



Date: March 27, 2021

To: The Southern California Association of Governments (SCAG)

Email: ePublicComment@scag.ca.gov

From: Dan Titus, ASCC

Email:FutureEarthUS@gmail.com

Subject: Response to SCAG Special Committee on Equity and Social Justice

Thank you for the opportunity to respond in writing to your Zoom committee meeting for Tuesday, March 30, 2021 from 3:00 p.m. – 5:00 p.m.¹

We are disappointed by the time constraints imposed to respond to the content presented by SCAG staff for this special meeting. The content was last updated on March 24th; the deadline to respond in writing is March 30, 2021, whereby we only had three business days to look at this large trove of information, let alone respond in the way we would have liked. That said, here is our truncated response:

We object to the findings of staff to be presented at a special Zoom meeting of the Special Committee on Equity and Social Justice in its entirety and more specifically, Item number 1, dated March 30, 2021, from SCAG Executive Director’ Kome Ajise, subject title: Racial Equity Early Action Plan, because the plan is predicated on two prejudicial documents (Attached)²:

1. RC Agenda Item 1, dated July 2, from SCAG Executive Director’ Kome Ajise, subject title: “Presentation on Racial and Social Justice and SCAG’s Policy Statement (Regional Discussion and Action on Equity and Social Justice” promoting the action to adopt,
2. Resolution No. 20-623-2, dated July 2, 2020

The American Coalition for Sustainable Communities

FutureEarthUS@gmail.com

We Want Answers

There was a flurry of resolutions similar to SCAGs adopted by different jurisdictions last summer, on the heels of protests/riots, when emotions were high.

We have challenged the County of San Bernardino and the County of Riverside to produce evidence in regards to similar resolutions. To date, these counties can offer no scientific evidence to support their claims of systemic racism and that it is a “health crisis”, meaning environmental health whereby the solution is environmental justice remedies. San Bernardino in an email dated March 24, 2021 from David Wert, CAO for the county, stated, “the county does not possess records that would be responsive to your requests for scientific documentation, proof, or evidence.” This is legal precedent, because the county’s resolution echoes much of what is in SCAGs Resolution No. 20-623-2.

We have reviewed the Resolution No. 20-623-2, dated July 2, 2020, and request more scientific evidence to support claims made in the document. Our interjections are in *italics* and are offered below.

Recommendation

We contend that SCAG is exhibiting “mission creep” and has overstepped its charter and that the ad hoc committee called the “Special Committee on Equity and Social Justice” should be dissolved because the issue of racism and it’s solution, equity, have become politicized; therefore, there are agendas in play, and we do not believe that SCAG should intercede at a metropolitan level when issues, involving justice and equity, can be addressed better at a local level given the legislation that is now available for jurisdictions: For example, bills like SB 1000 regarding environmental justice.

Review of Resolution No. 20-623-2, dated July 2, 2020

**RESOLUTION NO. 20-623-2
A RESOLUTION OF THE SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS (SCAG) STATING
CONVICTION THAT SYSTEMIC RACISM IS A HUMAN RIGHTS
AND PUBLIC HEALTH CRISIS WHICH RESULTS IN DISPARITIES IN
FAMILYSTABILITY, HEALTH AND MENTAL WELLNESS, EDUCATION,
EMPLOYMENT, ENVIRONMENTAL JUSTICE, ECONOMIC**

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**DEVELOPMENT, TRANSPORTATION, PUBLIC SAFETY, INCARCERATION
AND HOUSING AND REAFFIRMING ITS COMMITMENT TO ADVANCING
JUSTICE, EQUITY, DIVERSITY AND INCLUSION IN SOUTHERN
CALIFORNIA**

WHEREAS, SCAG is the largest metropolitan planning organization (MPO) in the United States covering six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura), and serving 19 million people pursuant to 23 USC § 134 et seq. and 49 USC § 5303 et seq. subject to the 1964 Civil Rights Act and the 1994 Presidential Executive Order No. 12898 on Environmental Justice; and

WHEREAS, SCAG is responsible for bringing Southern California’s diverse residents and local partners together with unifying regional plans, policies, and programs that result in more healthy, livable, sustainable, and economically resilient communities; and

WHEREAS, communities across Southern California and nationwide continue to show their pain, anger, and calls for action over the senseless and violent deaths of Tony McDade, Elijah McClain, Ahmaud Arbery, Breonna Taylor, and George Floyd, among others, as well as the systemic injustice in our society that led to these deaths and of too many more people of color; and

- *Please provide scientific proof that: “communities across Southern California and nationwide continue to show their pain, anger...” over “deaths”.*
- *Please provide scientific proof that show evidence that the deaths of Tony McDade, Elijah McClain, Ahmaud Arbery, Breonna Taylor, and George Floyd, are senseless and violent, and*
- *Provide proof that these deaths are a “systemic injustice in our society; and, that these specific deaths led to more deaths of more people of color.*

WHEREAS, SCAG acknowledges the historic role government and the planning profession have played in systemically driving and perpetuating societal inequities along racial lines that have resulted in vastly different living and social conditions and access to opportunities; and

WHEREAS, the compounding effects of the COVID-19 pandemic and resulting economic disruption have exposed the gross inequities that exist in our society; and

- *Please provide scientific evidence to show that “the compounding effects of the COVID-19 pandemic and resulting economic disruption have exposed the gross inequities that exist in our society.”*

WHEREAS, SCAG recognizes that systemic racism resulting from the inherent biases and prejudices within social and political organizations, groups, or institutions continue to create barriers to success for people of color; and

Please define the theory of systemic racism and provide scientific evidence,

- *that systemic racism resulting from the inherent biases, and*
- *prejudices within social and political organizations, groups, or institutions*
- *continue to create barriers to success for people of color*

WHEREAS, systemic racism negatively impacts the social determinants of health, such as socioeconomic status, education, neighborhood and physical environment, employment, and social support networks, as well as access to health care; and

- *Please provide scientific evidence to support the claim that the theory of systemic racism “negatively impacts the social determinants of health, such as socioeconomic status, education, neighborhood and physical environment, employment, and social support networks, as well as access to health care.”*

WHEREAS, SCAG seeks to lead and/or join efforts to reverse the effects of the inequitable policies, processes, and practices of the past, and recognizes that it has a role to play in understanding and communicating the impacts that planning decisions have on low income families, communities of color and other disadvantaged communities.

- *Please provide scientific evidence of inequitable policies, processes, and practices of the past and*
- *Explain why SCAG finds it necessary to lead and/or join efforts to reverse the effects of these policies.*
- *There are laws on the books for cities and counties to deal with social justice/ equity. SCAG in asserting itself into the narrative and acting to play a preordained leadership role in “understanding and communicating the impacts that planning decisions have on low income families, communities of color and other disadvantaged communities.”*

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NOW, THEREFORE, BE IT RESOLVED, by the Regional Council of the Southern California Association of Governments, that;

1. SCAG stands in solidarity with those working toward a fair and just society, and with those calling for systemic change to eliminate all barriers that reduce opportunity and undermine Southern California's shared values and ability to thrive; and SCAG affirms its commitment to meaningfully advance justice, equity, diversity, and inclusion; and SCAG declares its intent to end racial and social disparities internal to the agency, strengthen the way it engages and convenes to protect and expand community voice and power, and work in partnership with others to close the gap of racial injustice and better serve our communities of color, and in so doing, serve all the people of the region.

- *SCAG stands in solidarity with those working toward a fair and just society, and with those calling for systemic change to eliminate all barriers that reduce opportunity...*
- *Please define "solidarity" and a "fair and just society" within the context of the United States Constitution and the Civil Rights Act of 1964.*
- *Please define and show scientific evidence of "California's shared values and ability to thrive"*
- *Please define "justice, equity, diversity, and inclusion" within the context of the United States Constitution*
- *Please show scientific evidence that there are racial and social disparities internal to the agency (SCAG).*
- *Please explain why SCAG seeks to "interject itself into politics to "expand community voice and power" Define: "voice"; define "Power".*
- *SCAG seeks to "... Work with groups aligned with racial injustice and therefore, "better serve our communities of color"" therefore,*
- *According to SCAG, white people can't be defined as a minority; even if there are less white people by number in a jurisdiction. Therefore, we see SCAGs statement to "serve all the people of the region" as seen through the lens of the Special Committee on Equity and Social Justice, as an oxymoron.*

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2. Furthermore, based upon this affirmation, an ad hoc Special Committee on Equity and Social Justice shall be established by the President to further develop SCAG's response to advancing social justice throughout the agency's activities, and advise the Regional Council on policies and practices to advance its resolved intentions. Regular reports shall be provided to the Regional Council on the work of the committee and a final set of recommendations shall be prepared, including any recommendations to amend SCAG's bylaws within 9 months, for consideration by the Regional Council and General Assembly in May 2021.

PASSED, APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting this 2nd day of July, 2020.

Rex A. Richardson
President, SCAG
Councilmember, City of Long Beach
Attested by:
Kome Ajise
Executive Director
Approved as to Form:
Justine Block
Acting Chief Counsel

References

1. Information on SCAG Special Committee on Equity and Social Justice: URL <https://scag.ca.gov/sites/main/files/file-attachments/scesj033021fullagn.pdf?1616728250>
2. SCAG: Policy statement on Systemic Racism and Resolution & No. 20-623-2

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FutureEarthUS@gmail.com



RC AGENDA ITEM 1
REPORT

Southern California Association of Governments
Remote Participation Only
July 2, 2020

To: Regional Council (RC)

**EXECUTIVE DIRECTOR'S
APPROVAL**

From: Kome Ajise, Executive Director, Executive Management,
213-236-1835, Ajise@scag.ca.gov

Subject: Presentation on Racial and Social Justice and SCAG's Policy
Statement (Regional Discussion and Action on Equity and
Social Justice)

RECOMMENDED ACTION:

Adopt Resolution No. 20-623-2

STRATEGIC PLAN:

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

EXECUTIVE SUMMARY:

The unjust and tragic death of George Floyd, among many more, by law enforcement, in the midst of a pandemic that has disproportionately impacted communities of color, has revealed uncomfortable truths about the systemic racism in our society – including in the way we have planned and designed our communities and transportation systems. In Southern California, where we champion our diversity as one of our greatest strengths, the data reveals patterns of inequity and injustice that exist nationwide. To provide context for a conversation among Regional Council members on SCAG's role in addressing equity and social injustice, Professor Michael Lens, an Associate Professor of Urban Planning and Public Policy and Associate Faculty Director of the Lewis Center for Regional Policy Studies, will provide a presentation on planning's role in institutionalizing and perpetuating inequities in communities, and how regional and local policymakers and planners can work to repair the past harms and build communities where all can thrive.

BACKGROUND:

Communities nationwide and across Southern California continue to express their anguish, anger, and calls for action over the senseless and violent deaths of Tony McDade, Elijah McClain, Ahmaud Arbery, Breonna Taylor, George Floyd, and Rayshard Brooks, among others, and the systemic injustice that their deaths, and too many more, reveal in our society. Over the course of the past month we have been grieving these losses and considering how we, as a metropolitan planning

OUR MISSION

To foster innovative regional solutions that improve the lives of Southern Californians through inclusive collaboration, visionary planning, regional advocacy, information sharing, and promoting best practices.

OUR VISION

Southern California's Catalyst for a Brighter Future

OUR CORE VALUES

Be Open | Lead by Example | Make an Impact | Be Courageous

organization, can do more to advance equity, diversity, and inclusion in our region. For years we have been working to bring our diverse residents and local partners together through our plans, projects, and programs to unify the region and increase access to opportunity. While we have done some good work, it has not been enough, and we know that we must do more to combat systemic racism and the inequities that exist in our region.

Our region's greatest asset is its diversity, particularly in its people. People of color currently represent more than 68 percent of the region's population and our diversity is only expected to increase as we move towards 2045, when people of color will represent nearly 80 percent of our population. Our region's residents have among the most geographically diverse origins of any metropolitan region in the nation. There is a disproportionate burden of poverty on people of color relative to their white counterparts. Black (21.5%), American Indian/Alaskan Native (19.4%), and Hispanic (19%) communities experience the highest rates of poverty in our region compared to the white population (13.5%) and Asian population (11.5%). The region's low income families and communities of color also tend to reside in areas of the region where they experience more poor air quality, resulting in more asthma emergency room visits (e.g., areas near freeways and high traffic roads). What we know and what continues to be reinforced through the analysis of our conditions and now through COVID-19 is that where you live matters. A range of economic and social impacts such as health outcomes, education, employment, housing conditions, the likelihood of incarceration, and life expectancy, vary vastly in this region based on race, income and census tract. Across the region, life expectancy ranges drastically, from 68 to 93 years, depending on where you live.

As a regional planning organization, understanding the disparities that result from geography and the built environment are central to our work to plan for a more racially just, equitable future. Our long-range plan, Connect SoCal, includes an extensive Environmental Justice (EJ) Technical Report with detailed analyses on current conditions and the consequences of the region's transportation projects on low income communities and communities of color. Consideration of EJ stems from Title VI of the Civil Rights Act of 1964, which establishes the need for transportation agencies to disclose the benefits and burdens of proposed projects on communities of color. The goal is to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental impacts on low income families and communities of color. In an effort to support communities as they develop their own Environmental Justice Elements to comply with SB 1000, SCAG embedded an Environmental Justice Toolbox within the EJ Technical Report. The Toolbox includes recommended strategies and resources to address potential impacts to EJ Areas, Disadvantaged Communities, Communities of Concern, and other EJ related communities, and it presents optional policy recommendations that may be effective in addressing EJ impacts after a comprehensive review of impacts and consultation with all stakeholders.

SCAG is also active in state, regional, and local conversations on how to embed public health considerations into land use and transportation planning. Specifically, at the statewide level, SCAG staff currently serves on California's American Planning Association Planners 4 Health Steering Committee, which aims to increase local capacity for creating stronger, healthier communities, and promote greater coordination between planners and public health professionals at the state, regional, and local levels. At the regional level, Connect SoCal includes a robust, data-driven Public Health Technical Report which is grounded in the Social Determinants of Health (SDOH), a public health framework which is centered on the built environment and conditions in which we live, work, play and age. We know that the SDOH contribute to a wide range of disparate health outcomes depending on where you live, and that the rates of asthma, diabetes, and other chronic diseases in communities of color is greater than those for the region as a whole. It has become all too common to blame adverse health outcomes on individual behaviors when in fact the science is clear: the root cause of health inequities is racism and discrimination and how it limits access to the very opportunities and resources each of us need for optimal health and well-being. Science also tells us that that lifetime stress associated with experiences of daily acts of discrimination and oppression play a major role.¹ When we see elevated numbers of deaths in communities of color in our region due to COVID-19, we are witnessing the consequences of these long-standing inequities.

We are fortunate that the planning profession has evolved to take health equity and equity more broadly into account, and that it is now widely recognized that while transportation and land use decisions are shaping neighborhoods, they are also influencing health outcomes, access to education and employment, housing conditions, and life expectancies. Unfortunately, federal and state policies that now support this focus (e.g., Civil Rights Act of 1964, Executive Order 12898, and California Senate Bill 1000) were preceded by decades of policies that were often explicitly racist and resulted in inequities that persist to this day. Specifically, the Federal Housing Administration (FHA), which was established in 1934, furthered segregation by refusing to insure mortgages in and near predominantly Black neighborhoods — a policy that came to be known as "redlining" or the delineation of geographic areas for investment. At the same time, the FHA was subsidizing builders who were mass-producing entire subdivisions for white people, with the requirement that none of the homes be sold to Black people. Years later, with support from the Housing Acts of 1949 and 1954 and the Federal Aid Highway Act of 1956, entire neighborhoods were cleared out in the name of urban renewal, displacing residents using tactics such as eminent domain and condemnation laws. These federal economic and housing policies led to racial segregation, where neighborhoods of color struggled with isolation, high concentrations of poverty, chronic disinvestment, high rates of unemployment, and poor life outcomes. They also denied people of color access to the same opportunities to accumulate household wealth through homeownership contributing to enormous wealth and income gaps that remain today between white families and communities of color.² We

¹ Gee, Gilbert C. and Ford, Chandra L. *Structural Racism and Health Inequities: Old Issues, New Directions*, (accessed June 27, 2020).

² Rothstein, Richard. *The Color of Law: A Forgotten History of How Our Government Segregated America* (New York: Liverwright Publishing Corporation, 2017).

can see evidence of these policies in our region where roughly 60 percent of white people own homes, compared to about 40 percent of Hispanic people and 35 percent of Black people.

Recently adopted legislation will help us work towards improving the availability of housing for all residents. In 2018, the State of California adopted legislation requiring local governments to “affirmatively further fair housing.”³ Under State law, to affirmatively further fair housing means “taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.”⁴ The new law strengthened provisions of the State Housing Element law, which require general plans of all cities and counties to plan for housing for all Californians. SCAG is required, through the regional housing needs allocation (RHNA) process, to work with local jurisdictions to update their housing elements to plan for their fair share of housing. This involves modifying land use and zoning codes and developing supportive policies and programs for development of a variety of housing types for all income groups, including programs for preservation and construction of affordable housing, and removal of government barriers.

As a government agency focused on planning, we have the opportunity, and in some cases the legal obligation, to analyze and address the inequities that government and the planning profession have created by systemically driving and perpetuating societal differences along racial lines that have resulted in vastly different living and social conditions and access to opportunities. While we consider low income families and communities of color impacts in our regional growth, transportation, and economic development planning and analysis, we recognize that more affirmative approaches that seek to counter the effects of historic practices, like those being pursued through state housing law to overcome patterns of segregation and foster inclusive communities, are needed to advance equity and social justice across the region.

Planning for Equity and Social Justice

If Southern California is going to be the healthy, livable, sustainable, and economically resilient region we aspire to be, we need to dramatically improve outcomes for low income families and communities of color. By addressing the barriers faced by these communities, we will improve outcomes for other communities as well and strengthen our region. We need to plan for our future by addressing the long-standing systemic and institutional barriers that have fostered racial inequities in health, wealth, and opportunity, and created obstacles for low income families and communities of color.

To further these objectives, President Rex Richardson directed staff to prepare a resolution that would: 1) affirm SCAG’s intent to stand side-by-side with those working toward a fair and just

³ AB 686 Summary of Requirements in Housing Element Law, California Department of Housing and Community Development Memorandum to Planning Directors et. al, April 23, 2020; AB 686, Ch. 958 (Santiago) Statutes of 2018.

⁴ California Government Code § 8899.50 (a)(1).

society, and with those calling for systemic change and for the breaking down of barriers that reduce opportunity and undermine Southern California's shared prosperity; and 2) outline SCAG's intentions to consistently incorporate equity awareness into every aspect of its work guided by a Regional Council policy statement on equity and social justice. The President is also proposing the formation of a Special Committee on Equity and Social Justice to recommend a set of policies to the Regional Council and any necessary bylaw changes to the General Assembly to help SCAG meet its objectives. The work of the committee may include, but not be limited to:

- Establishing an agency-wide definition of "equity" to have a shared understanding of it.
- Providing guidance on the development of SCAG's internal Equity, Diversity, and Inclusion work plan that prioritizes, supports, and invests in equity, diversity, and inclusion.
- Reviewing SCAG's public participation plan and stakeholder engagement strategies to lift up voices of communities of color and other disadvantaged communities to ensure meaningful engagement and capacity-building opportunities for communities most impacted by racial and social injustice.
- Developing an Equity Inventory Report, which would catalogue the existing equity-related activities throughout SCAG's departments.
- Establishing an Equity Framework containing quantitative and qualitative indicators of existing inequities and disparities that exist in the region, and how communities and people in the region experience SCAG's desired outcomes.
- Preparing a set of policies and recommended changes to SCAG bylaws as necessary to guide and sustain SCAG's regional leadership in service of equity and social justice.

To ensure progress, SCAG staff would report back on the work of the Special Committee on Equity and Social Justice at regular intervals - 3 months, 6 months, and 9 months, with the expectation that a final set of recommendations shall be prepared, including any recommendations to SCAG's bylaws within 9 months, for consideration by the Regional Council and General Assembly in May 2021. We stand ready to work with all of you in the months ahead to build a more just, equitable, and prosperous region.

FISCAL IMPACT:

Funding for staff work on this issue is included in the Project 21-050.0169.08.

ATTACHMENT(S):

1. Resolution No. 20-623-2
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SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017
T: (213) 236-1800
www.scag.ca.gov

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RESOLUTION NO. 20-623-2

**A RESOLUTION OF THE SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS (SCAG) STATING
CONVICTION THAT SYSTEMIC RACISM IS A HUMAN RIGHTS
AND PUBLIC HEALTH CRISIS WHICH RESULTS IN DISPARITIES IN FAMILY
STABILITY, HEALTH AND MENTAL WELLNESS, EDUCATION, EMPLOYMENT,
ENVIRONMENTAL JUSTICE, ECONOMIC DEVELOPMENT, TRANSPORTATION,
PUBLIC SAFETY, INCARCERATION AND HOUSING AND REAFFIRMING
ITS COMMITMENT TO ADVANCING JUSTICE, EQUITY, DIVERSITY AND
INCLUSION IN SOUTHERN CALIFORNIA**

WHEREAS, SCAG is the largest metropolitan planning organization (MPO) in the United States covering six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura), and serving 19 million people pursuant to 23 USC § 134 et seq. and 49 USC § 5303 et seq. subject to the 1964 Civil Rights Act and the 1994 Presidential Executive Order No. 12898 on Environmental Justice; and

WHEREAS, SCAG is responsible for bringing Southern California's diverse residents and local partners together with unifying regional plans, policies, and programs that result in more healthy, livable, sustainable, and economically resilient communities; and

WHEREAS, communities across Southern California and nationwide continue to show their pain, anger, and calls for action over the senseless and violent deaths of Tony McDade, Elijah McClain, Ahmaud Arbery, Breonna Taylor, and George Floyd, among others, as well as the systemic injustice in our society that led to these deaths and of too many more people of color; and

WHEREAS, SCAG acknowledges the historic role government and the planning profession have played in systemically driving and perpetuating societal inequities along racial lines that have resulted in vastly different living and social conditions and access to opportunities; and

WHEREAS, the compounding effects of the COVID-19 pandemic and resulting economic disruption have exposed the gross inequities that exist in our society; and

WHEREAS, SCAG recognizes that systemic racism resulting from the inherent biases and prejudices within social and political organizations, groups, or institutions continue to create barriers to success for people of color; and

WHEREAS, systemic racism negatively impacts the social determinants of health, such as socioeconomic status, education, neighborhood and physical environment, employment, and social support networks, as well as access to health care; and

WHEREAS, SCAG seeks to lead and/or join efforts to reverse the effects of the inequitable policies, processes, and practices of the past, and recognizes that it has a role to play in understanding and communicating the impacts that planning decisions have on low income families, communities of color and other disadvantaged communities.

NOW, THEREFORE, BE IT RESOLVED, by the Regional Council of the Southern California Association of Governments, that;

1. SCAG stands in solidarity with those working toward a fair and just society, and with those calling for systemic change to eliminate all barriers that reduce opportunity and undermine Southern California's shared values and ability to thrive; and SCAG affirms its commitment to meaningfully advance justice, equity, diversity, and inclusion; and SCAG declares its intent to end racial and social disparities internal to the agency, strengthen the way it engages and convenes to protect and expand community voice and power, and work in partnership with others to close the gap of racial injustice and better serve our communities of color, and in so doing, serve all the people of the region.
2. Furthermore, based upon this affirmation, an ad hoc Special Committee on Equity and Social Justice shall be established by the President to further develop SCAG's response to advancing social justice throughout the agency's activities, and advise the Regional Council on policies and practices to advance its resolved intentions. Regular reports shall be provided to the Regional Council on the work of the committee and a final set of recommendations shall be prepared, including any recommendations to amend SCAG's bylaws within 9 months, for consideration by the Regional Council and General Assembly in May 2021.

PASSED, APPROVED AND ADOPTED by the Regional Council of the Southern California Association of Governments at its regular meeting this 2nd day of July, 2020.

[SIGNATURES ON FOLLOWING PAGE]

Rex A. Richardson
President, SCAG
Councilmember, City of Long Beach

Attested by:

Kome Ajise
Executive Director

Approved as to Form:

Justine Block
Acting Chief Counsel