



Southern California Association of Governments
Remote Participation Only
November 4, 2021

NO. 636
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL
MINUTES OF THE REGULAR MEETING
THURSDAY, OCTOBER 7 2021

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

Members Present

Hon. Clint Lorimore, President	<i>Eastvale</i>	District 4
Hon. Jan Harnik, 1st Vice President		RCTC
Sup. Carmen Ramirez, 2nd Vice President		Ventura County
Hon. Rex Richardson, Imm. Past President	<i>Long Beach</i>	District 29
Supervisor Luis Plancarte		Imperial County
Supervisor Kathryn Barger		Los Angeles County
Supervisor Holly Mitchell		Los Angeles County
Supervisor Don Wagner		Orange County
Supervisor Karen Spiegel		Riverside County
Supervisor Curt Hagman		San Bernardino County
Hon. Maria Nava-Froelich		ICTC
Hon. Tim Shaw		OCTA
Hon. Alan Wapner		SBCTA
Hon. Peggy Huang		TCA
Hon. Mike T. Judge		VCTC
Hon. Cheryl Viegas-Walker	<i>El Centro</i>	District 1
Hon. Kathleen Kelly	<i>Palm Desert</i>	District 2
Hon. Rey Santos	<i>Baumont</i>	District 3
Hon. Zak Schwank	<i>Temecula</i>	District 5



Hon. Larry McCallon	<i>Highland</i>	District 7
<u>Members Present – continued</u>		
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. Randall Putz	<i>Big Bear Lake</i>	District 11
Hon. Fred Minagar	<i>Laguna Niguel</i>	District 12
Hon. Wendy Bucknum	<i>Mission Viejo</i>	District 13
Hon. Michael Carroll	<i>Irvine</i>	District 14
Hon. Diane Dixon	<i>Newport Beach</i>	District 15
Hon. Phil Bacerra	<i>Santa Ana</i>	District 16
Hon. Leticia Clark	<i>Tustin</i>	District 17
Hon. Kim Nguyen	<i>Garden Grove</i>	District 18
Hon. Trevor O’Neil	<i>Anaheim</i>	District 19
Hon. Joe Kalmick	<i>Seal Beach</i>	District 20
Hon. Art Brown	<i>Buena Park</i>	District 21
Hon. Marty Simonoff	<i>Brea</i>	District 22
Hon. Frank Yokoyama	<i>Cerritos</i>	District 23
Hon. Ray Hamada	<i>Bellflower</i>	District 24
Hon. Sean Ashton	<i>Downey</i>	District 25
Hon. José Luis Solache	<i>Lynwood</i>	District 26
Hon. Ali Saleh	<i>Bell</i>	District 27
Hon. Mark E. Henderson	<i>Gardena</i>	District 28
Hon. Cindy Allen	<i>Long Beach</i>	District 30
Hon. Steve De Ruse	<i>La Mirada</i>	District 31
Hon. Jorge Marquez	<i>Covina</i>	District 33
Hon. Adele Andrade-Stadler	<i>Alhambra</i>	District 34
Hon. Margaret E. Finlay	<i>Duarte</i>	District 35
Hon. Steve Tye	<i>Diamond Bar</i>	District 37
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. Alex Fisch	<i>Culver City</i>	District 41
Hon. Juan Carrillo	<i>Palmdale</i>	District 43
Hon. David J. Shapiro	<i>Calabasas</i>	District 44
Hon. Laura Hernandez	<i>Port Hueneme</i>	District 45
Hon. David Pollock	<i>Moorpark</i>	District 46
Hon. Lorrie Brown	<i>Ventura</i>	District 47
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. Paul Koretz	<i>Los Angeles</i>	District 52
Hon. Joe Buscaino	<i>Los Angeles</i>	District 62
Hon. Steve Manos	<i>Lake Elsinore</i>	District 63
Hon. Michael Posey	<i>Huntington Beach</i>	District 64
Hon. Elizabeth Becerra	<i>Victorville</i>	District 65
Hon. Megan Beaman Jacinto	<i>Coachella</i>	District 66
<u>Members Present - continued</u>		
Hon. Marsha McLean	<i>Santa Clarita</i>	District 67
Hon. Patricia Lock Dawson	<i>Riverside</i>	District 68
Mr. Randall Lewis	<i>Business Representative</i>	Ex-Officio Member

Members Not Present

Hon. Ben Benoit		Air District Representative
Hon. Frank Navarro	<i>Colton</i>	District 6
Hon. Steven Ly	<i>Rosemead</i>	District 32
Hon. Jonathan Curtis	<i>La Cañada Flintridge</i>	District 36
Hon. Paula Devine	<i>Glendale</i>	District 42
Hon. Gilbert Cedillo	<i>Los Angeles</i>	District 48
Hon. Nury Martinez	<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. Mark Ridley-Thomas	<i>Los Angeles</i>	District 57
Hon. Mike Bonin	<i>Los Angeles</i>	District 58
Hon. John Lee	<i>Los Angeles</i>	District 59
Hon. Mitch O'Farrell	<i>Los Angeles</i>	District 60
Hon. Kevin de León	<i>Los Angeles</i>	District 61
Hon. Marisela Magana	<i>Perris</i>	District 69
Hon. Eric Garcetti	<i>Los Angeles</i>	Member-at-Large
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, Director of Planning

Carmen Fujimori, Human Resources Director
Javiera Cartagena, Director of Policy and Public Affairs
Julie Shroyer, Chief Information Officer
Michael Houston, Chief Counsel, Director of Legal Services
Jeffery Elder, Deputy Legal Counsel
Ruben Duran, Board Counsel
Margaret Sohagi, Special Counsel
Maggie Aguilar, Clerk of the Board
Cecilia Pulido, Deputy Clerk of the Board

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Lorimore called the meeting to order at 12:31 p.m. and asked First Vice President Jan Harnik, RCTC, to lead the Pledge of Allegiance.

President Lorimore called on Board Counsel Ruben Duran to provide a brief statement regarding AB 361 and the basis for holding teleconference meetings.

Ruben Duran, Board Counsel, read a statement for the record on the basis for holding this meeting pursuant to recent amendments to the Brown Act, noting the current recommended social distancing measures and existing declared state of emergency.

PUBLIC COMMENT PERIOD

President Lorimore opened the Public Comment Period and outlined instructions for public comments. He noted the total time period for all public comments related to items on the agenda and any other matter within the agency's subject matter jurisdiction was ten minutes and the public comment period would be held open for at least 10 minutes to afford the public the ability to comment on all items on this agenda.

He reminded the public to submit comments via email to ePublicComment@scag.ca.gov.

Board Counsel Ruben Duran stated public comments received were received by email before and after the deadline and asked the Clerk to confirm.

The Clerk confirmed that no public comments had been received for Agenda Items 2 through 19. However, she did confirm that 42 public comments had been received for the public hearing [Agenda Item 1] and that four public comments had been received after the deadline and would be posted to the website and transmitted to members.

Regional Councilmember Steve Tye, Diamond Bad, District 37, asked President Lorimore if they were going to spend 10 minutes waiting for people to comment. He also asked why they couldn't move public comment to end since there was no one.

President Lorimore deferred to Board Counsel Duran.

Board Counsel Duran noted that SCAG's Bylaws and his role as presiding officer gave him a fair amount of authority over the ordering of the agenda. He further stated that given that they had held this public comment period open for several minutes already and nobody had joined seeking to speak to anything other than Agenda Item 1, it would be within his [the President's] reasonable discretion to move public comment to the end of the meeting.

Chief Counsel Michael Houston noted that they may want to allow for public comment once they move on from Agenda Item 1.

Regional Councilmember Frank Yokoyama, Cerritos, District 23, commented on the public comment period at the Community, Economic and Human Development Committee meeting and legal counsel provided additional information in response.

President Lorimore asked how much time was left for public comment.

The Clerk confirmed they had a little under five minutes remaining.

Seeing no public comment speakers, President Lorimore moved the remaining five minutes of the public comment period to later in the meeting.

REVIEW AND PRIORITIZE AGENDA ITEMS

There were no requests to prioritize agenda items.

PUBLIC HEARING

President Lorimore opened the Public Hearing on the SoCal Greenprint and he noted that this was a public hearing on the SoCal Greenprint in which the Regional Council would receive comments and consider recommendations by staff on the SoCal Greenprint. He stated that a notice of this hearing and the Regional Council's intent to consider the SoCal Greenprint was posted on September 24th on SCAG's SoCal Greenprint webpage and was distributed. He also reported that a supplemental staff report was transmitted to members to provide refinement and clarification of the recommended action for consideration at the Regional Council meeting. He called on staff to provide an overview of the supplemental staff report.

He provided background and explained the process for the Public Hearing. President Lorimore outlined instructions for public comments.

Executive Director Kome Ajise referenced the agenda packet that was sent to the Regional Councilmembers regarding the recommended actions. He addressed the updates to the Greenprint and noted the engagement with stakeholders before the release of the final tool. He stated that after hearing back from stakeholders, staff updated their recommendation to further engage with policymakers before the release. He noted that staff was recommending that the Regional Council continue the pause and allow staff to develop a white paper by a five-member team to be established by the Board President for advance mitigation. He stated that the original staff report recommended lifting the hold, but the updated recommendation was to continue the hold. He further noted the explicit focus on land use and transportation for cities, counties, and transportation commissions. He stated that staff proposed to remove datasets that were not publicly available and create a prospective tool. He further stated that SCAG would continue to engagement in outreach and return to the Energy and Environment Committee and the Regional Council once the prospective user tool was completed and to provide a report on the white paper. Lastly, he noted that after they receive input from the Energy and Environment Committee and the Regional Council the pause would be removed.

President Lorimore noted the order of presentations at the public hearing as follows: public comments, SCAG staff presentation, questions from the Regional Council to staff, followed by closing the public hearing. He stated that thereafter, the Regional Council would discuss, deliberate and take action on the matter. He also noted that public comments would be limited to two minutes per speaker.

The Clerk confirm that 42 public comments had been received for the public hearing [Agenda Item 1] and that four public comments had been received after the deadline and would be posted to the website and transmitted to members.

PUBLIC HEARING COMMENT PERIOD

Virginia Esperanza Lorne, the Managing Director of the Laguna Ocean Foundation, was supportive of the Greenprint but expressed concerns about equity due to updated staff report language. She expressed how beach and ocean related data layers are helpful and cross jurisdictional borders and urged the completion of the Greenprint.

Melanie Schlotterbeck, spoke on behalf of 48 conservation and community groups who support the Greenprint's immediate implementation. Schlotterbeck expressed concerns about recent changes and lack of transparency by staff. She expressed how the Greenprint must be implemented by

SCAG, that the changes to for the Greenprint to be used by cities, counties, and transportation commissions subvert the intent of Greenprint, and asked to finish it now.

Donna Duperron, representing LA Bizfed and the Torrance Area Chamber of Commerce, thanked staff for the recommendation to continue the pause. Duperron expressed concerns about the data sets, need for additional hearings, and RHNA and requested SCAG Regional Council continue the pause, halt the SoCal Greenprint formulation process and restart it only after first providing clear, transparent and well considered policy direction consistent with the adopted mitigation measures in Connect SoCal.

Bev Perry, representing Hills for Everyone, expressed concerns about the new staff recommendations and spoke about the importance of interconnectedness for conservation. Perry recommended a fall release for the Greenprint.

Chris Wilson, representing LA Bizfed, thanked staff for the recommendation to continue the pause and stated there was no timeline for the Greenprint. Wilson expressed concerns about the data sets, the process, the lack of a white paper, and the unintended consequences on RHNA, housing and transportation. Wilson stated that staff did not respond to comments on April 30, June 29, and August 24 and requested that SCAG Regional Council continue the pause of the SoCal Greenprint process and restart it after providing clear, transparent and well considered policy direction consistent with the adopted mitigation measures in Connect SoCal.

Helen Higgins, representing Friends of Coyote Hills, expressed support for the continued development of the Greenprint and urged SCAG to meet its promise from the Regional Transportation Plan Sustainable Communities Strategy and environmental documents. She stated the SoCal Greenprint was simply another tool in the toolbox that allowed for thoughtful understanding of natural environments across the six-county region.

Leonora Camner, Executive Director of Abundant Housing LA, stated housing could not come at the expense of climate goals and Greenprint helped plan for smart growth. She stated staff should revert to the recommendations in the original staff report and move the SoCal Greenprint towards completion.

Dan Silver, representing Endangered Habitats League Los Angeles, stated the current recommendation delays the Greenprint and that the original staff recommendation was that the program was ready to go. Silver expressed that good government made fact-based decisions, and fact-based decisions required objective and complete information and such information was what this database provided.

Luis Portillo, the Director of Public Policy the Inland Empire Economic Partnership, expressed concerns about Greenprint. He stated that if it was not corrected, Greenprint would undermine local control and either hinder or stop housing and transportation projects. Portillo suggested limiting Greenprint's applicability to lands designated by local governments for agricultural and open spaces. He urged they place adequate restrictions on the applicability of Greenprint or it would become one of the most significant tools to undermine local control.

Elizabeth Reid-Wainscoat, speaking on behalf of the Center for Biological Diversity, stated they saw Greenprint as an essential tool for sustainable land use planning and a critical component of government transparency. She stated the last-minute staff report made unnecessary recommendations that delay what had been an extensive and robust process. She stated the Center urged the Board to adopt the recommendations made in the original staff report and finalize the SoCal Greenprint immediately.

Carlos Rodriguez, Executive Officer of the Building Industry Association, requested that the Regional Council take the appropriate action to temporarily suspend continued work on the SoCal Greenprint and direct staff to:

1. Remove the current datasets from the website.
2. Direct that nothing in Greenprint can be used by any third party in any context that challenges a locally approved residential (remainder of this section is inaudible).
3. Convene a subcommittee to oversee preparation of a white paper for Greenprint for public and Regional Council direction.
4. Prepare a draft Greenprint that follows the approved white paper for public review and adoption by the Regional Council.

He asked they suspend the Greenprint process and restart it only under the Regional Council's direction with clear policy prescriptions related to the Greenprint's goals, purpose content, use, limitations and process for review and approval.

Amy Litton, a board member of the Friends of Harbors, Beaches, and Parks, stated they provided their full support of the SoCal Greenprint. She stated SCAG had been deemed a transparent and inclusive process until 24 hours before the [Regional Council meeting]. She stated that what was being recommended was an upsetting turn of events considering how many stakeholders would be removed from the project's engagement list. She stated they urged SCAG leaders to help meet the region's many diverse needs, housing, transportation, and conservation.

Michael Lewis, representing the Construction Industry and Air Quality Coalition, expressed concerns about the implementation of the Greenprint and its ultimate use. He stated that adding layers of limitations would not help them meet their housing, employment, transportation, or open space

goals. He stated he hoped they would pause this effort, step back and craft some objectives that will help the region meet all its goals not just the objectives from the group of advocacy organizations.

Natalie Delgado, Community Resilience Fellow at Climate Resolve, expressed support for the Greenprint as it would be a huge asset in building sustainable cities and healthier communities in the SCAG region. Delgado stated that the last-minute staff report made unnecessary recommendations that prolong the process and required additional resources. She stated they should revert to the recommendation made in the original staff report and move the SoCal Greenprint toward completion. Lastly, she expressed concerns that the section that would be most affected by the updated language in the proposed equity section of the Greenprint.

Chris Chavez, Deputy Policy Director for the Coalition for Clean Air, stated they were in support of the SoCal Greenprint but stated they were upset by the updated staff report coming with little to no transparency. Chavez stated that the Greenprint does not create new policy or rules, rather it provided the information needed to make smarter and more equitable decisions and improved the sustainability of the environment and planning process. Mr. Chavez urged to move the SoCal Greenprint forward and make this resource available for all who were responsible for building a vibrant, healthier future for their region.

Brad Jenkins, the President of the Orange County Native Plant Society, expressed support for the completion of the SoCal Greenprint. Mr. Jenkins questioned why special interest groups got to jump in late to change the public process. He stated at this point they should be moving forward, while continuing an always ongoing process to refine and improve data sources.

Paolo Perrone, representing Trust for Public Land, stated that his organization was providing data to the Greenprint. He pointed out that the Greenprint was a collection of publicly available data. He stated he found it odd that after many years of vetting this data, that a stakeholder that had decided not to participate was jumping in at the end and stopping the process. He stated they would like to see a great effort to house data in a user-friendly way and proceed as planned.

Robin Smith, Director of the Conejo Ridge California Native Garden, expressed support for the SoCal Greenprint. She stated that planners looked at the geography they were in and not the entire picture. She stated that the regional context of this tool would provide immeasurable value to those working in geographies that spanned multiple jurisdictions. She stated SCAG needed to make good-faith progress on implementing the mitigation measures which lead to advanced mitigation programs that benefitted their communities.

Lou Monville, representing the Riverside Chapter of the Building Industry Association, expressed concerns about the datasets. Monville stated that the efforts in Greenprint were being done in a

vacuum and could undercut some of those efforts as well as all of the efforts of communities of Riverside, where he lived. He stated they thought a pause was the reasonable approach forward to make sure all stakeholders and interest groups have their voices heard.

Jennifer Hernandez expressed concerns about datasets and broken link issues. Hernandez noted that the displacement data layer by University of California Berkely states that the data was not vetted.

Sam Young, the Important Plant Areas Program Manager for the California Native Plants Society, stated regional planning needs required regional collaboration and information sharing. He stated the Greenprint was a tool that centralized and made information more accessible to the public. He asked SCAG to complete and implement the Southern California Greenprint to help Southern California make smarter decisions about how to incorporate nature into the future of the region as the region prepared for economic recovery following the pandemic and cities across Southern California prepared to accommodate new housing and economic growth.

John Russo stated that if the Greenprint were to go forward as it was, it would impact the construction of housing. He stated that the Greenprint focused on the datasets, which were not objective by and large, which were not peer reviewed and not necessarily factual.

Jon Switalski, the Executive Director of Rebuild SoCal Partnership, stated that going forward, the questions remained, specifically what the policy rationale behind the intention of use of this large amount of data was. He stated they remained critically concerned that this dataset, regardless of any disclaimer, would be used as additional ammunition to stop housing and transportation projects. Switalski asked they continue the pause and halt work on Greenprint and restart it only when they had a full understanding of the potential negative ramifications.

Esthela Pacheco, Senior Public Policy Manager of the Los Angeles Chamber of Commerce, stated they were falling drastically short their RHNA numbers and that the Chamber was working with leadership in Sacramento to allow for more housing production and that this was counter to their objectives.

Richard Lambros, representing the Southern California Leadership Council, expressed that the issue they had with Greenprint was about doing it right. He stated that by doing it wrong, it could become an impediment against housing infrastructure and transportation, which were all priorities for that body as a planning agency. Lambros urged the continuation of the pause.

Jennifer Ward, representing the Orange Council Business Council, echoed the concerns expressed by others regarding the flaws with the Greenprint in its current form and also expressed support for

a continued pause. She stated they asked the Regional Council give time to first provide a clear vision to guide decisions consistent with the adopted mitigation measures in Connect SoCal.

Adam Wood, representing the Building Industry Association (BIA) of Southern California and also the Building Industry Legal Defense Foundation (BILD), stated BIA was concerned about the Greenprint and the impact it would have on local governments ability to create housing opportunity across the region. Wood also stated that on September 28, 2021, the BIA submitted an official letter stating that based on the flawed product and process of the Southern California Greentprint, home building industry was officially suspending all ties with SCAG until real reforms could be enacted.

Jeff Montejano stated he agreed with the conservation stakeholders about the recent developments, which they had no part in and no input with the staff report. He stated they did not think that more pauses and subcommittees would solve the problem. He stated the problem was the current structure of Greenprint as it did not work and had to be changed or redone. He stated they wanted Greenprint to work. Lastly, he asked that they restart Greenprint, not start it over and get a better scope and process.

John Musella, representing the Santa Clarita Valley Chamber of Commerce, stated that while they did not oppose the Greenprint, they encouraged them to provide staff clear policy direction that was consistent with the adopted mitigation measures in the Connect SoCal that would not create additional obstacles to meeting the RHNA numbers. He stated they supported staff's recommendation to continue the pause. He also expressed further concerns about datapoints in Greenprint.

Jason Douglas, Senior Planning Deputy for Los Angeles City Council District 11, representing Los Angeles Councilmember Mike Bonin stated the Councilmember wished to express support for the implementation of the SoCal Greenprint. Douglas stated the Regional Councilmember requested that the Regional Council support staff's initial recommendation, to continue the implementation of the Greenprint so they could get to the good work of building a sustainable future for their constituents.

Jose Cornejo, representing Napo SoCal, expressed concerns about the data and lack of clarity in the data and its ability to be used properly. He commended staff's recommendation to take a pause and stated he would like the recommendation to say they would start over and take a better look at all of this.

Will Wright, representing American Institute of Architects, Los Angeles Chapter, expressed support for the Greenprint. He stated he looked forward to SCAGs smart decision to empower the SoCal Greenprint with the resources needed.

Francis Appiah, Senior Environmental Planner and Mitigation Specialist for Caltrans, expressed support for the Greenprint and stated that it will help Caltrans in planning future projects. Appiah stated that the Greenprint will help Caltrans make informed decisions.

Dr. Grace Peng, calling on behalf of the League of Women Voters, stated it was imperative that the SoCal Greenprint be made available now while cities were developing their housing elements. Peng stated the datasets were already publicly available and could include revision numbers.

Tom Molland supported the staff recommendation and a participatory government. Molland recommended that the Greenprint include the data sources, a table of stakeholders, and continue the pause.

Robert Apodaca, the Executive Director for United Latinos Votes, appreciated the pause and stated that the Greenprint would lead to redlining.

STAFF PRESENTATION

Mr. Jason Greenspan, Sustainable and Resilient Development Manager provided a report on the Greenprint and described it a tool to make better land use and transportation infrastructure decisions and support conservation investments based on best available data. He explained that it was a mapping tool that would support housing, transportation, and land use goals. He referred to the July 1, 2021 Regional Council direction to pause on the Greenprint for thirty days and hold a public hearing. He stated that staff posted the data list, published a survey, and repaired links to datasets. He added that SCAG held a public hearing on August 24th, presented at the Technical Working Group and GLUE Council meetings, and held one-on-one stakeholder meetings. He noted six goals they built with project advisors as follows: 1) implement connect SoCal, 2) balance growth with conservation, 3) accommodate infrastructure while protecting natural resources, 4) address the lack of regional data and tool, 5) better prioritize lands for mitigation investments, and 6) be a resource for member agencies and stakeholders. He added that once developed, the SoCal Greenprint will aggregate existing data into an interactive online format, helping decision makers plan for development with nature in mind, highlight conservation efforts that provide multiple benefits for nature and people, and function as a free open resource for conservation information. He identified key users of the Greenprint as infrastructure agencies, conservation practitioners, community-based organizations, developers, and planners. He stated that the Greeprint is a part of a comprehensive effort to balance housing and conservation, transportation, and to provide information to grow in a sustainable way. He stated that the Greenprint would advance Connect SoCal's goal to promote conservation of natural and agricultural lands and restoration of habitats and added that it is meant to balance housing and natural lands.

Mr. Greenspan also noted that deploying the Greenprint would fulfill required mitigation measures in the PEIR and geographically restricting it would limit its utility for advanced mitigation. He

explained that the mitigation measures only apply to SCAG and lead agencies are not required to use measures identified in PEIR. He emphasized that the Greenprint would be a data tool to advance voluntary conservation for stakeholders and an information tool to support data driven decision making for infrastructure investments. He noted that the Greenprint was not a regulation, policy document, report, plan or manual or an effort to subvert private property rights. He provided information on the outreach which included a steering committee, eight rapid assessments led by the Nature Conservancy, and meetings with the Building Industry. He also noted that there were over 30 public speakers at the August 24 public hearing and had received numerous letters which generally expressed support for the project. He also reported that staff sent out a survey to over 4,000 people and posted it online, receiving 33 responses. He referenced the survey results and stated they were available in the agenda packet and Attachment A regarding frequently asked questions. He indicated that no agency was required to use Greenprint and that it was optional. He stated that users would be able to adjust data sets and that more than 80% were developed by governmental institutions, 10% were supported by governmental agencies and 10% by nonprofits and universities. He noted that SCAG could work with partners to help prioritize areas for advanced mitigation. Mr. Greenspan then introduced Margaret Sohagi from Sohagi Law Group, a lawyer advising SCAG on the Greenprint, who provided a brief legal opinion.

Ms. Sohagi stated that the Greenprint alone would not require subsequent or recirculation of CEQA documents because CEQA contains requirements for what triggers additional review. She explained that the Greenprint would not trigger additional CEQA review as the data was already publicly available and was already known, and therefore, the Greenprint does not qualify as significant new information. She concluded by stating that nothing about the Greenprint modifies CEQA protocols and that agencies will proceed with their own standard practice of reviewing the evidence that is submitted within the agency's established timeframe and respond as appropriate. Additionally, she stated that while nothing can prevent project proponents from filing a CEQA lawsuit, the Greenprint by itself does not increase their chances of succeeding in court.

Mr. Greenspan stated that data selected for potential inclusion must be publicly available, vetted by science advisors, and must support decision making from the key user groups. He noted that 50 datasets were removed before posting the dataset list online and that SCAG was continuing to assess the proposed data sets. He noted that SCAG decided to remove the Antelope Valley Regional Conservation Investment Strategy cores and linkages datasets from consideration as it had not yet received approval by the California Department of Fish and Wildlife. Lastly, he proceeded to list the updated staff recommendation as follows: 1) develop a white paper and work with a five member advisory task group comprised of RC members appointed by the President to establish a policy framework for advanced mitigation in the region, 2) develop the Greenprint with explicit focus on helping cities, counties and transportation agencies with their decision making about land use and transportation infrastructure, 3) include features in the Greenprint to convey limitations and foster proper use of the tool, 4) conduct open advisory meeting for further review and revision of data

layers to meet the needs of cities, counties, and transportation agencies, 5) remove datasets for inclusion in the tool if they're not publicly available, 6) complete prospective user testing with cities, counties, and transportation agencies to ensure the tool is working and functional, 7) engage in continued public outreach, and 8) return to the Regional Council and Energy and Environment Committee once perspective user testing is complete to demonstrate the tool, provide a report on the white paper and a proposed policy framework, seek feedback prior to public launch and to remove the pause.

REGIONAL COUNCIL QUESTIONS TO STAFF

Regional Councilmember Paul Koretz, Los Angeles, District 52, asked staff if the data was new data or existing. Mr. Greenspan confirmed that it was existing data. Regional Councilmember Koretz asked why datasets were being removed even if they were not available to the public. Mr. Greenspan replied that one dataset had not received approval by a state agency and that SCAG was evaluating datasets and would lean on their advisors through this open process to ensure that it met their criteria. Regional Councilmember Koretz asked if SCAG had ever required a vote for the creation of a tool. Executive Director Ajise stated that they have never had to take a vote on a tool and indicated that tools were created as actions responding to policies that are in place. He also clarified that there was an action by the Regional Council to pause work on implementation of the tool and therefore were seeking clarification on what the pause meant and what they could do. Regional Councilmember Koretz asked how the Greenprint would save money for cities, counties and transportation authorities and staff time. Executive Director Ajise stated these tools were intended to save time and serves as an aid for decision making. Regional Councilmember Koretz stated that it seemed like a good tool and would hopefully allow development to be more socially, economically, and environmentally sustainable. He questioned the need for a pause.

Regional Councilmember Alex Fisch, Culver City, District 41, expressed confusion by the staff recommendation and asked about the impact to the equity section and the data layers. Executive Director Ajise stated the equity element would not be impacted. Mr. Greenspan stated they would rely on advice from advisors. He indicated that the user acceptance testing now had some additional and new language included to be specific about cities, counties, and transportation agencies to be part of that process.

Regional Councilmember Mark Henderson, Gardena, District 28, asked about the frequency of data refresh and inquired about the proprietary nature of some of the data that is included. Ms. Kimberly Clark, Program Manager, stated that the data layers would need to be refreshed and will be updated every two years. With regard to the user testing and advisory committee, Regional Councilmember Henderson asked about the timeline. Mr. Greenspan stated that it would be later this fall but would need to re-engage with the technical team to fully understand what the opportunities are to engage with that user acceptance testing given the pause that has been

prolonged. Ms. Clark added that it might require additional time and that user testing may be in 2022.

Regional Councilmember Alan Wapner, SBCTA, reference Executive Director Ajise's comment about the tool aiding local agencies and asked about how many agencies requested this aid. Executive Director Ajise stated that the requirement for the tool was requested by the Regional Council. Regional Councilmember Wapner stated that no agency had specifically requested the tool. Executive Director Ajise stated that the Regional Council decided that they needed to produce it [the Greenprint] and they [Regional Councilmembers] represented the local agencies, so for them it was an indication of the need for it. Additionally, he stated it was a requirement of an adopted Regional Council policy.

Regional Councilmember Karen Spiegel, Riverside County, commented that this was the first time that there was a division with BIA and SCAG and expressed concerns about housing and Regional Housing Needs Assessment (RHNA). She stated that she hoped this was a learning experience that they did not do their due diligence and did not spend time with their partners. She asked if there were any legal opinions as to whether the datasets would or would not affect local government. Chief Counsel Houston stated that as reflected in Ms. Sohagi's opinion, their position was because this was existing information, not from a CEQA standpoint, that it would not impact the process by which local agencies may review or utilize it. He also stated that the process for data vetting was still ongoing. Mr. Greenspan concurred. Ms. Clark stated that the Greenprint included dataset layers from local agencies such as land usage from 2016. Regional Councilmember Spiegel stated that this would not include their new housing elements. Ms. Clark stated that the local agencies are still reviewing their housing elements and zoning and SCAG was starting their review and would update the tool.

Regional Councilmember, Fred Minagar, Laguna Nigel, District 12, wanted to ensure that coastal cities needs are met and wanted to ensure that the advisory group included representation from them. Executive Director Ajise stated that the meetings will be open. Mr. Greenspan stated that in the advisory committee, every agency would be able to engage.

Regional Councilmember, Bob Blumenfield, Los Angeles, District 50, asked if there was a timeline for when the Greenprint moves forward. Executive Director Ajise stated that the pause would allow work to continue and would only apply to implementation of tool. He stated that once tool was completed, SCAG would then return to ask for removal of pause and added that SCAG wanted the Regional Council involvement to lift the pause.

Regional Councilmember Peggy Huang, TCA, stated that 118, 121, 122 datasets were not scientific. She asked how citizen science datasets could be included. Mr. Greenspan stated that SCAG will rely on advisors. Ms. Clark stated that citizen science layers come from observations provided further

description of the value of such layers. She added that these datasets are vetted by SCAG's scientific advisors.

Second Vice President Carmen Ramirez, Ventura County, asked for clarification that the building industry was engaged. Mr. Greenspan confirmed that SCAG engaged with the Building Industry Association various representatives from the beginning of the project.

Regional Councilmember Curt Hagman, San Bernardino County, expressed concern about the criteria for the datasets. Executive Director Ajise stated that the datasets are existing, and that SCAG is verifying the datasets meet the criteria.

First Vice President Jan Harnik, RCTC, asked if SCAG had received a list of datasets from stakeholders that should be excluded. Mr. Greenspan replied that SCAG had not received anything in writing. First Vice President Harnik asked if any actions were taken in response to the feedback. Mr. Greenspan affirmed that the Antelope Valley Regional Conservation investment strategy dataset was removed. First Vice President Harnik stated she thought it would be helpful for those stakeholders who questioned the data sources, if they had information that would help them in this process, to put it in writing and provide that to the staff so that they can do the best job possible.

Seeing no further public comments, President Lorimore closed the Public Hearing.

ACTION ITEM

1. SoCal Greenprint

A MOTION was made (Becerra) to approve staff's recommendation to continue the pause on the Greenprint, make all the changes that were put forward by Mr. Greenspan, and that it be brought back to the Regional Council with the changes made and everything staff was recommending. Motion was SECONDED (Tye). Staff's recommendation is outlined below:

"That the Regional Council continue the pause on Greenprint implementation as directed on July 1, 2021, with additional direction that staff: 1) Develop a white paper and work with a 5-member advisory task group of the Regional Council (appointed by the President and which will automatically disband upon reporting its findings to the Regional Council as provided in Item 8 below) on establishing a policy framework for advanced mitigation in the SCAG region to ensure the Greenprint is aligned with policy objectives; 2) Develop the SoCal Greenprint as identified in Connect SoCal and its associated Program Environmental Impact Report (PEIR) with explicit focus on helping cities, counties and transportation agencies make better land-use and transportation infrastructure decisions and conserve natural and farm lands; 3) Include features in the SoCal Greenprint to convey limitations and foster its proper use, such as a disclosure statement and

mandatory user acknowledgement feature; 4) Conduct an open advisory meeting for further review and revision of data layers to meet the needs of cities, counties and transportation agencies; 5) Remove datasets for inclusion in the tool if they are not publicly available (i.e. layers are accessible for download online, or are downloadable via request and/or license to the author or custodian of the data); 6) Complete prospective user testing with at least ten stakeholders representing cities, counties and transportation agencies to ensure that the tool is working and functional as developed with targeted audiences; 7) Engage in continued public outreach as described at the July 1, 2021 RC meeting; and 8) Return to the Regional Council and Energy & Environment Committee once prospective user testing is complete to demonstrate the tool, provide a report on the white paper and a proposed policy framework, seek feedback prior to public launch and to remove the pause.”

The Regional Council engaged in further discussion.

Regional Councilmember Cheryl Viegas-Walker, El Centro, District 1, recommended using the word “refinement” instead of “pause.” She spoke about the need to keep the process moving for jurisdictions who rely on these data sets and planning decisions. She stated that the Greenprint would be a tool for them to use as they move forward with a regional integrated land use plan.

Regional Councilmember Trevor O’Neil, District 19, expressed concerns about the Greenprint proceedings, especially about datasets. He stated that some jurisdictions are starting to see Greenprint as overreach of SCAG’s regional planning responsibilities. He expressed appreciation for SCAG’s refined recommendation and agreed with several components of it, but thought it fell short of addressing the concerns they had expressed with the datasets and policy direction from the Regional Council. He recommended that SCAG suspend work until policy direction is determined. He stated that there was no deadline for the Greenprint and proposed a substitute motion.

A SUBSTITUTE MOTION was made (O’Neil) that the Regional Council 1) Suspend continued work on the SoCal Greenprint and remove the datasets from the SCAG website, and direct that nothing in Greenprint in its current form can be used by any third party in any context to challenge a locally approved plan or project, or any project included in the regional transportation plan; 2) Convene a subcommittee to establish policy prescriptions related to Greenprint’s goals, purpose, content, data set selection, use, limitations, and the process for public notice, review, and comment, to be approved by the Regional Council; 3) Prepare a white paper consistent with existing mitigation measures that also incorporates the approved policy prescriptions and process, subject to approval by the Regional Council before publication; and 4) Prepare a draft Greenprint consistent with the policy and process outlined by the white paper, and require that the draft Greenprint be approved by the Regional Council before it is made available for use. Motion was SECONDED (Posey).

The Regional Council engaged in further discussion.

Regional Councilmember Mike Posey, Huntington Beach, District 64, stated that this would impact the next RHNA cycle. He further stated that as they convene this five-member committee to explore the policy of how they move forward with Greenprint, the first charge was to look at how they go about protecting private property rights and natural resources.

Second Vice President Ramirez stated that those who participated over the last 18 months were feeling ignored after all the consultation. She noted that two pro-housing organizations YIMBY and Abundant Housing supported the Greenprint and that housing and conservation are not exclusive.

Regional Councilmember Huang thanked staff and participants but expressed support of Regional Councilmember O'Neil's substitute motion. She stated that there would not be this much division if there was enough outreach and expressed concerns about the citizen datasets labeled as Wikipedia and noted that there was no deadline. She expressed concerns about future RNHA cycles.

Regional Councilmember Fisch stated that he couldn't help but notice that there were requests made which were being considered by staff, to which the people who had participated in this process for 18 months we're not a party to. He indicated that transparency had fallen. He stated they were at a point as a region where they needed to make harder decisions and needed the information to do that. He further stated that he supported refining it [the Greenprint] but did not support any further delay. He proposed a substitute motion.

A MOTION was made (Fisch) that the Regional Counsel approve staff's initial recommendation, lift the pause and do the work. Motion was SECONDED (Andrade Stadler).

Chief Counsel Houston clarified that the first motion was from Regional Councilmember Becerra and was seconded by Regional Councilmember Tye, which was to move approval of the recommended action contained in the supplemental staff report that was filed and presented by staff. He further clarified that Regional Councilmember Fisch was moving the initial staff recommendation that appeared [in the published agenda packet] and it had also been seconded. He noted that these, along with Regional Councilmember O'Neil's substitute motion, brought them to three motions on the floor.

Regional Councilmember Wapner stated that best practices indicated they could only have two motions on the floor at any one time.

Board Counsel Ruben Duran stated that SCAG policies and procedures allow for three basic motions to be on the floor at once. He stated they had an original motion and two substitute motions. He further stated that the substitute motions should be restated so that the Regional Council is clear on what they are. He also noted that the rules provided that the last basic motion on the floor, should be discussed and voted on first, and that was the third main motion [second substitute motion by Regional Councilmember Fisch].

Chief Counsel Houston proceeded to note the details of the second substitute motion as described in the staff report for Agenda Item one in the October 7 agenda packet as follows:

To remove the pause on Greenprint implementation as directed on July 1, 2021, and direct staff to:

- 1) Proceed with developing the SoCal Greenprint as identified in Connect SoCal and its associated Program Environmental Impact Report (PEIR);
- 2) Include features in the SoCal Greenprint to convey limitations and foster its proper use, such as a disclosure statement and mandatory user acknowledgement feature;
- 3) Conduct an open advisory meeting for further review and revision of data layers;
- 4) Remove datasets for inclusion in the tool if they are not publicly available (i.e. layers are accessible for download online, or are downloadable via request and/or license to the author or custodian of the data);
- 5) Complete prospective user testing with at least ten stakeholders representing the diverse array of potential users to ensure that the tool is working and functional as developed with targeted audiences;
- 6) Engage in continued public outreach as described at the July 1, 2021 RC meeting; and
- 7) Return to the Regional Council and Energy & Environment Committee once prospective user testing is complete to demonstrate the tool and seek feedback prior to public launch.

Regional Councilmember Wendy Bucknum, Mission Viejo, District 13, stated that it was extremely important what their building partners had to say and that many city planners had issues with this. She noted she could not support the last motion.

Regional Councilmember Donald Wagner, Orange County, noted that this was a great policy debate and stated the Regional Council needed to have a consensus on this. He expressed support for O'Neil's motion.

Regional Councilmember Patricia Lock Dawson, Riverside, District 68, expressed support for O'Neil's motion and stated the division was troubling to her.

First Vice President Harnik stated that the Regional Council was discussing how to move forward and that suspending it does not allow it to progress. She noted that she wanted to hear back from those who did not like the data sources and encouraged them to tell [staff] what they were.

Regional Councilmember Koretz asked for clarification about the substitute motion. Regional Councilmember Fisch clarified that the Regional Council should move forward with staff's initial recommendation. Regional Councilmember Koretz also asked Regional Councilmember O'Neil to clarify his motion. Regional Councilmember O'Neil stated that the Greenprint had progressed without input or oversight from Regional Council.

Regional Councilmember Michael Carroll, Irvine, District 14, stated that the city of Irvine had reviewed the proposed data layer list. He noted that they outlined a really good number of proposed layers that really weren't based on documented scientific data and layers that weren't vetted by staff. He stated that the only groups actively involved in the outreach were the conservation groups and that city staff would not use the Greenprint.

Regional Councilmember Wapner stated that there was no policy discussion [on the Greenprint] at the time it was approved by the Regional Council. He expressed concerns about the potential for litigation and proposed stopping the Greenprint until it comes forward to the Regional Council as a policy discussion. He also stated that he opposed the second substitute motion and could support Regional Councilmember O'Neil's substitute motion if he amends it.

Regional Councilmember Tye asked for clarification on the motions that were before them.

Regional Councilmember Fisch stated that in the interest of having a resolution and seeing where the consensus clearly was, he was withdrawing his motion so they could vote on Regional Councilmember O'Neil's motion.

Regional Councilmember Becerra stated she would like to rescind her original motion and would like to vote on Regional Councilmember O'Neil's motion.

President Lorimore clarified they now had the original motion and the substitute motion by Regional Councilmembers O'Neil and Posey.

Immediate Past President Rex Richardson, Long Beach, District 29, expressed support for staff's amended recommendation and stated that the Greenprint was not yet built and would not be implemented until it comes back for another vote.

Regional Councilmember Wapner urged Regional Councilmember O'Neil to amend his motion to put a hard stop and start over again on the Greenprint, and then move forward if that's where the Regional Council decides to go.

Regional Councilmembers O'Neil clarified that the first components of his motion were to suspend continued work on Greenprint, to remove the datasets from the website, and direct that nothing in the Greenprint, in its current form, can be used by any third party in any context to challenge any projects. He further clarified that the second and third components were essentially seeking more guidance from the Regional Council. He asked Regional Councilmember Wapner if this encompassed what he was looking for.

Regional Councilmember Wapner indicated that this was not what he was asking for and stated that he would prefer for it to come back to have a discussion among the Regional Council, and then if they chose to move forward based on the steps that he had outlined, then that was great. He noted that he thought it should come back to Regional Council first to see if there was even an interest in pursuing this whole program.

Regional Councilmembers O'Neil proposed the following subject to Regional Councilmember Wapner's approval, that there be two parts to the motion: 1) first to suspend the continued work and remove the datasets from the website, and 2) return the item to the Regional Council for further direction on moving forward. He further stated that he would accept those as friendly amendments and eliminating the rest of the language [in his substitute motion].

Regional Councilmember Deborah Robertson asked for a point of order and called for a question.

Regional Councilmember Wapner sought clarification on the intent of Regional Councilmember O'Neil's substitute motion with respect to suspending the Greenprint and bringing it back to the Regional Council.

Regional Councilmember O'Neil clarified that it would be the Regional Council that has the sole discretion as to how to proceed, if to proceed at all. Regional Councilmember Wapner stated he supported this.

Regional Councilmember O'Neil accepted the friendly amendment as did Regional Councilmember Posey who seconded.

Chief Counsel Houston stated that staff understood the substitute motion and clarified that the datasets were part of the staff report for both meetings that were publicly available and had already been distributed pursuant to a Public Records Act request. So regardless of whether they were removed from the website or not, the data sets would still exist in documents they cannot take down from the website, including their agenda packets.

There being no further discussion, the Regional Council acted on the SUBSTITUTE MOTION made by O'Neil and SECONDED by Posey, as modified by friendly amendment, that the Regional Council 1) Suspend continued work on the SoCal Greenprint and remove the datasets from the SCAG website, and 2) Return the SoCal Greenprint to the Regional Council for direction on further action. The motion failed by the following roll call votes:

AYES: BACERRA, BECERRA, BOYLES, BUCKNUM, CARROLL, CLARK, DIXON, GAZELEY, HAGMAN, HUANG, JUDGE, MANOS, MCLEAN, MICHAEL, MINAGAR, O'NEIL, POSEY, SHAW, SPIEGEL, WAGNER, WAPNER and YOKOYAMA (22)

NOES: ALLEN, ANDRADE-STADLER, ASHTON, BEAMAN JACINTO, BLUMENFIELD, A. BROWN, L. BROWN, DE RUSE, FINLAY, FISCH, HAMADA, HARNIK, HENDERSON, HERNANDEZ, KALMICK, KELLY, KORETZ, KREKORIAN, LOCK DAWSON, LORIMORE, J. MARQUEZ, R. MARQUEZ, MITCHELL, NAVA-FROELICH, PLANCARTE, POLLOCK, PUTZ, RAMAN, RAMIREZ, RICHARDSON, ROBERTSON, SALEH, SANDOVAL, SANTOS, SCHWANK, SIMONOFF, TYE, and VIEGAS-WALKER (38)

ABSTAIN: NONE (0)

Following failure of the substitute motion above, and there being no further discussion, the Regional Council acted on the previous MOTION made by Becerra, and seconded by Tye, to approve staff's amended recommendation (as reflected in the supplemental staff report) that the Regional Council continue the pause on Greenprint implementation as directed on July 1, 2021, with additional direction that staff: 1) Develop a white paper and work with a 5-member advisory task group of the Regional Council (appointed by the President and which will automatically disband upon reporting its findings to the Regional Council as provided in Item 8 below) on establishing a policy framework for advanced mitigation in the SCAG region to ensure the Greenprint is aligned with policy objectives; 2) Develop the SoCal Greenprint as identified in Connect SoCal and its associated Program Environmental Impact Report (PEIR) with explicit focus on helping cities, counties and transportation agencies make better land-use and transportation infrastructure decisions and conserve natural and farm lands; 3) Include features in the SoCal Greenprint to convey limitations and foster its proper use, such as a disclosure statement and mandatory user acknowledgement feature; 4) Conduct an open advisory meeting for further review and revision of data layers to meet the needs of cities, counties and transportation agencies; 5) Remove datasets for inclusion in the tool if they are not publicly available (i.e. layers are accessible for download online, or are downloadable via request and/or license to the author or custodian of the data); 6) Complete prospective user testing with at least ten stakeholders representing cities, counties and transportation agencies to ensure that the tool is working and functional as developed with targeted audiences; 7) Engage in continued public outreach as described at the July 1, 2021 RC meeting; and 8) Return to the Regional Council and Energy & Environment Committee once prospective user testing is complete to demonstrate the tool, provide a report on the white paper and a proposed policy framework, seek feedback prior to public launch and to remove the pause. The motion passed by the following roll call votes:

AYES: ALLEN, ANDRADE-STADLER, ASHTON, BEAMAN JACINTO, BECERRA, BLUMENFIELD, A. BROWN, L. BROWN, BUCKNUM, CLARK, DE RUSE, FINLAY, FISCH, HAMADA, HARNIK, HENDERSON, HERNANDEZ, HUANG, JUDGE, KALMICK, KELLY, KORETZ, KREKORIAN, LORIMORE, J. MARQUEZ, MCLEAN, MITCHELL, NAVA-FROELICH, PLANCARTE, POLLOCK, PUTZ, RAMAN, RAMIREZ, RICHARDSON, ROBERTSON, SALEH,

SANDOVAL, SANTOS, SCHWANK, SIMONOFF, SOLACHE*, VIEGAS-WALKER and YOKOYAMA (43)

NOES: BACERRA, BOYLES, CARROLL, DIXON, GAZELEY, MANOS, MICHAEL, MINAGAR, O'NEIL, POSEY, SHAW, SPIEGEL, TYE, WAGNER, WAPNER (15)

ABSTAIN: NONE (0)

*Regional Councilmember Jose Luis Solache, Lynwood, District 26, voted yes after vote was announced.

2. Subregional Sustainable Communities Strategies Framework and Guidelines

Executive Director Ajise reported this item was being brought back on account as a result of SB 375 which contains a provision that is unique to the SCAG region, that allows for a subregional council of governments to prepare a subregional Sustainable Communities Strategies (SCS). He stated they had outlined the process, which is documented in the framework and guidelines. He noted that any subregional SCS would then be incorporated into the regional SCS as part of the 2024 Connect SoCal that we submit to the California Air Resources Board after plan adoption.

Regional Council O'Neil stated he had a new item that he wanted to make sure to address before adjourning the meeting. He indicated that it was related to what was reported to them at the last meeting, in which the Executive Administration Committee had met in closed session and took a vote on legal action to request the demurrer on the OCCOG v. HCD lawsuit. He noted that in reviewing the Regional Council Policy Manual and Bylaws, these items are required to go before the Executive Administration Committee, and the Regional Council for action, and this did not occur. He stated there was a provision that the Regional Council can delegate that approval to the Executive Administration Committee, but he was not certain that that had ever occurred and requested that legal counsel look into the matter to determine whether a request for the demurrer to be brought before the Regional Council at the next meeting for proper authority unless that authority was previously given, and if it was previously given, if counsel could cite that.

Chief Counsel Houston responded and stated that the SCAG Regional Council Policy Manual requires that all items that involve lawsuits or threats of litigation against SCAG be reported to the Executive Administration Committee and the Regional Council, as soon as practicable and before any significant legal response is undertaken. He stated that this did occur for both the Executive Administration Committee and for the Regional Council. In addition, he noted they went to the Executive Administration Committee for input and recommended approval on how to proceed. He further noted that Regional Council Policy Manual does not specifically require one body or the

other to necessarily direct how SCAG undertakes a response to litigation. He indicated that he would look into this further and provide an update at the next meeting.

A MOTION was made (Harnik) to adopt the proposed Subregional Sustainable Communities Strategy Framework and Guidelines for use in the development of the 2024 RTP/SCS. Motion was SECONDED (Ashton). The motion passed by the following roll call votes:

AYES: ALLEN, ANDRADE-STADLER, ASHTON, BEAMAN JACINTO, BECERRA, L. BROWN, BUCKNUM, CARRILLO, CARROLL, CLARK, DE RUSE, DIXON, FISCH, HAMADA, HARNIK, HENDERSON, HERNANDEZ, KALMICK, KELLY, KREKORIAN, LOCK DAWSON, LORIMORE, MANOS, J. MARQUEZ, MCLEAN, MINAGAR, MITCHELL, NAVA-FROELICH, O'NEIL, PLANCARTE, POLLOCK, PUTZ, RAMIREZ, SALEH, SANDOVAL, SANTOS, SCHWANK, SHAW, SIMONOFF, SOLACHE, TYE, VIEGAS-WALKER, WAGNER, and WAPNER (44)

NOES: NONE (0)

ABSTAIN: NONE (0)

CONSENT CALENDAR

3. Minutes of the Special Meeting – September 2, 2021
4. 2022 Meeting Schedule of the Executive Administration Committee, Policy Committees, and Regional Council
5. Contract Amendment Greater Than \$75,000, Contract No. 18-040-C01 Amendment No. 3, Regional Data Platform
6. Contract Amendment Greater Than 30% of the Contract's Original Value, Contract No. 19-003A-C01, Amendment No. 6, Great Plains (GP) Enterprise Software Services
7. Contracts \$200,000 or Greater: Contract No. 22-024-C01, ESRI Advantage Program
8. Resolution No. 21-636-1 Regarding Acceptance of Office of Traffic Safety Grant Funds to Support the Active Transportation Safety and Encouragement Campaign
9. Proposed 2023 Federal Transportation Improvement Program (FTIP) Guidelines
10. SB 9 (Atkins) – Status Update

Receive and File

11. June 24 Special EAC Strategic Work Plan
12. October 2021 State and Federal Legislative Update
13. Californians for Community Planning Voter Initiative
14. Connect SoCal CEQA Addendum No. 2 to Programmatic Environmental Impact Report (State Clearinghouse #2019011061)
15. Transportation Conformity Determination of Proposed Final Connect SoCal Amendment #1 and 2021 FTIP Consistency Amendment #21-05
16. Environmental Justice/Communities of Concern Update
17. Purchase Orders \$5,000 - \$199,999; Contracts \$25,000 - \$199,999 and Amendments \$5,000 \$74,999
18. CFO Monthly Report

A MOTION was made (Solache) to approve Consent Calendar Items 3 through 10; Receive and File Items 11 through 18. Motion was SECONDED (Ashton). The motion passed by the following roll call votes:

AYES: ALLEN, ANDRADE-STADLER, ASHTON, BECERRA, L. BROWN, CARRILLO, CLARK, DE RUSE, DIXON, FISCH, HAMADA, HARNIK, HERNANDEZ, KALMICK, KELLY, LOCK DAWSON, LORIMORE, MANOS, J. MARQUEZ, MCLEAN, MINAGAR, NAVA-FROELICH, O'NEIL, PLANCARTE, POLLOCK, PUTZ, RAMIREZ, SALEH, SANTOS, SCHWANK, SIMONOFF, SOLACHE, TYE, VIEGAS-WALKER, WAGNER, and WAPNER (36)

NOES: NONE (0)

ABSTAIN: NONE (0)

INFORMATION ITEM

19. Pedestrian Safety Month: Highlighting Go Human's 2021 Outcomes

President Lorimore thanked everyone for their patience and participation. In the interest of time, he moved on to the President's Report. A presentation was not provided on Agenda Item No. 19.

BUSINESS REPORT

A business report was not provided.

PRESIDENT'S REPORT

President Lorimore reported they would be getting quarterly updates on the Strategic Plan that the Executive Administration Committee (EAC) worked on back in June. He also noted they had a Clean Air Day Proclamation which was read the day before at the EAC meeting. Lastly, he reported that the next meeting of the Regional Council was scheduled for Thursday, November 4 at 12:30 p.m.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Ajise skipped his report in the interest of time but noted they would be hosting the 12th annual Economic Summit on December 2nd.

FUTURE AGENDA ITEM/S

There were no future agenda items requested.

ANNOUNCEMENT/S

Second Vice President Ramirez stated it had been a very difficult process especially for their staff and thanked them for their hard work and hanging in there with them on whatever they decide. She stated she believed they had the best staff and wanted to say this publicly for the record.

ADJOURNMENT

President Lorimore announced that he would be adjourning the meeting in honor of Mayor Pro Tem Victoria Baca of Moreno Valley, who sadly passed away after a long illness. He stated she was the first Latina woman to serve on the Moreno Valley City Council and a valued member of SCAG's Energy and Environment Committee. He stated their thoughts and prayers went out to her family and loved ones, and their colleagues in the Moreno Valley.

There being no further business, President Lorimore adjourned the Regional Council meeting in memory of Mayor Pro Tem Victoria Baca of Moreno Valley at 4:24 p.m.



[MINUTES ARE UNOFFICIAL UNTIL APPROVED BY THE REGIONAL COUNCIL]

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