [S] [N]
   - Emissions Impact Analyses [LU] [CIR] [S]
   - Environmental Impacts in the Freeway Adjacent Areas [LU] [CIR] [S]

3. **How Will This Impact The Commute?**
   - Distribution of Travel Time Savings and Travel Distance Reductions [CIR]
   - Rail-Related Impacts [CIR]
   - Share of Transportation System Usage [CIR]

4. **How Will This Impact Transportation Costs?**
   - Benefits and Burdens [LU] [CIR]
   - Impacts from Funding Through Mileage-based User Fees [CIR]
Jobs-Housing Imbalance or Jobs-Housing Mismatch [LU] [H]

- Ratio between low-wage jobs and affordable rental units (jurisdiction and census tract scale)

Neighborhood Change and Displacement [LU] [H]*

- Improved methodology to analyze gentrification (1980 to 2017)
  - Education, race/ethnicity, household income, and gross rent at census tracts
- Identifying displacement using ACS Public User Microdata Sample (PUMS) and franchise tax board (Rodnyansky, 2018)
Benefits and Burdens [LU] [CIR]

- Adding a description and qualitative analysis of Senate Bill 1as comparing it to and user-based mileage fees
- Refer to the Transportation Finance Report for more details

**TABLE 52: SBI Tax Fee Rate Increases**

<table>
<thead>
<tr>
<th>Fuel Taxesa*</th>
<th>Current Rates</th>
<th>New Rates</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gasoline Base Excise</td>
<td>18 cents</td>
<td>30 cents</td>
<td>November 1, 2017</td>
</tr>
<tr>
<td>Gasoline Swap Excise</td>
<td>9.8 cents</td>
<td>17.3 cents</td>
<td>July 1, 2017</td>
</tr>
<tr>
<td>Diesel Exciseb</td>
<td>16 cents</td>
<td>36 cents</td>
<td>November 1, 2017</td>
</tr>
<tr>
<td>Diesel Swap-Sales</td>
<td>1.75 percent</td>
<td>5.75 percent</td>
<td>November 1, 2017</td>
</tr>
</tbody>
</table>

**Vehicle Taxes And Fees**

<table>
<thead>
<tr>
<th>Description</th>
<th>Current Rate</th>
<th>New Rate</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation Improvement Fee</td>
<td>--</td>
<td>$25 to $75</td>
<td>January 1, 2018</td>
</tr>
<tr>
<td>ZEV Registration Fee</td>
<td>--</td>
<td>$180</td>
<td>July 1, 2020</td>
</tr>
</tbody>
</table>

---

Thank you!

Tom Vo (vo@scag.ca.gov)
Anita Au (au@scag.ca.gov)

www.scag.ca.gov
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

Governor Newsom Administration Updates
California Department of Transportation
On Tuesday, September 3, 2019, Governor Newsom announced two key appointments to the California Department of Transportation (Caltrans). Toks Omishakin was appointed director of Caltrans. Mr. Omishakin most recently served as deputy commissioner for environment and planning at the Tennessee Department of Transportation (TDOT) since 2011. He was responsible for an administrative and project budget that exceeds $250 million annually. He also led the activities of the divisions of Environment, Long-Range Planning, Project Planning, and Multimodal Transportation Resources.

Before his time at TDOT, Mr. Omishakin served as director of Healthy Living Initiatives in the City of Nashville’s Mayor’s Office. Mr. Omishakin was instrumental in developing a Complete Streets policy for Nashville and also served as the Mayor’s liaison to several council’s and boards. Mr. Omishakin has extensive knowledge of active transportation issues. He currently serves on the board of directors for America Walks, a nonprofit organization with the goal of advancing safe places for people to walk and move, as well as Vice Chair of the American Association of State Highway and Transportation Officials’ (AASHTO) Council on Active Transportation. The Council focuses on issues related to bicycles, pedestrians, and other active transportation modes.
Mr. Omishakin earned a Bachelor of Science degree in Engineering Technology from Mississippi Valley State University, and a Master of Arts Degree in Urban and Regional Planning from Jackson State University. The position requires Senate confirmation.

Governor Newsom also announced that James E. Davis was appointed to serve as chief deputy director of Caltrans. Mr. Davis will oversee leadership development, the Senate Bill (SB) 1 infrastructure program, and all internal operations comprising 20,000 employees and a $15 billion budget. Mr. Davis has served for 31 years at Caltrans in various capacities, most recently as special advisor to the director of Caltrans. Mr. Davis previously served as Senate Bill (SB) 1 program manager from 2018 to 2019, district director for the Bay Area in 2018, and division chief of project management from 2013 to 2018, among other transportation engineering positions since 1988. Mr. Davis also served as Vice Chair of AASHTO’s Project Management Technical Committee from 2016 to 2018. He is a member of the American Society of Civil Engineers and has been a member of the Project Management Technical Institute for more than 10 years.

Mr. Davis holds a Bachelor of Science degree in Civil Engineering from the University of Kansas. The chief deputy director position does not require Senate confirmation.

California Department of Housing and Community Development
The California Department of Housing and Community Development (HCD) will also be experiencing a leadership change. It was announced on Thursday, September 5, 2019, that Ben Metcalf would be stepping down as director of HCD effective September 6, 2019. Chief Deputy Director Doug McCauley will serve as Acting Director until a new director is appointed.

State Legislature Adjournment
The California Legislature adjourned in the early morning hours of September 14, 2019, concluding the first year of its two-year 2019-2020 session. The Governor has until October 13, 2019 to sign or veto bills passed by the Legislature. Bills that did not advance this year may be taken up again in 2020 (referred to as two-year bills). The Legislature confronted major issues that impact the lives of Californians. Below are some of the Assembly Bills (AB) and Senate Bills (SB) that garnered the most attention in 2019.

Housing Bills
AB 101 is the comprehensive budget trailer bill dealing with housing production and homeless initiatives. The measure funds the Local Government Planning Support Grants program, which provides one-time funding of $250 million split between cities and counties, and regions to update planning documents. Of the total, half is directed to cities and counties based upon a population-based formula. Another $125 million in one-time funding is provided for councils of governments
(COGs) that administer the Regional Housing Needs Assessment (RHNA). SCAG is specifically named in this measure.

AB 113 is referred to as a “clean-up” bill, meaning that it clarifies some of the provisions of the housing trailer bill described above. Specifically, AB 113 adds the Council of San Benito County Governments to the list of eligible COGs in the central coast multiagency working group identified in the Local Government Planning Support Grants program. This measure also specifies that COGs are allowed to apply for a portion of the Local Government Planning Support Grants Program to assist with putting together the entire program application.

Major Legislation from the 2019 Session

**AB 5 (Gonzalez, D-San Diego)** – AB 5 codifies the decision by the California Supreme Court in Dynamex Operations West, Inc. vs. Superior Court of Los Angeles, which established a three-prong test for determining whether a worker is an independent contractor or an employee. Negotiations on what professions would receive exemptions from the three-prong test dominated the debate on this bill. AB 5 was approved by the Governor on September 18, 2019.

**AB 74 (Ting, D-San Francisco)** – AB 74 is the Budget Act for Fiscal Year 2019-2020. The measure totals $214.8 billion. AB 74 also details the expenditure plan for cap-and-trade funding, amounting to almost $1.5 billion. Cap-and-trade expenditures fund programs dealing with greenhouse gases, clean vehicles and buses, and other programs. AB 74 was approved by the Governor on June 27, 2019.

**AB 235 (Mayes, R-Yucca Valley)** – AB 235 would have assisted the Pacific Gas and Electric Company in paying off up to $20 billion dollars in wildfire claims stemming from a series of devastating fires that occurred in 2017 and 2018. Although the measure had made progress in the Legislature, Assemblymember Mayes announced on September 6, 2019 that AB 235 would be a two-year bill, meaning that it would no longer be considered this year, but could be reconsidered in 2020.

**AB 392 (Weber, D-San Diego) / SB 230 (Caballero, D-Salinas)** – Both AB 392 and SB 230 are measures that address police use-of-force. These bills were considered competing measures, but a compromise was reached during a Senate Public Safety Committee hearing that made passage of SB 230 contingent upon passage of AB 392. AB 392 was approved by the Governor on August 19, 2019, while SB 230 was approved on September 13, 2019.

**AB 1482 (Chiu, D-San Francisco)** – AB 1482 would impose a rent cap of 5% per year plus inflation on rent increases in certain apartments statewide through 2030. This measure passed the Senate (Y:25; N:10; NVR:5) on September 10, 2019, and the Assembly (Y:48; N:26; NVR:5). The Governor is expected to sign AB 1482.
SB 276 / SB 714 (Pan, D-Sacramento) – SB 276 would alter the process on how immunization exemptions are granted to children attending school. This measure passed the Assembly (Y:48; N:18; NVR:13) and Senate (Y:28; N:11; NVR:1). Late amendments requested by the Governor on this issue led to a gut-and-amend on SB 714, which passed the Assembly (Y:43; N:14; NVR:12) and Senate (Y:27; N:11; NVR:2). The Governor signed both of these measures on September 9, 2019.

FEDERAL

Federal Appropriations Update
On September 9, 2019, Congress returned to session after the August Recess and is quickly working to pass Fiscal Year (FY) 2020 appropriations bills before the start of the new fiscal year on October 1, 2019. The House of Representatives has passed 11 of the 12 federal agency funding bills. However, over in the Senate, only half of the twelve appropriations bills have been approved by the Senate Appropriations Committee. The Senate differed in its approach to the federal budget by waiting until a spending limit agreement was in place, which came at the start of August, eliminating the possibility of mandatory across the board budget cuts to federal agencies.

On September 19, 2019, the Senate Appropriations Committee approved the FY 2020 Transportation, Housing, and Urban Development (THUD) Appropriations bill. The spending package provides the USDOT with $86.6 billion in budgetary resources, which is $168 million above the FY 2019 enacted level and rejects President Trump’s proposed $3.58 billion cut to USDOT programs. It should be noted that the Senate’s version of the transportation funding bill will not raise the cap on passenger facility charges to avoid controversial issues among appropriators and any further delays.

Since the upper chamber is continuing to work through its set of appropriations bills and conference negotiations between both houses have not begun, it is likely that Congress will need to pass a Continuing Resolution to avoid a government shut-down. A longer Continuing Resolution takes the pressure off Congress to act, but allows Congress to avoid the potential for a series of very short Continuing Resolutions. On September 19, 2019, the House approved (Y:301; N:123) a Continuing Resolution to fund the federal government at FY 2019 spending levels through November 21, 2019.

Vehicle Emission Standards Update
In August 2018, the United States Environmental Protection Agency (EPA) and National Highway Traffic Safety Agency (NHTSA) proposed the Safer Affordable Fuel Efficient (SAFE) Vehicles Rule, which would change existing Corporate Average Fuel Economy (CAFE) and greenhouse gas emissions standards for passenger vehicles and light trucks. Current CAFE standards require new cars and light trucks to reach an average of 54.5 miles per gallon by 2025. However, the proposed rule would freeze federal emission standards at 2020 levels through 2026 and eliminate the waiver that allows California to set its own stricter emissions standards, which gets special treatment under the Clean Air Act thanks to its historic smog problems.

The California Association of Councils of Governments (CALCOG) warns that an expected increase in carbon dioxide emissions could increase by almost 15 million metric tons by 2025, which is roughly equivalent to putting an additional 2.8 million cars on the state’s roads for a year. Moreover, a fact sheet released by the EPA and NHTSA estimates an increase in daily fuel consumption of approximately half a million barrels per day. Aside from the obvious health and environmental concerns, the change in standards could have significant impacts on transportation plans and projects statewide. In California, a unique air quality emissions model, known as EMFAC, estimates emission rates for passenger vehicles operating in California. Transportation agencies use the EMFAC model to demonstrate that each region and the state is conforming to the requirements of the federal Clean Air Act. Once the rule takes effect, the EMFAC model could be invalid, and transportation agencies will be unable to demonstrate that their projects conform to federal Clean Air Act requirements. As a result, 443 infrastructure projects in the SCAG region could be interrupted and unable to proceed.

On July 22, 2019, the California Air Resources Board (CARB) and four automakers — Ford, Volkswagen, Honda and BMW North America — reached a surprise agreement on a set of terms for light-duty greenhouse gas emissions standards to maintain one national solution. Under the framework, these vehicles will average 50 miles per gallon by 2026, hitting the target one year later than under the Obama-era rules, but far above what is being proposed by the Trump
Administration. Two other automakers, including Mercedes-Benz, were set to join the deal, however, it emerged that the United States Department of Justice (DOJ) launched an investigation into the automakers for antitrust violations. Both Senators Feinstein and Harris sent separate letters to DOJ raising concerns that the investigation is politically motivated.

On September 18, 2019, President Trump announced that he would revoke California’s waiver to enforce stricter standards on vehicle carbon pollution. The Trump Administration severed and advanced this portion from the auto emissions rollback targeting the waiver from the broader, more technical rulemaking. Immediately, Governor Gavin Newsom, Attorney General Xavier Becerra, and CARB Chair Mary Nichols, announced that the state would sue the federal government once the document was public. It should be noted that a coalition of transportation stakeholders is working to advance language to give California a 36-month grace period to implement the SAFE Vehicles Rule in a Fiscal Year 2020 appropriations bill, since this is the only legislative vehicle moving in Congress.

**FISCAL IMPACT:**
None
### RECOMMENDED ACTION:
For 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.

### AUDITS:

**Caltrans**
SCAG continues to await a response from Caltrans to the Plan of Cost Substitution submitted in July. If approved, the plan would allow SCAG to satisfy the $4.4 million of repayments sought in the Incurred Cost Audit and Indirect Cost Allocation Plan Audit with expenditures out of local funds already paid.

**Annual Audit**
SCAG’s outside independent auditors, Eide Bailly LLP, began their final audit work for the FY19 audit on September 23, 2019. Their final report will be issued in late November or early December.

### MEMBERSHIP DUES:
61.84% of the FY20 dues assessment has been collected.

### BUDGET & GRANTS (B&G):
On August 29, 2019, staff submitted the FY 2018-19 (FY19) Overall Work Program (OWP) Year-End Package to Caltrans, which included: 1) Certification of Expenditure (COE) by Fund Source; 2) Final Statement of Expenditures (SOE); 3) 4th Quarter Progress Report; and 4) OWP Final Products for projects completed in the fiscal year.

Staff prepared an administrative amendment to the FY 2019-20 (FY20) OWP and toll credits are accurately presented as required by FTA and FHWA in their conditional approval letter for the FY20 OWP. Final approval of the FY20 OWP is expected soon after.
Staff is preparing a formal amendment to the FY20 OWP primarily to add five new awards for the FY20 Caltrans Sustainable Transportation Planning Grant program:

- Curb Space Management Study - $543,870
- East San Gabriel Valley Mobility Plan - $417,500
- Goods Movement Communities Freight Impact Assessment - $299,400
- SB743 VMT Mitigation Assistance Program - $557,350
- Transportation Broadband Strategies to Reduce VMT and GHG - $565,000

CONTRACTS:
In August 2019, the Contracts Department issued three (3) Request for Proposal, awarded three (3) contracts; issued two (2) contract amendments; and processed 245 Purchase Orders to support ongoing business and enterprise operations. Staff also administered 126 consultant contracts. Contracts staff continued to negotiate better pricing and reduced costs for services.

ATTACHMENT(S):
1. August 2019 CFO Monthly Status Report
Office of the Chief Financial Officer

Monthly Status Report

AUGUST 2019
As of September 11, 2019, 157 cities and 5 counties had paid their FY20 dues. This represents 64.8% of the dues assessment. 32 cities and one county had yet to pay their dues. Two cities are being recruited for membership.

**FY20 Membership Dues Collected**

- **FY20 Membership Dues:** $2,113,909
- **Total Collected:** $1,369,926
- **Percentage Collected:** 64.81%
Interest Earnings Variance

OVERVIEW

Actual interest income is plotted against the target amount. The amount credited to SCAG's account through July was $15,738. The LA County Pool earned 2.15% in July.

SUMMARY

The amount projected for FY20 is $95,000.
Through August 2019, SCAG was over-recovered by $666,588 due to unspent Indirect Cost budget.
The percent of total invoices paid within 30 days. The target is to pay 95% of all invoices within 30 days. This goal was met.

98.42% of August 2019 payments were made within 30 days of invoice receipt.

At month-end, 33 invoices remained unpaid less than 30 days.

These goals were met during this period.

98.86% of August 2019's payments were within 60 days of invoice receipt and 100.00% within 90 days. Invoices unpaid 30-60 days totaled 2; 60-90 days: 2; >90 days: 0.
## Office of the CFO
### Consolidated Balance Sheet

<table>
<thead>
<tr>
<th></th>
<th>7/31/2019</th>
<th>8/31/2019</th>
<th>Incr (decr) to equity</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash at Bank of the West</td>
<td>$1,295,408</td>
<td>$1,336,988</td>
<td>$41,580</td>
<td>Received $0.7 million of TDA but spent $2.7 m on AP.</td>
</tr>
<tr>
<td>LA County Investment Pool</td>
<td>$8,574,092</td>
<td>$6,711,008</td>
<td>$(1,863,084)</td>
<td>Billings of $1.8M to FHWA partially offset by collections from FTA ($1.05M) as well as MSRC, SB1 &amp; TDA resulting in a net increase of $268k.</td>
</tr>
<tr>
<td>Cash &amp; Investments</td>
<td>$9,869,500</td>
<td>$8,047,996</td>
<td>$(1,821,504)</td>
<td>Net amort of $255k in prepaids along with IC fund over-recovered $257K</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>$9,186,259</td>
<td>$9,454,404</td>
<td>$(268,145)</td>
<td>Billings of $1.8M to FHWA partially offset by collections from FTA ($1.05M) as well as MSRC, SB1 &amp; TDA resulting in a net increase of $268k.</td>
</tr>
<tr>
<td>Other Current Assets</td>
<td>$6,956,190</td>
<td>$6,443,668</td>
<td>$(512,522)</td>
<td>Net amort of $255k in prepaids along with IC fund over-recovered $257K</td>
</tr>
<tr>
<td>Fixed Assets - Net Book Value</td>
<td>$6,672,535</td>
<td>$6,672,535</td>
<td>$(0)</td>
<td>No change.</td>
</tr>
<tr>
<td>Total Assets</td>
<td>$32,684,484</td>
<td>$30,618,603</td>
<td>$(2,065,881)</td>
<td>No change.</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>$(2,822,215)</td>
<td>$(84,027)</td>
<td>$2,738,189</td>
<td>FY 19 Invoices paid down.</td>
</tr>
<tr>
<td>Employee-related Liabilities</td>
<td>$(499,677)</td>
<td>$(604,538)</td>
<td>$(104,861)</td>
<td>July had 8 unpaid working days while August had 10.</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>$(171,559)</td>
<td>$(171,559)</td>
<td>$(0)</td>
<td>No change.</td>
</tr>
<tr>
<td>Total Liabilities and Deferred Revenue</td>
<td>$(3,493,451)</td>
<td>$(860,123)</td>
<td>$2,633,328</td>
<td>No change.</td>
</tr>
<tr>
<td>Fund Balance</td>
<td>$29,191,033</td>
<td>$29,758,480</td>
<td>$567,447</td>
<td>No change.</td>
</tr>
</tbody>
</table>

### WORKING CAPITAL

<table>
<thead>
<tr>
<th></th>
<th>7/31/2019</th>
<th>8/31/2019</th>
<th>Incr (decr) to working capital</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$9,869,500</td>
<td>$8,047,996</td>
<td>$(1,821,504)</td>
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</tr>
<tr>
<td>Accounts Receivable</td>
<td>$9,186,259</td>
<td>$7,913,080</td>
<td>$(1,273,179)</td>
<td></td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>$(2,822,215)</td>
<td>$1,331,022</td>
<td>$(4,153,237)</td>
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</tr>
<tr>
<td>Employee-related Liabilities</td>
<td>$(499,677)</td>
<td>$(605,300)</td>
<td>$(105,623)</td>
<td></td>
</tr>
<tr>
<td>Working Capital</td>
<td>$15,733,867</td>
<td>$16,686,798</td>
<td>$952,931</td>
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</tr>
</tbody>
</table>
### Comprehensive Budget

<table>
<thead>
<tr>
<th>Description</th>
<th>Adopted Budget</th>
<th>Amended Budget</th>
<th>Expenditures</th>
<th>Commitments</th>
<th>Budget Balance</th>
<th>% Budget Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Staff &amp; Allocated Fringe Benefits</td>
<td>540,920</td>
<td>540,920</td>
<td>79,808</td>
<td>-</td>
<td>461,112</td>
</tr>
<tr>
<td>2</td>
<td>Allocated Indirect Costs</td>
<td>674,563</td>
<td>674,563</td>
<td>99,320</td>
<td>-</td>
<td>575,243</td>
</tr>
<tr>
<td>3</td>
<td>SCAG Consultants</td>
<td>291,400</td>
<td>291,400</td>
<td>-</td>
<td>31,648</td>
<td>259,752</td>
</tr>
<tr>
<td>4</td>
<td>Legal costs</td>
<td>120,000</td>
<td>120,000</td>
<td>-</td>
<td>15,000</td>
<td>105,000</td>
</tr>
<tr>
<td>5</td>
<td>Software</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>6</td>
<td>Payroll, bank fees</td>
<td>12,500</td>
<td>12,500</td>
<td>309</td>
<td>12,191</td>
<td>0</td>
</tr>
<tr>
<td>7</td>
<td>Mail &amp; equip &lt;$5K</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>8</td>
<td>Office Supplies</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>9</td>
<td>Outreach</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>10</td>
<td>SCAG Memberships</td>
<td>116,000</td>
<td>116,000</td>
<td>8,235</td>
<td>5,772</td>
<td>101,228</td>
</tr>
<tr>
<td>11</td>
<td>Professional Membership</td>
<td>11,500</td>
<td>11,500</td>
<td>3,156</td>
<td>556</td>
<td>7,944</td>
</tr>
<tr>
<td>12</td>
<td>Res mat/sub</td>
<td>2,000</td>
<td>2,000</td>
<td>411</td>
<td>-</td>
<td>1,589</td>
</tr>
<tr>
<td>13</td>
<td>Capital Outlay &gt; $5,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>14</td>
<td>Recruitment Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>15</td>
<td>Conference - Registration</td>
<td>1,000</td>
<td>1,000</td>
<td>-</td>
<td>-</td>
<td>1,000</td>
</tr>
<tr>
<td>16</td>
<td>Scholarships</td>
<td>32,000</td>
<td>32,000</td>
<td>-</td>
<td>-</td>
<td>32,000</td>
</tr>
<tr>
<td>17</td>
<td>RC/Committee Mts</td>
<td>25,000</td>
<td>25,000</td>
<td>-</td>
<td>-</td>
<td>25,000</td>
</tr>
<tr>
<td>18</td>
<td>RC Retreat</td>
<td>10,000</td>
<td>10,000</td>
<td>11,616</td>
<td>-</td>
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### Total Expenditure

- **Total Other Capital:** 90,956,755
- **Total Comprehensive:** 94,902,089

**Comprehensive Budget:** 94,902,089
### INDIRECT COST EXPENDITURES

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Overview
This chart shows the number of contracts administered by the Contracts division, by month, from July 2018 thru August 2019.

Summary
The chart shows that the Contracts Department is managing One hundred-twenty-six. Fifty-five are Cost Plus Fixed Fee contracts, 32 are fixed price contracts, and the remaining 3 are Time and Materials (T&M) contracts (includes Labor Hour and Retainer contracts). The Contracts Department anticipates issuing approximately 60 contracts for FY 2019-20. Note, due to the nature of SCAG’s work, the majority of SCAG contracts have a one year term and end on June 30th each year.
### Staffing Report as of September 1, 2019

**GROUPS**

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<td><strong>Total</strong></td>
<td><strong>146</strong></td>
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### OTHER POSITIONS

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