



NO. 658
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL
MINUTES OF THE REGULAR MEETING
THURSDAY, SEPTEMBER 7, 2023

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

The Regional Council (RC) of the Southern California Association of Governments (SCAG) held its regular meeting both in person and virtually (telephonically and electronically). A quorum was present.

Members Present

Hon. Art Brown, President	<i>Buena Park</i>	District 21
Hon. Curt Hagman, 1st Vice President		San Bernardino County
Hon. Cindy Allen, 2nd Vice President	<i>Long Beach</i>	District 30
Hon. Jan Harnik, Imm. Past President		RCTC
Supervisor Luis Plancarte		Imperial County
Supervisor Don Wagner		Orange County
Supervisor Karen Spiegel		Riverside County
Supervisor Vianey Lopez		Ventura County
Hon. Maria Nava-Froelich		ICTC
Hon. Brian Goodell		OCTA
Hon. Alan Wapner		SBCTA
Hon. Trish Kelley		TCA
Hon. Mike T. Judge		VCTC
Hon. Gil Rebolgar	<i>Brawley</i>	District 1
Hon. Kathleen Kelly	<i>Palm Desert</i>	District 2
Hon. Linda Krupa	<i>Hemet</i>	District 3
Hon. Clint Lorimore	<i>Eastvale</i>	District 4
Hon. Zak Schwank	<i>Temecula</i>	District 5
Hon. Frank Navarro	<i>Colton</i>	District 6
Hon. Damon L. Alexander	<i>San Bernardino</i>	District 7
Hon. Deborah Robertson	<i>Rialto</i>	District 8



Hon. L. Dennis Michael	<i>Rancho Cucamonga</i>	District 9
Hon. Ray Marquez	<i>Chino Hills</i>	District 10
Hon. John Gabbard	<i>Dana Point</i>	District 12
Hon. Wendy Bucknum	<i>Mission Viejo</i>	District 13
Hon. Lauren Kleiman	<i>Newport Beach</i>	District 15
Hon. Jon Dumitru	<i>Orange</i>	District 17
Hon. Marshall Goodman	<i>La Palma</i>	District 18
Hon. Joe Kalmick	<i>Seal Beach</i>	District 20
Hon. Marty Simonoff	<i>Brea</i>	District 22
Hon. Frank Yokoyama	<i>Cerritos</i>	District 23
Hon. Jeff Wood	<i>Lakewood</i>	District 24
Hon. José Luis Solache	<i>Lynwood</i>	District 26
Hon. Mark E. Henderson	<i>Gardena</i>	District 28
Hon. Suely Saro	<i>Long Beach</i>	District 29
Hon. Margaret Clark	<i>Rosemead</i>	District 32
Hon. Gary Boyer	<i>Glendora</i>	District 33
Hon. Adele Andrade-Stadler	<i>Alhambra</i>	District 34
Hon. Keith Eich	<i>La Cañada Flintridge</i>	District 36
Hon. Tim Sandoval	<i>Pomona</i>	District 38
Hon. James Gazeley	<i>Lomita</i>	District 39
Hon. Drew Boyles	<i>El Segundo</i>	District 40
Hon. Lauren Meister	<i>West Hollywood</i>	District 41
Hon. David J. Shapiro	<i>Calabasas</i>	District 44
Hon. Laura Hernandez	<i>Port Hueneme</i>	District 45
Hon. Rocky Rhodes	<i>Simi Valley</i>	District 46
Hon. Jenny Crosswhite	<i>Santa Paula</i>	District 47
Hon. Steve Manos	<i>Lake Elsinore</i>	District 63
Hon. Tim McOsker	<i>Los Angeles</i>	District 62
Hon. Casey McKeon	<i>Huntington Beach</i>	District 64
Hon. Oscar Ortiz	<i>Indio</i>	District 66
Hon. Celeste Rodriguez	<i>San Fernando</i>	District 67
Hon. Patricia Lock Dawson	<i>Riverside</i>	District 68
Hon. Marisela Nava	<i>Perris</i>	District 69
Ms. Lucy Dunn		Business Representative

Members Not Present

Supervisor Kathryn Barger
 Supervisor Hilda Solis
 Hon. Rick Denison
 Hon. Tammy Kim

Members Not Present

Yucca Valley
Irvine

Members Not Present

Los Angeles County
 Los Angeles County
 District 11
 District 14



Hon. Valerie Amezcua	<i>Santa Ana</i>	District 16
Hon. Ashleigh Aitken	<i>Anaheim</i>	District 19
Hon. Claudia Frometa	<i>Downey</i>	District 25
Hon. Ali Saleh	<i>Bell</i>	District 27
Hon. Andrew Sarega	<i>La Mirada</i>	District 31
Hon. Margaret E. Finlay	<i>Duarte</i>	District 35
Hon. Steve Tye	<i>Diamond Bar</i>	District 37
Hon. Konstantine Anthony	<i>Burbank</i>	District 42
Hon. Ken Mann	<i>Lancaster</i>	District 43
Hon. Eunisses Hernandez	<i>Los Angeles</i>	District 48
Hon. Paul Krekorian	<i>Los Angeles</i>	District 49/Public Transit Rep.
Hon. Bob Blumenfield	<i>Los Angeles</i>	District 50
Hon. Nithya Raman	<i>Los Angeles</i>	District 51
Hon. Katy Young Yaroslavsky	<i>Los Angeles</i>	District 52
Hon. Imelda Padilla	<i>Los Angeles</i>	District 53
Hon. Monica Rodriguez	<i>Los Angeles</i>	District 54
Hon. Marqueece Harris-Dawson	<i>Los Angeles</i>	District 55
Hon. Curren D. Price, Jr.	<i>Los Angeles</i>	District 56
Hon. Heather Hutt	<i>Los Angeles</i>	District 57
Hon. Traci Park	<i>Los Angeles</i>	District 58
Hon. John Lee	<i>Los Angeles</i>	District 59
Hon. Hugo Soto-Martinez	<i>Los Angeles</i>	District 60
Hon. Kevin de León	<i>Los Angeles</i>	District 61
Hon. Elizabeth Becerra	<i>Victorville</i>	District 65
Hon. Karen Bass	<i>Los Angeles</i>	Member-at-Large
Hon. Larry McCallon	<i>Highland</i>	Air District Representative
Hon. Andrew Masiel, Sr.	<i>Pechanga Dev. Corp.</i>	Tribal Gov't Reg'l Planning Brd.

Staff Present

Kome Ajise, Executive Director
Darin Chidsey, Chief Operating Officer
Debbie Dillon, Chief Strategy Officer
Cindy Giraldo, Chief Financial Officer
Sarah Jepson, Chief Planning Officer
Javiera Cartagena, Chief Government and Public Affairs Officer
Carmen Flores, Chief Human Resources Officer
Julie Shroyer, Chief Information Officer
Lauren Langer, Assistant Board Counsel
Richard Lam, Deputy Legal Counsel
Maggie Aguilar, Clerk of the Board

Cecilia Pulido, Deputy Clerk of the Board

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Brown called the meeting to order at 12:18 p.m. and led the Pledge of Allegiance.

He also reminded the members that if a member of this body was attending remotely but not at a location specified on the agenda, they could observe but not participate in any discussion or voting of this body.

PUBLIC COMMENT PERIOD

President Brown opened the Public Comment Period and outlined instructions for public comments. He noted this was the time for persons to comment on any matter pertinent to SCAG's jurisdiction that were not listed on the agenda. He reminded the public to submit comments via email to ePublicComment@scag.ca.gov.

The Clerk of the Board acknowledged there were no written public comments received on any matter pertinent to SCAG's jurisdiction that were not listed on the agenda.

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

REVIEW AND PRIORITIZE AGENDA ITEMS

There were no requests to prioritize agenda items.

ACTION ITEM

Hon. John Mirisch, CEHD Policy Committee Member, thanked staff for their hard work dealing with the issue of RHNA Reform which was a tricky one. He noted his comments were on the letter that they were going to send on RHNA Reform. He indicated he thought many of them felt that the system was broken, and that the draft letter perhaps needed to be a bit stronger to reflect their frustration and disappointment with the RHNA process itself and the reform procedure, which was secretive, untransparent, and biased. He stated that the CEHD Committee recommended accountability and figuring out a way to get accountability from HCD when it comes to their decision making. He indicated that they recommended the ability for them, for SCAG, or for any interested party to avail themselves of the legal system to challenge arbitrary capricious decisions and figures that may be incorrect. He also cited the example in which the Legislative State Audit found that HCD had double counted. He noted that currently the letter talked about due process and thought that they needed to clarify that the current system does not allow due process. He

explained that someone in theory could say that HCD does their own internal review but that was not what their recommendation meant. He further explained that their recommendation meant that they should have some sort of recourse. He urged the Regional Council to clarify the letter to indicate that when they talk about due process, they mean due process within their legal court system, because otherwise they have a situation where HCD itself could claim internal review and be their judge, jury, and executioner which they felt was a problem given past experience.

The Clerk of the Board acknowledged SCAG had received two written public comments before the 5:00 p.m. deadline on September 6, 2023 which had been transmitted to members and posted on the website. Additionally, the Clerk stated one public comment was received after the deadline and it would be transmitted to members and posted on the website after the meeting.

In the interest of time, action on Item 1 and the Consent Calendar were acted upon together. The roll call vote is reflected below.

1. Draft RHNA Reform Recommendations

Kome Ajise, Executive Director, thanked CEHD Chair and Committee for members for accommodating their time for a special meeting to deal with [this matter]. He stated he knew many followed the RHNA process. He stated RHNA had evolved every cycle. He shared how the 6th cycle was uniquely different in terms of the requirements that came with the various housing laws that passed. He shared the 6th cycle was significant in helping the region achieve other regional goals such as GHG reduction through land use planning, increasing access to fair housing, and promoting equity and sustainability. He explained RHNA was not just about a number. He stated a RHNA allocation is a representation of a jurisdiction's existing and future housing need, but there was also a regional emphasis to it. He explained the issues they worked on were cross jurisdictional, as discussed at the Joint Policy Committee previewing the 2024 Connect SoCal Plan. Furthermore, he stated that the draft recommendations they would be discussing and taking action on were developed with stakeholder input and regional goals in mind and had been further refined by the CEHD Committee at their special August meeting. Lastly, he stated the report in the agenda packet represented a regional effort to meet their regional needs, and they wanted to take their approved RHNA reform recommendations to HCD to make sure their voices were heard in their concurrent process.

Ma'Ayn Johnson, Department Manager, introduced Item 1 and explained that the members would receive a presentation on the draft RHNA Reform recommendations. She stated this was a process that had started the previous year to be in concurrence with the Statewide RHNA Reform efforts. She explained that the recommended action that day was to approve the 14 staff recommendations on RHNA Reform as noted in the staff report, and authorize the Executive Director to submit a comment letter on behalf of SCAG to the California Department of Housing and Community

Development. Additionally, she stated the reason they had a special CEHD Committee meeting in August and why they had the item before them that day, which was because HCD's concurrent comment period would end on September 15. She stated they wanted to make sure their voices were heard at the state level on what they recommend for RHNA Reform. Lastly, she broke down the various components of what would be presented to the members. She explained they would discuss how they developed the draft recommendations, and that they would talk about the draft recommendations and the next steps. Ms. Johnson then introduced David Kyobe who would be going over the RHNA 101 part of the presentation.

Mr. Kyobe, Senior Regional Planner, with the Housing Department, provided members with RHNA 101 presentation. He explained RHNA was a state housing law requirement which determines existing and projected housing needs. He explained the process for developing this was led by a Council of Governments (COG), such as SCAG, and happened every 8 years. He stated jurisdictions must plan for the RHNA allocation in their housing elements by ensuring there were enough sites and zoning to accommodate their RHNA allocation. He shared HCD provides a regional determination in consultation with SCAG and the Department of Finance. He shared the number of units in the 4th, 5th, and 6th cycles for RHNA. He went over the 5 core RHNA objectives. Mr. Kyobe discussed the steps involved in the RHNA allocation, explaining how the process spans over 26 months. He also provided an overview of some of the factors and adjustments that are used that impact the total regional determination. He explained that how they were applied could have a significant effect on the final RHNA number. Mr. Kyobe explained after HCD's regional determination, SCAG develops a methodology to allocate the units to the jurisdictions then a draft RHNA allocation is presented, and jurisdictions have the opportunity to appeal their draft allocation. He also shared which primary factors influence the methodology. During his presentation he also shared a summary of the 6th cycle appeals process noting SCAG had received 52 appeals and the most common reasons for appealing RHNA was the lack of vacant land to accommodate housing, the need to preserve community space and also the focus on more jobs instead of housing. Additionally, he reported that out of the 52 appeals received, two had been granted, and this represented approximately 3,000 units. He reported the 6th cycle RHNA allocation had been adopted in March 2021 and as of early August 2023, 108 jurisdictions had adopted compliant housing elements. Moreover, Mr. Kyobe provided members an overview of RHNA Reform and issues that were raised during the 6th RHNA cycle process. He shared SCAG's commitment to review the issues and facilitate conversations with HCD to reform RHNA. Lastly, he detailed SCAG's RHNA Reform engagement process which had initiated in 2022 in an effort to gather input and feedback on RHNA Reform. He shared feedback had been reviewed and draft recommendations had been prepared for public input through June 30, 2023. He detailed how those draft recommendations had been shared through various channels including two public listening sessions, written comments, a survey and presentations at CEHD and Subregional directors meetings. He then turned the presentation over back to Ms. Johnson.

Ms. Johnson's part of the presentation detailed the 14 recommendations that were developed and as a result of stakeholder engagement and CEHD recommendations. She explained how the recommendations started off with public comments during and after the 6th cycle of RHNA, followed by SCAG reviewing and evaluating each comment carefully in order to make the best professional recommendation for each of the topics raised. She shared there were four main themes in the comments received, therefore they were categorized into regional determinations. She shared those determinations were the HCD process to give them a regional RHNA number, the methodology process which was how each COG determined how each jurisdiction got a RHNA allocation, and the appeals process. She also explained there were things that fell under the "other" category as they did not fit neatly into any of these 3 categories detailed above. She stated this was how they came up with the 14 recommendations. She also explained that in an effort to minimize confusion and keep the recommendations organized, they developed and organized the recommendations into the method of action. Ms. Johnson shared that in 2026 they would officially start the process for the 7th RHNA cycle and how some of these recommendations were more suited to be decided at the 7th cycle. She explained they could not make decisions on the methodology that day because they would be making those decisions then. She also stated they recommended that these recommendations be forwarded to HCD when they begin that process later. She then explained that the action that day, was to approve the draft staff recommendations on RHNA Reform as noted in the staff report and authorize the Executive Director to submit the comment letter to HCD. She informed members that a cover letter that was developed that had a lot of the perspectives shared at HCD would also be going as a packet together to HCD. Ms. Johnson then proceeded to go through each of the recommendations. Lastly, after going into detail about the 14 recommendations, Ms. Johnson explained the next steps, stating that if the recommendations were approved that day, they would submit the comment letter with the recommendations to HCD to make sure they met their September 15th deadline. She stated they would then watch for HCD's report on legislative reform and would update the board and other decision makers on an as needed basis.

Regional Councilmembers provided input and had questions on the RHNA process. Some members shared their thoughts about the need to emphasize how the one size fits all formula did not consider existing density, and the fact that some cities were built out and how this created more displacement of existing residents. Members also brought up their thoughts about land availability and due process opportunities. Members asked for clarification as to what the trade and transfer was as well as what the benefits of being in a subregional delegation were. There were also questions on whether there would be conversations around housing element reform. Lastly, members requested that their input and concerns be included in the letter to HCD as they had robust discussions at the Special CEHD Committee in August on RHNA reform.

Staff addressed the comments and questions from the members. In clarifying what trade and transfer was, staff explained that once they received their drafting allocation, they could find

another RHNA jurisdiction, and presumably trade funds or resources. Staff explained the jurisdiction could trade out RNHA units, or receive RHNA units from another jurisdiction, and then they would let SCAG know and as long as it complied with State housing law, SCAG would take that number and include it in the final RHNA. Staff also explained that the concerns members had shared at the Special CEHD meeting had been inadvertently excluded from the letter, but that they would make sure that the concerns expressed by CEHD, and their frustrations were included in that letter.

First Vice President, Curt Hagman provided comments that the process had been frustrating for all the local jurisdictions. He shared that this is what happened when State Legislators were not held accountable. He stated that as a unit, SCAG was powerful and SCAG would make these letter go out but as individuals, members also had relationships with their state legislators, and they needed to go knocking on their doors. He stated it was their duty to build those relationships and express their frustration directly to them. He also commended staff for writing a very good letter, and going through a very good process to make sure that they hopefully had more say in the future allocation of RHNA in the process going forward. First Vice President Hagman then made a motion to move Item one and the Consent Calendar, items 2 through 10 [and Receive and File Items 11 and 12].

The comprehensive staff report was included in the agenda packet and posted on the SCAG website. The meeting video is also available on the SCAG website.

CONSENT CALENDAR

There were no public comments on the Consent Calendar.

Approval Items

2. Approval Minutes of the Regular Meeting – July 6, 2023
3. Contract Amendment Exceeding \$150,000: Contract No. 18-011A-C01, Federal Transportation Improvement Program (FTIP) Online
4. Contracts \$500,000 or Greater: Contract No. 24-018-C01, Microsoft Enterprise License Agreement (ELA)
5. Resolution No. 23-658-1 Regarding the SCAG 2023 Title VI Program
6. REAP 2: RUSH Industry Forum Summary and PATH Guidelines Update
7. Sustainable Agricultural Lands Conservation (SALC) Program Application

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8. AB 833 (Rendon): Freeway Caps
 9. AB 1637 (Irwin): Local Government: Internet Websites and Email Addresses
 10. SCAG Memberships and Sponsorships

Receive and File

11. September 2023 State and Federal Legislative Update
12. CFO Monthly Report

A MOTION was made (Hagman) to approve **Item No. 1:** Approve the draft staff recommendations on RHNA reform as noted in the staff report and authorize the Executive Director to submit a comment letter on behalf of SCAG to the California Department of Housing and Community Development (HCD).; and the **Consent Calendar:** Items 2 through 10; and Receive and File Items 11 and 12. Motion was SECONDED (Solache). The motion passed by the following roll call votes:

AYES: Alexander, Allen, Andrade-Stadler, Boyer, Brown, Bucknum, Clark, Crosswhite, Dumitru, Eich, Gabbard, Gazeley, Goodell, Hagman, Harnik, L. Hernandez, Judge, Kalmick, Kelley, Kelly, Krupa, Lock Dawson, Lopez, Lorimore, Manos, Marquez, McKeon, Meister, Nava, Nava-Froelich, Navarro, Ortiz, Plancarte, Rebollar, Rhodes, Robertson, C. Rodriguez, Sandoval, Saro, Schwank, Shapiro, Simonoff, Solache, Wagner, Wapner, and Wood (48)

NOES: None (0)

ABSTAIN: None (0)

BUSINESS REPORT

Business Representative Lucy Dunn highlighted some items in the Business report. She shared with the Board that there were some interesting issues the business community was struggling with, and they were encapsulated in a quote by the Federal Reserve chairman Jay Powell, who said they were navigating by the stars under cloudy skies. She stated the economic data they were getting was really conflicting at times. She stated she wanted to help cities by bringing attention to some key points. She shared they should look at project postponement in their cities, stating that because credit was so tight right now, if projects were not moving forward, they might be struggling because of the credit situation in the business sector. Ms. Dunn also shared they should watch the taxes and fees they have as they were driving business to really slow down. She stated that in a BizFed pulse

poll, regulations, fees and crime had taken the one in two slots from homelessness. She stated businesses need to expand, to increase revenue in tough times. She also reported the office sector was still flat, affecting restaurants and businesses near offices, especially as people were not returning to work five days a week. Lastly, she thanked the policy Committees and SCAG staff for the report on the draft Connect SoCal. She stated the Glue Council would be getting a preview presentation of this as well on October 2.

PRESIDENT'S REPORT

President Brown gave a shout to Regional Councilmember Drew Boyles of El Segundo, whose Little League team won the Little League World Series last month. Additionally, he provided a report on a variety of items. President Brown gave a program preview of the Demographic Workshop scheduled to take place on September 20. He also discussed the Executive Administration Committee's Work Plan which engages the Regional Council more deeply in setting priorities for SCAG's policy leadership and programs and provides direction to staff to prioritize and plan agenda items across Policy Committees and in coordination with the Regional Council. He also thanked Policy Committee Chairs and Vice Chairs for meeting with SCAG leadership during summer to discuss and focus on his priority areas for consistency across committees. President Brown also discussed the district evaluation and how every five years, SCAG Bylaws require that the boundaries of each District be reviewed based upon city population. He stated a District Evaluation Subcommittee would begin meeting in October and asked members to contact the Board Clerk by September 15 if they wished to be considered for this committee. President Brown also provided a brief recap on regional events that had occurred in the SCAG region. Lastly, he reported that the next Regional Council meeting was scheduled for Thursday, October 5, 2023, at 12:00 p.m.

EXECUTIVE DIRECTOR'S REPORT

Kome Ajise, Executive Director, provided the Board with an update on Connect SoCal. He shared that earlier that day SCAG's joint policy committee previewed the draft Connect SoCal 2024 Plan and recommended it to the Regional Council for approval to release for circulation. He stated staff would be bringing this item to the Regional Council in November. Additionally, he stated the presentation had showcased key policies and strategies that would be included in the draft Plan to address existing and emerging challenges facing the region. He stated that in anticipation of the draft Plan release, they continued to engage key stakeholders and provide standing updates at SCAG's policy and working groups. He stated that following the public review and comment period, including a concurrent review and comment period for the program environmental impact report, they anticipated seeking approval for the adoption of a final Connect SoCal in April 2024. Furthermore, the Executive Director provided the members with a REAP 2 update. He shared that the approval to open the Regional Utilities Supporting Housing (RUSH) Pilot Program Call for Applications represented \$35 million from the Regional Early Action Plan 2.0 Program that would

fund utility infrastructure planning and shovel-ready capital improvements to help meet housing production goals. He stated so far, SCAG issued Calls for Applications for five programs to sub-allocate a significant portion of the REAP 2.0 funds to eligible entities in the region. Moreover, Mr. Ajise shared with members the second meeting of the SoCal Greenprint Technical Advisory Committee took place on August 28 and included discussion of potential draft data standards for identifying, evaluating and selecting data. He stated the work supported the TAC's purpose of ensuring the future SoCal Greenprint tool was aligned with policy objectives identified in the approved Regional Advanced Mitigation Planning policy framework. He stated SCAG would continue to integrate TAC input into recommendations for further development of the Greenprint tool, which would be brought to the Energy and Environment Committee for consideration in November and the full Regional Council in January. Lastly, he shared SCAG had received its redesignation approved by the Department of Energy's Clean Cities Coalition redesignation committee. He stated SCAG Regional Council Second Vice President Cindy Allen, Immediate Past President Jan Harnik and Regional Councilmember Oscar Ortiz attended and shared their support for the program.

FUTURE AGENDA ITEMS

There were no future agenda items.

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

There being no further business, President Brown adjourned the Regional Council meeting at 1:37 p.m.

[MINUTES ARE UNOFFICIAL UNTIL APPROVED BY THE REGIONAL COUNCIL]

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